

THE NAVAJO NATION  
LEGISLATIVE BRANCH  
INTERNET PUBLIC REVIEW PUBLICATION



LEGISLATION NO: \_0160-21\_

SPONSOR: Raymond Smith, Jr.

**TITLE: An Action Relating to the Health, Education and Human Services and Naabik'iyáti Committees; Supporting United States Senate Bill S. 1895 Titled "The Indian Health Service Sanitation Facilities Construction Enhancement Act."**

***Date posted:*** August 07, 2021 at 10:15PM

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**LEGISLATIVE SUMMARY SHEET**

**Tracking No. 0160-21**

**DATE:** AUGUST 3, 2021

**TITLE OF RESOLUTION:** AN ACTION RELATING TO THE HEALTH, EDUCATION AND HUMAN SERVICES AND NAABIK'ÍYÁTÍ COMMITTEES; SUPPORTING UNITED STATES SENATE BILL S. 1895 TITLED "THE INDIAN HEALTH SERVICE SANITATION FACILITIES CONSTRUCTION ENHANCEMENT ACT."

**PURPOSE:** This resolution, if approved, will provide Navajo Nation support for U.S. Senate Bill S. 1895, "The Indian Health Service Sanitation Facilities Construction Enhancement Act."

**This written summary does not address recommended amendments as may be provided by the standing committee. The Office of Legislative Counsel requests each committee member to review the proposed resolution in detail.**

5-DAY BILL HOLD PERIOD: Johnson  
Website Posting Time/Date: \_\_\_\_\_  
Posting End Date: 08/12/21  
Eligible for Action: 08/13/21

1 PROPOSED STANDING COMMITTEE RESOLUTION  
2 24<sup>th</sup> NAVAJO NATION COUNCIL — Third Year, 2021

3 INTRODUCED BY

4   
5 \_\_\_\_\_  
6 Primary Sponsor

7  
8 TRACKING NO. 0160-21

9  
10 AN ACTION

11 RELATING TO THE HEALTH, EDUCATION AND HUMAN SERVICES AND  
12 NAABIK'ÍYÁTÍ COMMITTEES; SUPPORTING UNITED STATES SENATE BILL  
13 S. 1895 TITLED "THE INDIAN HEALTH SERVICE SANITATION FACILITIES  
14 CONSTRUCTION ENHANCEMENT ACT."

15  
16 **WHEREAS:**

- 17 A. The Navajo Nation established the Naabik'iyáti' Committee as a Navajo Nation  
18 Council standing committee and as such empowered the Naabik'iyáti' Committee to  
19 coordinate all request for information, appearances and testimony relating to  
20 proposed country, state and federal legislation impacting the Navajo Nation. 2 N.N.C.  
21 §§ 700 (A), 701 (A) (6) and also CO-45-12.
- 22 B. The Health, Education and Human Services Committee is a standing committee of  
23 the Navajo Nation Council empowered to represent the Navajo Nation at local, state  
24 and federal levels on proposed legislation, funding and other actions affecting health,  
25 environmental health, social services, education, veteran's services, employment,  
26 training and labor. 2 N.N.C. §401 (B) (7).
- 27 C. The Navajo Nation has a government-to-government relationship with the United  
28 States of America, Treaty of 1868, Aug. 12, 1868, 15 Stat. 667.
- 29 D. On May 27, 2021 U.S. Senator Ben Ray Lujan (D-NM), in concert with Senator  
30 Heinrich (D-NM) and Senator Sinema (D-AZ), introduced United States Senate Bill

1 S. 1895 titled, “The Indian Health Service Sanitation Facilities Construction  
2 Enhancement Act”, attached as **Exhibit A**.

3 E. The Indian Health Service Sanitation Facilities Construction Enhancement Act was  
4 introduced to address the lack of infrastructure and sanitation available in Native  
5 communities and to provide additional funding to address the Sanitation Facilities  
6 Deficiency List of the Division of Sanitation Facilities and Construction of the Indian  
7 Health Services to which will result in increased investment in necessary water  
8 infrastructure and improved health outcomes. .

9 F. The “Sanitation Deficiency System” is established by the Secretary of Health and  
10 Human Services (“Secretary”) through the Director of the Indian Health Service  
11 under section 302(g) of the Indian Health Care Improvement Act (25 U.S.C. 1632(g)  
12 to “identify, report and prioritize the sanitation deficiencies of Indian Tribes and  
13 communities.”

14 G. The purposes of S. 1895 is to provide additional funds for sanitation facilities; and  
15 pursuant to Section 1 (c)(1) of S. 1895 the Secretary shall award additional funding  
16 under the Sanitation Facilities Construction Program for “the planning, design,  
17 construction, modernization, improvement, and renovation of water, sewer, and solid  
18 waste sanitation facilities that are funded, in whole or part, by the Indian Health  
19 Service.”

20 H. The Sanitation Facilities Construction Program funding is provided

- 21 1. through the Indian Health Services or through contract or compact with the  
22 Indian Health Service under the Indian Self-Determination and Educational  
23 Assistance Act (25 U.S.C. 53 et seq.);
- 24 2. pursuant to section 7 of the Act of August 5, 1954 (68 Stat. 674, chapter  
25 658;73 Stat. W67; 42 U.S.C. 2004a); and
- 26 3. pursuant to section 302 of the Indian Health Care Improvement Act (25  
27 U.S.C. 1632).

28 I. The Secretary is to award funds to sanitation facilities in accordance with the  
29 Sanitation Deficiency System with \$3,000,000,000 for fiscal year 2022; and such  
30 funds are to remain available until expended.

1 J. While the Navajo Area Indian Health Services generally receives between \$ 10  
2 million and \$14 million each year in Sanitation Construction Funding, the Navajo  
3 Area IHS Sanitation Deficiency System (SDS) List – for FY 2021, attached as  
4 **Exhibit B**, totals \$535 million which is an increase of \$15.5 million in projects from  
5 the previous year.

6 K. It is in the best interest of the Navajo Nation to support United States Senate Bill S.  
7 1895 as the enhanced funds will invest in the necessary water infrastructure and  
8 sanitation facilities for Navajo individuals, families, and communities which will  
9 improve health outcomes.

10  
11 **THEREFORE, BE IT RESOLVED:**

12 A. The Navajo Nation hereby supports United States Senate Bill S. 1895 titled, “The  
13 Indian Health Service Sanitation Facilities Construction Enhancement Act” attached  
14 hereto as **Exhibit A**.

15 B. The Navajo Nation hereby authorizes the Speaker of the Navajo Nation Council,  
16 President of the Navajo Nation, and their designees, to support United States Senate  
17 Bill S. 1895, “The Indian Health Service Sanitation Facilities Construction  
18 Enhancement Act.”