



NATIONAL CONGRESS OF AMERICAN INDIANS

July 16, 2021

The Honorable Charles Schumer
Majority Leader
U.S. Senate
S-221 U.S. Capitol Building
Washington, D.C. 20510

The Honorable Mitch McConnell
Minority Leader
U.S. Senate
S-230 U.S. Capitol Building
Washington, D.C. 20510

The Honorable Nancy Pelosi
Speaker
House of Representatives
1236 Longworth House Office Building
Washington, DC 20515

The Honorable Kevin McCarthy
Minority Leader
House of Representatives
2468 Rayburn House Office Building
Washington, DC 20515

EXECUTIVE COMMITTEE

PRESIDENT
Fawn R. Sharp
Quinalt Indian Nation

1ST VICE PRESIDENT
Aaron Payment
Sault Ste. Marie Tribe of Chippewa Indians

RECORDING SECRETARY
Juana Majel-Dixon
Pauma Band of Luiseño Indians

TREASURER
Shannon Holsey
Stockbridge-Munsee Band of Mohican Indians

REGIONAL VICE PRESIDENTS

ALASKA
Rob Sanderson, Jr.
Tlingit & Haida Indian Tribes of Alaska

EASTERN OKLAHOMA
Norman Hildebrand
Wyandotte Nation

GREAT PLAINS
Larry Wright, Jr.
Ponca Tribe of Nebraska

MIDWEST
Rebecca Crooks-Stratton
Shakopee Mdewakanton Sioux Community

NORTHEAST
Tina Abrams
Seneca Nation of Indians

NORTHWEST
Leonard Forsman
Suquamish Tribe

PACIFIC
Erica Rae Macias
Cahuilla Band of Indians

ROCKY MOUNTAIN
Mark Pollock
Blackfeet Nation

SOUTHEAST
Nancy Carnley
Ma-Chis Lower Creek Indian Tribe of Alabama

SOUTHERN PLAINS
Robert Tippeconnie
Comanche Nation

SOUTHWEST
Joe Garcia
Ohkay Owingeh Pueblo

WESTERN
Amber Torres
Walker River Paiute Tribe

CHIEF EXECUTIVE OFFICER
Dante Desiderio
Sappony

NCAI HEADQUARTERS
1516 P Street, N.W.
Washington, DC 20005
202.466.7767
202.466.7797 fax
www.ncai.org

Re: NCAI Support for the Tribal Access to Clean Water Act of 2021

Dear Leader Schumer, Leader McConnell, Speaker Pelosi, and Leader McCarthy:

On behalf of the National Congress of American Indians (NCAI), the oldest and largest national organization of Tribal Nations and their citizens, I write to express NCAI's strong support for the Tribal Access to Clean Water Act of 2021. This legislation, a copy of which is attached, will be introduced by Senator Michael Bennet of Colorado, together with other Senate co-sponsors.

The impacts of the COVID-19 pandemic on Indian Country have laid bare the immense infrastructure needs on tribal lands. Among the gravest deficiencies is the lack of adequate domestic and municipal water infrastructure. Almost half of Native American households do not have the same basic water and sanitation services that are taken for granted by most Americans. Because frequent hand washing and stringent cleaning practices have been key to mitigating the spread of the virus, the many households across Indian Country that lack running water and indoor plumbing have been acutely vulnerable. The need to buy drinking water in bulk, draw water from communal wells, do laundry in towns, and use domestic well water sparingly in order to conserve have greatly increased this vulnerability. Even now, on the tail end of the pandemic in this country, American Indians and Alaska Natives still have the highest rates of hospitalization and death of any ethnic group. The trust responsibility of the federal government to Indian tribes requires it to ensure the survival and welfare of those tribes. The failure to provide basic water service cannot be reconciled with this trust responsibility.

The information and data included the U.S. Commission on Civil Rights' Broken Promises *Broken Promises: Continuing Federal Funding Shortfall for Native Americans* Report the lack of access to clean water in Indian Country constitutes a humanitarian crisis which Congress must address. The Report states that "water delivery systems have been underdeveloped and many have fallen into disrepair due to chronic underfunding by Congress" . . . and "[r]esearch indicates that Native

Americans, compared with many other populations, are at a higher risk for health issues due to water contamination.”¹

According to the Report: 40 percent of Navajo Nation members do not have running water in their homes; nearly 48 percent of Native homes “do not have access to reliable water sources, clean drinking water, or basic sanitation”; and tribal water systems experienced approximately 57 percent more water-quality violations in the past decade than non-tribal water systems. While these data points begin to tell the story of what our tribal communities face regarding access to clean water, because the U.S. Environmental Protection Agency has only approved 38 of the 574 federally recognized tribes’ water quality standards, data showing the full picture of the need for clean water infrastructure in Indian Country is limited.²

For all these reasons, NCAI strongly supports the Tribal Access to Clean Water Act. Funding is critical to ensuring that Native Americans enjoy the same access to clean water as virtually all other American households. Multiple federal agencies have programs that can address the provision of clean water to tribes, but those programs have been historically and critically underfunded. The Tribal Access to Clean Water Act will provide funding at the amount of the identified unmet need that will finally provide universal clean and safe domestic water in Indian Country. The Act recognizes that “access to reliable, clean drinking water is an essential human need and critical to the public health, well-being, educational attainment, and economic development of all communities in the United States.”

NCAI asks Senate and House leadership to move quickly in adopting the Tribal Access to Clean Water Act, and for Congress to work toward incorporating its provisions in the pending infrastructure package. We thank you in advance for your time and efforts, and we look forward to working with both chambers on this critical priority for Tribal Nations and their citizens.

If you have any questions, please do not hesitate to contact Dante Desiderio, NCAI Chief Executive Officer at ddesiderio@ncai.org.

Sincerely,



Fawn Sharp
NCAI President

¹ U.S. Commission on Civil Rights, *Broken Promises: Continuing Federal Funding Shortfall for Native Americans*, December 2018, pg. 182, available at: <https://www.usccr.gov/pubs/2018/12-20-Broken-Promises.pdf>.

² *Id.* at 182-183.