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TOP INDIAN AFFAIRS OFFICIAL RATES WATER POLICY A PLUS FOR RESERVATION DEVELOPMENT

Interior Assistant Secretary Forrest J. Gerard today called President Carter's water policy "a logical framework for a rational solution to the complex problems concerning scarce water resources in the West."

Gerard said that he is "particularly pleased with the President's recognition of Indian water rights as a key to settlement of this controversial issue, as well as a key to the maintenance of a permanent tribal homeland."

The June 6 White House message directs the Bureau of Indian Affairs to develop and submit a plan for the review of Indian water claims to be conducted within the next ten years. Gerard, the Administration's top Indian Affairs official, stated that his agency would "vigorously carry forth this initiative in a cooperative effort with Indian tribal leadership and appropriate federal agencies."

The Administration's water policy addresses many concerns expressed by the tribal leadership and adopts recommendations advocated by the Department in four major areas:

- (1) That the Administration support negotiated settlement of water disputes;
- (2) That the BIA inventory tribal water claims;
- (3) That litigation of Indian claims take place in federal courts;
- (4) That a policy directive be approved to increase the development of Indian water resources.

"The essence of the announced water policy is the rational development and protection of Indian water resources in conjunction with resource quantification," Gerard said.

"Quantification has become a buzz-word for alarm in Indian country because previous quantification proposals have been viewed as adverse to the Indian interest in that they lacked essential ingredients which are part and parcel of this policy. These include 1) recognition of Indians' legal and long standing rights to water, 2) recognition of the tribal rights to a permanent existence, 3) recognition of the necessity of coupling quantification with development for the benefit of the Indian communities, and 4) recognition of the prior and paramount tribal rights in the development and quantification process."

Stating that the President's policy directives "provide both form and format for lasting benefits to the Indian community," Gerard called upon the tribal leadership "to seize this opportunity to initiate a comprehensive water resource development program."