LEGISLATION NO: _0160-21__  SPONSOR: Raymond Smith, Jr.

TITLE: An Action Relating to the Health, Education and Human Services and Naabik’íyáti 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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DATE: AUGUST 3, 2021

TITLE OF RESOLUTION: AN ACTION RELATING TO THE HEALTH, EDUCATION AND HUMAN SERVICES AND NAABIK’ÍYÁTÌ 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.
PROPOSED STANDING COMMITTEE RESOLUTION

24th NAVAJO NATION COUNCIL — Third Year, 2021

INTRODUCED BY

Primary Sponsor

TRACKING NO. 0160-21

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.”

WHEREAS:

A. The Navajo Nation established the Naabik’iyáti’ Committee as a Navajo Nation
Council standing committee and as such empowered the Naabik’iyáti’ Committee to
coordinate all request for information, appearances and testimony relating to
proposed country, state and federal legislation impacting the Navajo Nation. 2 N.N.C.
§§ 700 (A), 701 (A) (6) and also CO-45-12.

B. The Health, Education and Human Services Committee is a standing committee of
the Navajo Nation Council empowered to represent the Navajo Nation at local, state
and federal levels on proposed legislation, funding and other actions affecting health,
environmental health, social services, education, veteran’s services, employment,
training and labor. 2 N.N.C. §401 (B) (7).

C. The Navajo Nation has a government-to-government relationship with the United

D. On May 27, 2021 U.S. Senator Ben Ray Lujan (D-NM), in concert with Senator
Heinrich (D-NM) and Senator Sinema (D-AZ), introduced United States Senate Bill
S. 1895 titled, “The Indian Health Service Sanitation Facilities Construction Enhancement Act”, attached as **Exhibit A**.

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

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

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

H. The Sanitation Facilities Construction Program funding is provided

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

I. The Secretary is to award funds to sanitation facilities in accordance with the Sanitation Deficiency System with $3,000,000,000 for fiscal year 2022; and such funds are to remain available until expended.
J. While the Navajo Area Indian Health Services generally receives between $10 million and $14 million each year in Sanitation Construction Funding, the Navajo Area IHS Sanitation Deficiency System (SDS) List – for FY 2021, attached as Exhibit B, totals $535 million which is an increase of $15.5 million in projects from the previous year.

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

THEREFORE, BE IT RESOLVED:

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

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