

July 29, 2021

The Honorable Nancy Pelosi
Speaker of the House
U.S. House of Representatives
Washington, DC 20515

The Honorable Chuck Schumer
Majority Leader
United States Senate
Washington, DC 20510

The Honorable Kevin McCarthy
Minority Leader
U.S. House of Representatives
Washington, DC 20515

The Honorable Mitch McConnell
Minority Leader
United States Senate
Washington, DC 20510

Dear Speaker Pelosi, Majority Leader Schumer, and Minority Leaders McCarthy and McConnell:

We the undersigned organizations recognize the critical importance of access to reliable, clean drinking water and wastewater services to Native communities and urge swift passage of S. 2369, the *Tribal Access to Clean Water Act of 2021*. Adequate water supplies and wastewater services are critical to public health and the economic development in Native communities.

While many communities across the nation continue to struggle to address aging infrastructure, lead pipes, emerging contaminants, climate impacts, and other stressors, far too many Native communities lack access to basic water and wastewater services. For example, the Indian Health Service (IHS) identified \$3.1 billion in estimated costs for infrastructure projects to address existing drinking water and wastewater infrastructure needs in Indian country for FY19.¹ Furthermore, IHS identified 130,153 American Indian and Alaska Native (AI/AN) homes as needing some form of sanitation facility improvement, 68,260 AI/AN homes without access to adequate sanitation facilities, and 7,612 AI/AN homes without access to a safe water supply systems and/or sewage disposal systems.

The U.S. Environmental Protection Agency estimates the costs of future Tribal drinking water infrastructure needs at an additional \$3.8 billion over the next 20 years.² The Department of Housing and Urban Development found that 5.6 percent of Tribal homes have a plumbing inadequacy - defined as lacking piped hot water or a flush toilet, or lacking both bathtub and shower, for the exclusive use of the unit, compared to 1.3 percent of homes in the U.S.³

More than 30 percent of the population on the Navajo Reservation lack running water, which exposed residents to greater risk of COVID-19 infection due to the inability to take basic

¹ INDIAN HEALTH SERVICE ET AL., ANNUAL REPORT TO THE CONGRESS OF THE UNITED STATES ON SANITATION DEFICIENCY LEVELS FOR INDIAN HOMES AND COMMUNITIES: FISCAL YEAR 2019 (2019).

² ENV'T. PROTECTION AGENCY, DRINKING WATER INFRASTRUCTURE NEEDS SURVEY AND ASSESSMENT: SIXTH REPORT TO CONGRESS, EPA 816-K-17-002 (March 2018).

³ NANCY PINDUS ET AL., DEP'T OF HOUSING AND URBAN DEVELOPMENT, HOUSING NEEDS OF AMERICAN INDIANS AND ALASKA NATIVES IN TRIBAL AREAS: A REPORT FROM THE ASSESSMENT OF AMERICAN INDIAN, ALASKA NATIVE, AND NATIVE HAWAIIAN HOUSING NEEDS (Jan. 2017).

preventative measures, such as hand-washing.⁴ More than 40 percent of Navajo households in Utah lack running water or adequate sanitation in their homes.⁵ In some cases, such as in the community of Oljato on the Arizona-Utah border, a single spigot on a desolate road, miles from any residence, serves 900 people. In FY16, projects to address deficiency levels 4 and 5—homes or communities that lack a safe drinking water supply or wastewater disposal system, or both—accounted for \$1.6 billion, or about half, of the total estimated costs of Tribal infrastructure needs in the IHS sanitation deficiency database.⁶ More than 80 percent of the deficiency level 4 and 5 project costs were located in the IHS Alaska and Navajo areas.⁷

In conclusion, we ask for Congress to enact the *Tribal Access to Clean Water Act of 2021* to ensure access to reliable, clean drinking water and wastewater services for all Americans. This targeted investment in Native communities would be a significant step towards ensuring universal access to water and wastewater services.



⁴ Kenzi Abou-Sabe, Cynthia McFadden & Didi Martinez, 'Hit us at our core': Vulnerable Navajo Nation fears a second COVID-19 wave, NBC NEWS (Aug. 3, 2020) <https://www.nbcnews.com/specials/navajo-nation-fears-second-covid-19-wave/index.html>.

⁵ *The Navajo Utah Water Rights Settlement Act of 2019: Hearing on H.R. 644 Before the Subcomm. on Water, Oceans & Wildlife of the H. Nat. Resources Comm.*, 116th Cong. (2019) (testimony of Jonathan Nez, President Navajo Nation).

⁶ U.S. GOV'T ACCOUNTABILITY OFF., GAO-18-309, DRINKING WATER AND WASTEWATER INFRASTRUCTURE: OPPORTUNITIES EXIST TO ENHANCE FEDERAL AGENCY NEEDS ASSESSMENT AND COORDINATION ON TRIBAL PROJECTS (2018).

⁷ *Id.*