



NATIONAL CONGRESS OF AMERICAN INDIANS

The National Congress of American Indians Resolution #ANC-14-052

TITLE: Support for Sustained Federal Funding for Tribal Water & Wastewater Operator Certification Programs and Funding Parity with State Operated Certification Programs

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WHEREAS, we, the members of the National Congress of American Indians of the United States, invoking the divine blessing of the Creator upon our efforts and purposes, in order to preserve for ourselves and our descendants the inherent sovereign rights of our Indian nations, rights secured under Indian treaties and agreements with the United States, and all other rights and benefits to which we are entitled under the laws and Constitution of the United States, to enlighten the public toward a better understanding of the Indian people, to preserve Indian cultural values, and otherwise promote the health, safety and welfare of the Indian people, do hereby establish and submit the following resolution; and

WHEREAS, the National Congress of American Indians (NCAI) was established in 1944 and is the oldest and largest national organization of American Indian and Alaska Native tribal governments; and

WHEREAS, the need for safe and reliable drinking water and effective wastewater management is critical to the health, safety, welfare, economic viability, and self-determination goals of tribal communities throughout Indian Country; and

WHEREAS, the federal government set forth rules and regulations for the establishment and funding of state training and certification programs to ensure personnel operating water and wastewater facilities have the knowledge, skills, and abilities to provide safe drinking water and adequate sanitation services for tribal communities; and

WHEREAS, under the federal Safe Drinking Water Act and Clean Water Act, to be eligible for Tribal Set-Aside Grant Program infrastructure funding, tribes are required to have water/wastewater operators that are certified/licensed by a certifying entity that is approved by the U.S. Environmental Protection Agency (EPA); and

WHEREAS, the EPA established the National Tribal Drinking Water Operator Certification Program (75 Fed. Reg. 48329, August 10, 2010), which sets forth guidelines under which tribal operator certification programs can obtain formal approval by the EPA; and

WHEREAS, many tribal organizations have established EPA-approved drinking water operator certification programs geared toward ensuring that tribal operators have the skill and knowledge to safely operate tribal water and wastewater facilities within their own tribal communities; and

WHEREAS, prior to the establishment of EPA-approved tribal operator certification programs, tribes were often left with little choice but to employ or contract with state-certified water operators, many of whom had no ties to the tribal communities where they were employed, resulting in a high turnover rates and a lack of operational continuity for tribally-operated systems in Indian country; and

WHEREAS, state certification programs are not geared to meet the unique jurisdictional, legal, and cultural frameworks that apply to tribal water/wastewater systems in Indian Country which forces tribal operators to use state certification programs, thereby adding yet another significant barrier to tribes being able to realize self-determination; and

WHEREAS, unlike state operator training and certification programs that receive substantial funding from the EPA and federal government, sustained and continued funding for tribal operator training and certification programs are gravely threatened by budget cuts and a lack of understanding by the United States and its agencies of the critical role that ongoing training and tribal certification plays in the operational continuity and sustained success of tribal water systems across the country.

NOW THEREFORE BE IT RESOLVED, that NCAI hereby strongly urges Congress and the EPA, and other federal agencies to develop a dedicated and sustained funding stream, in parity with state programs, in order to ensure that tribal operators continue to have the skills and technical capacity needed to operate and maintain the increasingly complex water and sanitation systems that exist and are being developed in Indian Country; and

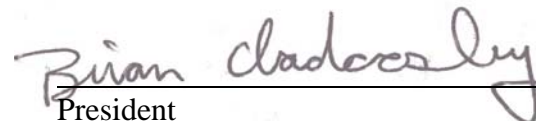
BE IT FURTHER RESOLVED, that NCAI strongly supports the vital training and certification services that the EPA-approved tribal drinking water operator certification programs provide to communities throughout Indian country; and

BE IT FURTHER RESOLVED, that NCAI strongly urges the EPA to develop a National Tribal Wastewater Operator Certification Program with adequate and sustained federal funding; and

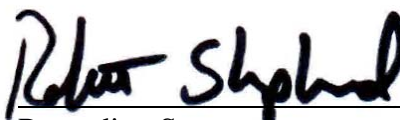
BE IT FINALLY RESOLVED, that this resolution shall be the policy of NCAI until it is withdrawn or modified by subsequent resolution.

CERTIFICATION

The foregoing resolution was adopted by the General Assembly at the 2014 Mid-Year Session of the National Congress of American Indians, held at the Dena'ina Civic & Convention Center, June 8-11, 2014 in Anchorage, Alaska, with a quorum present.


President

ATTEST:


Recording Secretary