January 3, 2020

The Honorable Steve Daines
320 Hart Senate Office Building
Washington, D.C. 20510-2604

The Honorable Jon Tester
311 Hart Senate Office Building
Washington, D.C. 20510-2604

Dear Senators Daines and Tester:

I write to you today representing membership of the Association of Retired U.S. Fish and Wildlife Service Employees, and in opposition to proposed provisions of The Montana Water Rights Protection Act (S.3019) that would remove a significant feature of public lands from the National Wildlife Refuge System. Our membership represents thousands of years of conservation expertise and views the proposal as counter to established conservation goals and the public trust.

The National Bison Range was acquired through publicly funded conservation dollars and such funding has continued to be invested in this publicly owned treasure for over a century. The proposal to use such a public resource as trading stock to, in part, adjudicate longstanding and unrelated issues, not only betrays the public trust, but also sets a bad precedent for potential future schemes – each with the potential to be found unique and therefore justified.

The Confederated Salish and Kootenai Tribes have long sought to gain primary ownership of The Bison Range and from their view this desire is totally understandable. Unfortunately, proposals such as S.3019 only tend to increase acrimony over this issue rather than further collaboration between the Government, Tribes, and the American public. Divestiture of public lands should be extremely rare and only when it benefits the legal purposes for which the lands were legitimately set aside, and benefits the American public as a whole into the foreseeable future. The proposed action does neither.

Additionally, the National Wildlife Refuge System is a system of lands and waters to benefit wildlife and the American public and The Bison Range is an important part of that System – well established as such since its creation by President Theodore Roosevelt in 1908. There are strong legal mandates for collaboration between Refuge Managers and the Tribes. Future efforts should be focused on building upon this collaboration and not dismantling a time-proven conservation program.

Please delete from S.3019 any provision that would remove The National Bison Range from the National Wildlife Refuge System and its public ownership and use.

Respectfully,

Cynthia Uptegraft Barry, Chairperson