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February 2, 2024

Re: Support for the Tribal Access to Clean Water Act of 2023

Honorable Congressional Leaders:

[Vessel™](#), America's Domestic WASH Collective, writes in strong support of the Tribal Access to Clean Water Act of 2023 (S.2385 and H.R.4746). These bills, before both the House and Senate, provide a necessary vehicle for ensuring the government meets its trust obligation to provide clean and accessible water for Tribal communities. While funding allocated through the Bipartisan Infrastructure Law and Inflation Reduction Act have provided much needed support for Tribal water systems, gaps in critical areas, particularly technical assistance and operations and maintenance (O&M), still remain. S.2385 and H.R.4746 seek to address these gaps through the availability of dedicated funds.

Vessel™ is a collective of U.S. WASH organizations fighting for universal access to water and sanitation in the U.S. Over 2 million people are forced to live in the water access gap—where families and children across America are without access to running water or a working toilet at home—a number that is disproportionately made up of Native Americans. This water access gap has a significant impact on our economy, causing a \$8.6 billion loss each year.<sup>1</sup> Vessel™ brings together organizations across the private, nonprofit, academic, utility, and philanthropic sectors to find solutions to the crisis in our own backyards. The collective actively coordinates policy advocacy efforts to remove barriers to WASH access and improve government funding and regulation.

Water is a human right. Yet for so many people nationwide—particularly Native Americans—this basic standard is out-of-reach. For Tribal communities across the United States, reliable access to basic services has long been a problem. An estimated [48 percent](#) of households on Native American reservations do not have clean water or adequate sanitation.<sup>2</sup> DigDeep and the US Water Alliance, two members of the Vessel™ collective, have reported that Native American households are [19 times](#) more likely than white households to lack indoor plumbing, a statistic referenced by many government leaders and agencies as an ongoing

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<sup>1</sup> "Draining — DIGDEEP." DIGDEEP, [www.digdeep.org/draining](http://www.digdeep.org/draining).  
<sup>2</sup> "Fact Sheet: Tribal Access to Clean Water Act of 2023" Universal Access to Clean Water for Tribal Communities, 2024, <https://tribalcleanwater.org/wp-content/uploads/2024/01/Fact-Sheet-Tribal-Clean-Water-legislation-2024-01.pdf>

national issue.<sup>3456</sup> This inequality was particularly acute during the COVID-19 pandemic, as access to basic hygiene became a matter of life and death.<sup>7</sup>

Historically, past investments in water infrastructure excluded many Tribal Nations, communities of color, immigrant communities, low-income communities, and rural areas. This lack of investment has had significant economic impacts on Tribal communities. Nationwide, each year that the water access gap remains open, the U.S. economy loses a staggering \$8.58 billion, or an average \$15,800 per impacted household per year.<sup>8</sup> These losses take the form of water hauling costs and water purchasing costs when reliable, potable water is unavailable - a common occurrence on many Tribal lands. Many individuals also incur medical costs from exposure to unsafe water, or water related stressors. In some impacted Tribal communities, these costs outweigh average household incomes. Overtime, these costs hamper economic growth for Tribes, and divert important resources and funding away from other needed community investments.

Several of our member organizations routinely work with Native American and Alaska Native communities to ensure a high standard of public health and safety are provided through drinking water and sanitation solutions. This work has shown that the federal government is a critical partner in delivering these services, and ensuring that disconnected communities are both counted and supported.

Our collective expertise—working hand-in-hand with communities facing disparate water insecurity issues—validate the critical need for technical assistance and provisions for O&M. While many nonprofit organizations are currently working to help bridge these gaps, they are unable to provide the level of funding needed to meet the volume of demand.

Technical assistance is an effective method of building the capacity of Tribes. Before many Tribal communities can take advantage of funding opportunities, they must first have knowledge of said funding, as well as the capacity and expertise to apply. The Tribal Access to Clean Water Act of 2023 will authorize new grants and loans specifically for technical assistance, and increase available funding from the U.S. Department of Agriculture, Indian Health Service (IHS), and Bureau of Reclamation over

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<sup>3</sup> “Close the Water Access Gap.” DIGDEEP, [www.digdeep.org/close-the-water-gap](http://www.digdeep.org/close-the-water-gap).  
<sup>4</sup> “Addressing Water and Wastewater Challenges in Tribal Nations.” Office of Community Service, Administration of Children and Families, 2022, <https://www.acf.hhs.gov/blog/2022/08/addressing-water-and-wastewater-challenges-tribal-nations>.

<sup>5</sup> “Padilla Leads Hearing on Improving Access to Clean Drinking Water and Wastewater Infrastructure in Tribal Communities.” Alex Padilla U.S. Senator for California, 2023, <https://www.padilla.senate.gov/newsroom/press-releases/padilla-leads-hearing-on-improving-access-to-clean-drinking-water-and-wastewater-infrastructure-in-tribal-communities/>.

<sup>6</sup> “U.S. National Statement at the United Nations 2023 Water Conference.” Secretary Deb Haaland, U.S. Secretary of the Interior, 2023, <https://usun.usmission.gov/u-s-national-statement-at-the-united-nations-2023-water-conference/>.

<sup>7</sup> “Strengthening the Nation-to-Nation Relationship with Tribes to Secure a Sustainable Water Future.” United States Environmental Protection Agency, 2021, [https://www.epa.gov/system/files/documents/2021-10/2021-ow-tribal-action-plan\\_508\\_o.pdf](https://www.epa.gov/system/files/documents/2021-10/2021-ow-tribal-action-plan_508_o.pdf).  
<sup>8</sup> “Draining — DIGDEEP.” DIGDEEP, [www.digdeep.org/draining](http://www.digdeep.org/draining).

the next five years. This increase in funding will help move infrastructure improvement plans to a “shovel ready” stage, thereby expediting delivery, and helping develop much-needed managerial, financial, and regulatory capacities crucial for long-term sustainability.

Unlike traditional utilities, Tribes across the U.S. do not have access to the same revenue streams used for upkeep and system maintenance. Unfortunately, this leaves little support for O&M, a key component to realizing many of the investments designated in the Bipartisan Infrastructure Law and Inflation Reduction Act. Initial funding for building systems is an incredible boon; however, without long-term sustainability considerations from the beginning, systems will inevitably fail. O&M should be factored into federal funding allocation. To that end, the Tribal Access to Clean Water Act of 2023 authorizes increased funding for O&M assistance through IHS over the next five years.

In addition, many Tribes in the U.S. today are disproportionately affected by climate change, including drought and extreme weather events. Tribal and Indigenous people, for example, are [more likely](#) to live in areas with land lost to inundation, requiring communities to move, adapt, and repair systems at a higher rate than they would otherwise.<sup>9</sup> O&M for current water and sanitation infrastructure, as well as the ability to learn about and utilize new technologies that meet the needs of these communities, will enhance their resilience in the face of climate change.

Reliable water and sanitation delivery provide indispensable educational, economic, and community services. Without these essential services, we continue to put the health and well-being of Tribal communities at risk. Therefore, Vessel™ strongly supports the swift passage of The Tribal Access to Clean Water Act.

Everyone deserves a human right to water and sanitation. For far too long, Native Americans have faced disproportionate levels of water insecurity, poverty, and health disparities. For too many Tribal families, water has become a privilege and not a right; the richest democracy in the world has a duty to eliminate this water access gap, once and for all. Providing this basic human right will unlock change for Tribal communities for generations to come. This starts with ensuring equitable and reliable access to government funding and technical assistance, as outlined in both S.2385 and H.R.4746.

Signed,

The Vessel™ Collective

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<sup>9</sup> “Climate Change Impacts to Water and Sanitation in Frontline Communities in the United States (working document), Water, Sanitation, and Climate Change in the US Series, Part 1”. Pacific Institute, 2023, <https://pacinst.org/publication/climate-change-impacts-was-2023/>.

DigDeep

Center for Indigenous Health

Community Engineering Corps

GreenLatinos

International Association of Plumbers and Mechanical Officials

Moonshot Missions

The Center for Water Security and Cooperation

US Water Alliance

Water For People