



July 21, 2021

The Honorable Charles Schumer
 Majority Leader, U.S. Senate
 2-221 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
 Majority Leader, U.S. House of
 Representatives
 1236 Longworth H.O.B.
 Washington, DC 20515

The Honorable Kevin McCarthy
 Minority Leaders, U.S. House of
 Representatives
 H-204, The Capitol
 Washington, D.C. 20515

Re: Support for S. Res. 141, H. Res. 320, S. 2369, the Tribal Access to Clean Water Act of 2021, and additional infrastructure funding for Tribal infrastructure

Dear Congressional Leaders:

As leaders of the undersigned Tribes and Tribal organizations within the Colorado River Basin, we are writing to express our support for meaningful efforts to provide universal access to clean water for Native Americans. For far too long, many American Indians and Alaska Natives have gone without a basic ingredient of life and public health – access to a clean and safe drinking water supply. The responsibility of the United States government to provide a permanent, livable homeland to tribes in exchange for tribes’ relinquishment of ancestral lands is not fulfilled when tribal members do not have a clean water supply. It is incomprehensible that in 2021, more than 30 percent of Native American households do not have clean water for drinking and basic hygiene. Quality water must remain available to tribes with recognized rights and infrastructure must be in place to deliver reliable water for all.

The COVID-19 pandemic has highlighted this glaring inequity. According to the Centers for Disease Control, American Indians and Alaska Natives are much more likely than any other ethnic or racial group to suffer hospitalization or death from COVID and had the highest rate of COVID-19 incidence prior to the vaccination campaign. Scientific analysis has demonstrated a link between this disparity and lack of access to clean running water in homes. Many of our family members, our elders, and our children have lost their lives

during the COVID-19 pandemic because clean and safe water was not available. As the pandemic has made starkly clear, as a nation we are only as safe as our most vulnerable communities. The lack of access to clean water on tribal lands threatens the public health of the entire country.

As Congress considers an infrastructure bill, we urge members to consider the unmet need for infrastructure in Native American communities. According to the 2017 National Congress of American Indians *Tribal Infrastructure: Investing in Indian Country for a Stronger America* report that was provided to the Administration and Congress this unmet need was estimated to be \$50 billion in 2009 (2017 NCAI Report). There remain billions of dollars of unmet infrastructure need in Native American communities.

We applaud President Biden's recently proposed budget because it is a bold effort to address the unmet infrastructure need in the United States, including Indian Country. We are also grateful that Congress included \$20 billion of tribal specific recovery funds under the American Rescue Plan Act, which can be used for clean water infrastructure among other COVID related uses. But these funds will not meet unmet need for clean drinking water infrastructure in much of Indian Country because the allocation methodology is not based on the specific infrastructure needs of tribes, there is a wide variation in how much each tribe receives under the allocation methodology, and many tribes will use these funds for other allowable urgent needs. Additional substantial need remains with respect to clean drinking water, especially for smaller tribes and some of the large land based rural tribes.

With respect to clean water specifically, the vast majority of tribes rely on Indian Health Service (IHS) Sanitation Facilities Construction Funding. According to the 2017 NCAI Report, the estimated construction needs for IHS Sanitation Funding in 2015 was \$3.4 billion but the appropriation for this construction was only \$78 million, about 2% of the need. Tribes received only a pittance of the funding made available under the Safe Drinking Water State Revolving Fund (75 cents for \$100 of need for drinking water) and Clean Water State Revolving Fund (\$4.05 for every \$100 of need). As leaders of our sovereign nations, we support [Senate Resolution 141](#) and [House Resolution 320](#) and their recognition of the acute need for better water resources in Indian country, and urge their adoption. We note that similar statements of support have been adopted by the [Western States Water Council](#), the [Family Farm Alliance](#), and a [diverse group of major corporations through Business for Water Stewardship](#). The National Congress of American Indians has also written a letter of support to Senate leadership.

In order to make universal access to clean water a reality for Native Americans, funding is essential. We support S. 2369, sponsored by Sen. Michael Bennet and Sen. Martin Heinrich, the *Tribal Access to Clean Water Act of 2021*. This legislation will provide much of the funding required to address clean water infrastructure on tribal lands and ensure that all Native Americans are able to access clean water for drinking and sanitation. The appropriations provided in this bill for the IHS, the Environmental Protection Agency, the U.S. Department of Agriculture, and the Bureau of Reclamation are intended to remedy the injustices perpetrated on Native American communities through a lack of access to clean water and to ensure that tribes will not be left behind again as they have in the past.

Funding this unmet need will improve public health, create jobs in areas of the country most severely impacted by the pandemic, address historical injustice, and ensure resilient water supplies in the face of climate change. Either the American Jobs Plan, the bipartisan infrastructure package, or the recently proposed \$3.5 trillion Senate bill with their focus on infrastructure and jobs could be ideal vehicles for providing this funding and represent a once-in-a-generation opportunity to fulfill the United States' responsibility to provide the necessities of life to American Indians and Alaska Natives.

As one of the richest countries in the world, we cannot allow this stain on our Republic to continue. The United States must live up to its commitments to Native communities and end the historical pattern of broken promises. We urge in the strongest terms the passage of the two resolutions and S. 2369.

Sincerely,

Curtis Anderson, Chairman, Las Vegas Paiute Tribe

Melvin Baker, Chairman, Southern Ute Indian Tribe

Corrina Bow, Chairwoman, Paiute Indian Tribe of Utah

Bernadine Burnette, President, Fort McDowell Yavapai Nation

Damon Clarke, Chairman, Hualapai Tribe

Shaun Chapoose, Chairman, Ute Indian Tribe

Sherry Cordova, Chairwoman, Cocopah Indian Tribe

Manuel Heart, Chairman, Ute Mountain Ute Tribe

Jordan D. Joaquin, Chairman, Fort Yuma Quechan Indian Tribe

Calvin Johnson, Chairman, Tonto Apache Tribe

Candelora Lehi, Acting President, San Juan Southern Paiute Tribe

Gwendena Lee-Gatewood, Chairwoman, White Mountain Apache Tribe

Jonathan Nez, President, Navajo Nation

Austin Nunez, Chairman, San Xavier District, Tohono O'odham Nation

Timothy Nuvangyaoma, Chairman, Hopi Tribe

Robert Miguel, Chairman, Ak Chin Indian Community

Laura Parry, Chairwoman, Moapa Band of Paiutes

Sierra Pencille, Chairwoman, Chemehuevi Indian Tribe

Ona Segundo, Chairwoman, Kaibab Band of Paiute Indians

Edward Velarde, President, Jicarilla Apache Nation

Manuel Heart, Chair, Ten Tribes Partnership