

LEGISLATIVE SUMMARY SHEET

Tracking No. 0035-21

DATE: March 3, 2021

TITLE OF RESOLUTION: AN ACTION RELATING TO RESOURCES AND DEVELOPMENT, HEALTH, EDUCATION AND HUMAN SERVICES AND NAABIK'ÍYÁTI' COMMITTEES; STRONGLY ADVISING THAT THE INDIAN HEALTH SERVICE, OFFICE OF ENVIRONMENTAL HEALTH, STREAMLINE DELIVERY OF SANITATION SERVICES

PURPOSE: This resolution, if adopted, would strongly advise that the Indian Health Service, Office of Environmental Health, to streamline delivery of sanitation services.

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

5-DAY BILL HOLD PERIOD: 162 days
Website Posting Time/Date: 03-10-2021
Posting End Date: 03-15-2021
Eligible for Action: 03-16-2021

Resources & Development Committee

Thence

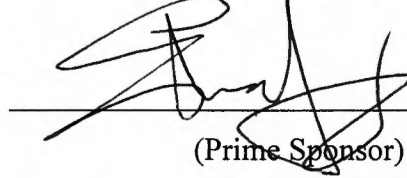
Health Education & Human Services Committee

Thence

Naabik'iyáti' Committee

PROPOSED STANDING COMMITTEE RESOLUTION
24th NAVAJO NATION COUNCIL – Third Year, 2021

INTRODUCED BY


(Prime Sponsor) EDMUND YARIE

TRACKING NO. 0035-21

AN ACTION

RELATING TO RESOURCES AND DEVELOPMENT, HEALTH, EDUCATION
AND HUMAN SERVICES AND NAABIK'ÍYÁTI' COMMITTEES; STRONGLY
ADVISING THAT THE INDIAN HEALTH SERVICE, OFFICE OF
ENVIRONMENTAL HEALTH, STREAMLINE DELIVERY OF SANITATION
SERVICES

WHEREAS:

A. The Resources and Development Committee is a standing committee of the Navajo Nation Council. 2 N.N.C. § 500(A). The committee, among other duties and responsibilities, exercises oversight authority over such matters as water, the environment and public utilities. 2 N.N.C. § 500(C).

B. The Health, Education and Human Services Committee is a standing committee of the Navajo Nation Council. 2 N.N.C. § 400(A). Among other responsibilities, the committee oversees all education and health-related activities of the Navajo Nation. 2 N.N.C. § 401(C) (2).

C. The Naabik'iyáti' Committee is a standing committee of the Navajo Nation Council 2 N.N.C. § 700(A). The committee, among other responsibilities, "coordinate[s] all federal, county and state programs with other standing committees and branches of the Navajo Nation government to provide the most efficient delivery of services to the Navajo Nation." 2 N.N.C. § 701(A)(4).

1 D. The Indian Health Service, Office of Environmental Health, hereafter referred to as
2 IHS, has the responsibility through Public Law 86-121 to provide sanitary facilities
3 including but not limited to indoor plumbing, piped water services, cisterns systems,
4 wastewater domestic sewer lines, and septic tank and drain field systems to federally
5 recognized Native American and Alaskan Native tribes, including the Navajo Nation and
6 its people.

7 E. The IHS provides typical feedback to customers once a customer is funded on a
8 project, and the average timeline to complete construction is five (5) years. This typical
9 time frame is far too lengthy for people to wait for sanitary services and life sustaining
10 potable water supply. Further, the COVID-19 pandemic crisis revealed and reemphasized
11 the substantial amount of Navajo homes that still do not have these basic services.

12 F. The response to COVID-19 by the IHS Headquarters of installing transitional
13 watering points was very much appreciated. However, the Sanitation Deficiency System
14 (SDS) is substantially outdated.

15 G. The IHS 121 program is also unacceptably underfunded to meet the needs on the
16 Navajo Nation. The unmet need as of December 2020 on Navajo Nation was \$535
17 million and increasing by \$15.5 million per year. See attached Exhibit A, letter dated
18 December 23, 2020 from NAIHS to President Jonathan Nez, *Navajo Area IHS Sanitation*
19 *Deficiency System (SDS) List – FY 2021*.

20
21 NOW THEREFORE BE IT RESOLVED:

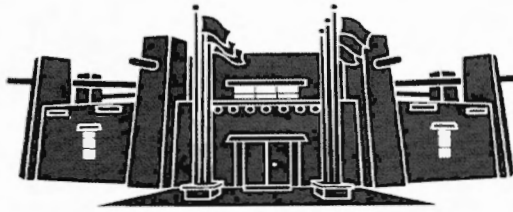
22 The Navajo Nation hereby strongly advises that the Indian Health Service, Office of
23 Environmental Health, streamline delivery of its sanitation services and make the process
24 of delivering these critical services much more efficient. More particularly:

25 A. The IHS program must reevaluate the funding level to systematically address the
26 substantial unmet needs on the Navajo Nation and create a dedicated timeline to
27 accomplish these objectives.

28 B. The IHS must update the data and bring current the Sanitation Deficiency System for
29 homes lacking service on the Navajo Nation.
30

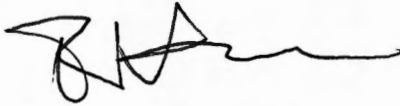
1 C. The IHS must provide proper and sufficient resources to the Navajo Area Indian
2 Health Services, its Office of Environmental Health program, so that the program can
3 timely execute the needed projects within the Navajo Nation.

4 D. The IHS must also review and make effective the rules, regulations and criteria for
5 the work required and funded.
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25
26
27
28
29
30



MEMORANDUM

To : Hon. Edmund Yazzie, Delegate
Navajo Nation Council

From : 
Ron Haven, Attorney
Office of Legislative Counsel

Date : March 3, 2021

Re : AN ACTION RELATING TO RESOURCES AND DEVELOPMENT,
HEALTH, EDUCATION AND HUMAN SERVICES AND NAABIK'ÍYÁTI'
COMMITTEES; STRONGLY ADVISING THAT THE INDIAN HEALTH
SERVICE, OFFICE OF ENVIRONMENTAL HEALTH, STREAMLINE
DELIVERY OF SANITATION SERVICES

As requested, I have prepared the above-referenced proposed resolution and associated legislative summary sheet pursuant to your request for legislative drafting. As to format, the resolution as drafted is legally sufficient. Regarding substance, as with any legislation, it can be subject to review by the courts in the event of proper challenge. Please ensure that this particular resolution request is precisely what you want.

If you are satisfied with the proposed resolution, please sign it as "sponsor" and submit it to the Office of Legislative Services where it will be given a tracking number and sent to the Office of the Speaker for assignment. If the proposed resolution is unacceptable to you, please contact me at the Office of Legislative Counsel and advise me of the changes you would like made to the proposed resolution. Ahéhee'.

OLC # 21-028-2

THE NAVAJO NATION
LEGISLATIVE BRANCH
INTERNET PUBLIC REVIEW PUBLICATION



LEGISLATION NO: _0035-21_

SPONSOR: Edmund Yazzie

TITLE: An Action Relating to Resources and Development, Health, Education and Human Services and Naabik'iyáti' Committees; Strongly Advising that the Indian Health Service, Office of Environmental Health, Streamline Delivery of Sanitation Services

Date posted: March 10, 2021 at 6:20PM

Digital comments may be e-mailed to comments@navajo-nsn.gov

Written comments may be mailed to:

Executive Director
Office of Legislative Services
P.O. Box 3390
Window Rock, AZ 86515
(928) 871-7586

Comments may be made in the form of chapter resolutions, letters, position papers, etc. Please include your name, position title, address for written comments; a valid e-mail address is required. Anonymous comments will not be included in the Legislation packet.

Please note: This digital copy is being provided for the benefit of the Navajo Nation chapters and public use. Any political use is prohibited. All written comments received become the property of the Navajo Nation and will be forwarded to the assigned Navajo Nation Council standing committee(s) and/or the Navajo Nation Council for review. Any tampering with public records are punishable by Navajo Nation law pursuant to 17 N.N.C. §374 *et. seq.*