

**Testimony of The Honorable Crystalyne Curley, Speaker of the 25th Navajo Nation Council
Before the Senate Committee on Indian Affairs Hearing on “Water as a Trust Resource”
September 27, 2023**

Yá'át'ééh Chairman Schatz, Vice Chair Murkowski, and Members of the Committee,

My name is Crystalyne Curley, Speaker of the 25th Navajo Nation Council. This year the Navajo Nation Council celebrates its 100th year anniversary.

I point this out because I am testifying today on water access and water as a trust resource. The challenges facing the Navajo Nation concerning water access today, are at least as old as our Council and indeed pre-date our Council's creation and coincide with the American presence in what I call Diné Bikeyah, roughly translated as Navajo Aboriginal Territory. Our Navajo people often say that “water is life” and we fully understand the sacredness of this precious resource.

Unfortunately, approximately 30% of Navajo Nation homes lack running water. I know this esteemed body is already aware of that fact as the COVID-19 pandemic shined a light on the disparities in the standard of living on the Navajo Nation that resulted in not only the highest rates of COVID but the highest rates of death from COVID throughout the United States. This esteemed Committee worked tirelessly to fully fund the Indian Health Service (IHS) Sanitation Deficiency Program through the Investment in Infrastructure and Jobs Act in 2021. And I thank you for that.

While we are still anxiously waiting for the IHS funding to be fully deployed, the Navajo Government is working hard to streamline the environmental clearance processes so that we are not standing in the way of the construction of water and sewer lines.

The lack of access to water includes more than a domestic water supply. The lack of water access impedes economic development on the Navajo Nation. Water is needed to support farming, industrial development, and municipal development. As you know, the IHS program is limited to water and sewer for Navajo homes.

There have not been federal programs to address water access for economic development and therefore the settlement of our water rights cases has served as the vehicle for obtaining sufficient federal funding and authorization as necessary to design and construct clean drinking water projects that serve businesses, government buildings, other municipal needs, and light industry.

Along these lines, one of the most important ways that this Committee can support the Navajo Nation is by helping to enact legislation to approve and implement water rights settlements we have negotiated with States, the federal government, and other parties. Through these settlements, the Nation secures a more reliable water supply by quantifying our reserved water rights and obtaining support for infrastructure projects needed to put those water rights to use to benefit our people.

In July of this year, Navajo Nation President Buu Nygren testified in support of the Navajo-Gallup Water Supply Project Amendments Act of 2023, S. 1898. By making it possible to fully implement the commitments made by the Federal government as part of the San Juan River Basin Water Rights Settlement, enacting S. 1898 will help secure a reliable water supply for water users in the eastern part of the Navajo Nation, the southwestern portion of the Jicarilla Apache Nation, and the

City of Gallup, New Mexico. The areas that the Navajo-Gallup Water Supply Project will serve currently rely on a rapidly depleting groundwater supply that is of poor quality and is inadequate to meet current and future water demands. In addition to this pending bill, the Navajo Nation anticipates working with our Congressional delegation and this Committee to introduce settlement legislation to approve water rights settlements for the Rio San Jose Basin and the Zuni Basin in New Mexico in the near future as well. In addition, the Navajo Nation is working very hard to bring parties together within the State of Arizona so we can also bring a settlement of our water rights in Arizona to this Congress. While ambitious, it is doable.

I say this is doable because non-Indian parties are expressing their desire to work with the Navajo Nation, and my people are energized by the Navajo-Gallup Water Supply Project pipelines that are currently being laid on the side of major roadways on the Navajo Nation. They know water is coming. We want to have this same excitement and opportunity throughout the entire Navajo Nation.

Finally, I want to express support for Tribal Access to Clean Water Bills S. 2385 and H.R. 4746. These bills will among other things address operations and maintenance of IHS constructed facilities and ensure that we do not create another crisis on the Navajo Nation.

Navajo Nation Leadership stands ready to work with this Committee, with Congress, and with the Administration to address the biggest issue facing the Navajo Nation, access to clean drinking water. Such leadership working together can secure a future where the Navajo people have access to clean reliable water needed to thrive.

Thank you for your time, and I look forward to further discussions on how we can address the water crisis facing the Navajo Nation. Ahéhee'.