

119TH CONGRESS  
1ST SESSION

# H. R. 4377

To provide access to reliable, clean, and drinkable water on Tribal lands,  
and for other purposes.

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## IN THE HOUSE OF REPRESENTATIVES

JULY 14, 2025

Mr. NEGUSE (for himself, Ms. MOORE of Wisconsin, Ms. TOKUDA, Ms. NORTON, Ms. DEGETTE, Mr. KRISHNAMOORTHY, and Ms. STANSBURY) introduced the following bill; which was referred to the Committee on Natural Resources, and in addition to the Committees on Energy and Commerce, and Agriculture, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned

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## A BILL

To provide access to reliable, clean, and drinkable water  
on Tribal lands, and for other purposes.

1 *Be it enacted by the Senate and House of Representa-*  
2 *tives of the United States of America in Congress assembled,*

3 **SECTION 1. SHORT TITLE.**

4 This Act may be cited as the “Tribal Access to Clean  
5 Water Act of 2025”.

6 **SEC. 2. FINDINGS.**

7 Congress finds that—

1           (1) access to reliable, clean, and drinkable  
2       water is an essential human need and critical to the  
3       public health, well-being, educational attainment,  
4       and economic development of all communities in the  
5       United States;

6           (2) many countries, along with the United Na-  
7       tions, have recognized the urgency of the need to ac-  
8       cess reliable, clean, and drinkable water by passing  
9       laws or resolutions relating to the human right to  
10      water and sanitation, including—

11           (A) recognizing these water and sanitation  
12      needs exist among indigenous peoples; and

13           (B) establishing aggressive targets for  
14      achieving universal access to those basic serv-  
15      ices;

16           (3) in the United States, access to reliable,  
17      clean, and drinkable water has long been a signifi-  
18      cant problem in many communities on Tribal lands,  
19      such that nearly half of all households on Tribal  
20      lands do not have access to reliable water sources,  
21      clean drinking water, or basic sanitation, and are  
22      significantly more likely than other households in the  
23      United States to lack indoor plumbing;

24           (4) the first of the 5 pillars announced on Feb-  
25      ruary 4, 2025, by the Administrator of the Environ-

1       mental Protection Agency Lee Zeldin that will guide  
2       the work of the Environmental Protection Agency  
3       under the Powering the Great American Comeback  
4       Initiative is the principle that “every American  
5       should have access to clean air, land, and water”;

6               (5) the trust responsibility of the Federal Gov-  
7       ernment to Indian Tribes and the Native Hawaiian  
8       Community requires the Federal Government to en-  
9       sure the survival and welfare of Indian Tribes and  
10      the Native Hawaiian Community, and the failure to  
11      provide basic water service cannot be reconciled with  
12      that trust responsibility;

13              (6) the public health of Indian Tribes and the  
14      Native Hawaiian Community lags behind other com-  
15      munities in the United States at least in part as a  
16      result of lack of public health infrastructure, includ-  
17      ing access to running water;

18              (7) through the bipartisan Infrastructure In-  
19      vestment and Jobs Act (Public Law 117–58; 135  
20      Stat. 429), Congress provided funding for the Indian  
21      Health Service and the Environmental Protection  
22      Agency to support the construction and repair of  
23      Tribal clean water infrastructure, but—

24                      (A) inadequate resources are available to  
25      Indian Tribes to assist with accessing those

1 construction and repair funding programs and  
2 to support the operation and maintenance of  
3 water infrastructure; and

4 (B) much of that funding is unavailable to  
5 the Native Hawaiian Community;

6 (8) filling the gaps in funding described in  
7 paragraph (7) is necessary for efficient implementa-  
8 tion of the historic investment in clean water infra-  
9 structure for Indian Tribes and the Native Hawaiian  
10 Community;

11 (9) technical assistance to Indian Tribes and  
12 Native Hawaiian organizations is necessary to en-  
13 sure that Indian Tribes and the Native Hawaiian  
14 Community are able—

15 (A) to access and take advantage of the  
16 new funding described in paragraph (7);

17 (B) to develop the managerial, financial,  
18 and regulatory framework necessary for a fully  
19 functional and self-sustaining utility; and

20 (C) to engage appropriate outside consult-  
21 ants to assist as needed;

22 (10) advances in water technology, including  
23 treatment, sensors, and innovative pipeline mate-  
24 rials, can assist in—

1 (A) accelerating efforts to provide uni-  
2 versal access to reliable, clean, and drinkable  
3 water on Tribal lands; and

4 (B) enhancing resilience in the face of ex-  
5 treme weather events;

6 (11) past epidemics of communicable diseases  
7 and the threat of future such occurrences are stark  
8 reminders that access to reliable, clean, and drink-  
9 able water to support basic health is a matter of life  
10 or death for all individuals in the United States;

11 (12) it is in the interest of the United States,  
12 and it is the policy of the United States, that all  
13 Tribal lands be provided with safe and adequate  
14 water supply systems as soon as practicable; and

15 (13) both appropriate funding at the level of  
16 unmet need and a “whole of government” approach  
17 among all Federal agencies are essential to provide  
18 a meaningful solution to the lack of access to clean  
19 water on Tribal lands.

20 **SEC. 3. DEFINITIONS.**

21 In this Act:

22 (1) INDIAN TRIBE.—The term “Indian Tribe”  
23 has the meaning given the term in section 4 of the  
24 Indian Self-Determination and Education Assistance  
25 Act (25 U.S.C. 5304).

1           (2) NATIVE HAWAIIAN COMMUNITY.—The term  
2           “Native Hawaiian Community” has the meaning  
3           given the term “Native Hawaiian community” in  
4           section 50.4 of title 43, Code of Federal Regulations  
5           (as in effect on the date of enactment of this Act).

6           (3) NATIVE HAWAIIAN ORGANIZATION.—

7                 (A) IN GENERAL.—The term “Native Ha-  
8                 waiian organization” has the meaning given the  
9                 term in section 6207 of the Native Hawaiian  
10                Education Act (20 U.S.C. 7517).

11               (B) INCLUSION.—The term “Native Ha-  
12               waiian organization” includes the Department  
13               of Hawaiian Home Lands (as defined in section  
14               801 of the Native American Housing Assistance  
15               and Self-Determination Act of 1996 (25 U.S.C.  
16               4221)).

17           (4) TECHNICAL ASSISTANCE.—The term “tech-  
18           nical assistance” means any expertise provided,  
19           whether through direct service, grant, contract, or  
20           cooperative agreement—

21                 (A) to facilitate access by Indian Tribes  
22                 and Native Hawaiian organizations to repair  
23                 and construction funding for drinking water  
24                 and sanitation facilities made available  
25                 through—

1 (i) the Infrastructure Investment and  
 2 Jobs Act (Public Law 117–58; 135 Stat.  
 3 429);

4 (ii) the rural development mission  
 5 area of the Department of Agriculture; or

6 (iii) any other funding source, the  
 7 purpose of which is to provide funding to  
 8 repair and construct drinking water and  
 9 sanitation facilities; and

10 (B) to support Indian Tribes and Native  
 11 Hawaiian organizations in developing the mana-  
 12 gerial, financial, and regulatory capacity nec-  
 13 essary to build, operate, and maintain drinking  
 14 water and sanitation infrastructure on Tribal  
 15 land.

16 (5) TRIBAL LAND.—The term “Tribal land”  
 17 has the meaning given the term in section 905(a) of  
 18 division N of the Consolidated Appropriations Act,  
 19 2021 (47 U.S.C. 1705(a)).

20 **SEC. 4. DEPARTMENT OF AGRICULTURE RURAL DEVELOP-**  
 21 **MENT.**

22 (a) WATER AND WASTE FACILITY LOANS AND  
 23 GRANTS TO ALLEVIATE HEALTH RISKS.—Section  
 24 306C(a) of the Consolidated Farm and Rural Develop-  
 25 ment Act (7 U.S.C. 1926c(a)) is amended—

(1) in paragraph (1), in the first sentence of the matter preceding subparagraph (A), by inserting “Native Hawaiian organizations (as defined in section 6207 of the Native Hawaiian Education Act (20 U.S.C. 7517)), including the Department of Hawaiian Home Lands (as defined in section 801 of the Native American Housing Assistance and Self-Determination Act of 1996 (25 U.S.C. 4221)),” after “other federally recognized Indian tribes,”; and

(2) in paragraph (2), by adding at the end the following:

“(C) TRIBAL RESIDENTS.—Notwithstanding subparagraph (A), loans and grants under paragraph (1) may also be made if the loan or grant funds will be used primarily to provide water or waste services, or both, to residents on Tribal land (as defined in section 905(a) of division N of the Consolidated Appropriations Act, 2021 (47 U.S.C. 1705(a))).”.

(b) EXTENSION OF AUTHORITY FOR GRANTS AND LOANS.—In addition to the purposes for which grants and loans may be provided under sections 306C and 306D of the Consolidated Farm and Rural Development Act (7 U.S.C. 1926c, 1926d), the Secretary of Agriculture (referred to in this section as the “Secretary”) may make

1 or insure loans to, make grants to, or enter into coopera-  
2 tive agreements or contracts with, eligible entities de-  
3 scribed in subsection (d) for technical assistance.

4 (c) AUTHORIZATION OF APPROPRIATIONS.—In addi-  
5 tion to amounts otherwise available, there are authorized  
6 to be appropriated to the Secretary for each of fiscal years  
7 2026 through 2030—

8 (1) \$100,000,000, to remain available until ex-  
9 pended, to make or insure loans and make grants  
10 under sections 306C and 306D of the Consolidated  
11 Farm and Rural Development Act (7 U.S.C. 1926c,  
12 1926d), and for the additional purposes described in  
13 subsection (b), to eligible entities described in sub-  
14 section (d) to provide for the development, use, and  
15 control of water (including the extension or improve-  
16 ment of existing water supply systems); and

17 (2) \$30,000,000, to remain available until ex-  
18 pended, for eligible entities described in subsection  
19 (d) to obtain or contract for technical assistance.

20 (d) ELIGIBLE ENTITIES.—An entity eligible to re-  
21 ceive a grant or an award of financial or technical assist-  
22 ance using amounts appropriated pursuant to paragraphs  
23 (1) and (2) of subsection (c) or amounts otherwise avail-  
24 able under sections 306C and 306D of the Consolidated

1 Farm and Rural Development Act (7 U.S.C. 1926c,  
2 1926d)—

3 (1) is an Indian Tribe or a Native Hawaiian or-  
4 ganization; and

5 (2) in the case of a grant under section 306D  
6 of that Act (7 U.S.C. 1926d), includes a consortium  
7 formed pursuant to section 325 of Public Law 105–  
8 83 (111 Stat. 1597).

9 (e) NO MATCHING CONTRIBUTION.—The funds made  
10 available under subsection (c) shall not require any match-  
11 ing contribution otherwise required by any other provision  
12 of law (including regulations).

13 (f) EXCEPTIONS.—For purposes of any loan or grant  
14 to, or cooperative agreement or contract with, an eligible  
15 entity using amounts appropriated pursuant to subsection  
16 (c)—

17 (1) the requirements under section 306C(a)(2)  
18 of the Consolidated Farm and Rural Development  
19 Act (7 U.S.C. 1926c(a)(2)) shall not apply; and

20 (2) an eligible entity or the members of an eligi-  
21 ble entity shall not be required to demonstrate an in-  
22 ability to finance the proposed project—

23 (A) from the resources of the eligible entity  
24 or members; or

25 (B) through commercial credit.

1 (g) INTERAGENCY COLLABORATION.—The Secretary  
2 shall consult with the Director of the Indian Health Serv-  
3 ice regarding agency collaboration, project prioritization,  
4 and staffing needs to ensure the amounts appropriated  
5 pursuant to subsection (c) are used in the most effective  
6 manner to promote access to water and sanitation.

7 **SEC. 5. INDIAN HEALTH SERVICE.**

8 (a) DEFINITION OF SECRETARY.—In this section, the  
9 term “Secretary” means the Secretary of Health and  
10 Human Services, acting through the Director of the In-  
11 dian Health Service.

12 (b) SANITATION FACILITIES CONSTRUCTION PRO-  
13 GRAM.—

14 (1) IN GENERAL.—For purposes of section  
15 7(a)(1) of the Act entitled “An Act to transfer the  
16 maintenance and operation of hospital and health fa-  
17 cilities for Indians to the Public Health Service, and  
18 for other purposes”, approved August 5, 1954 (42  
19 U.S.C. 2004a(a)(1)), the term “Indian homes, com-  
20 munities, and lands” shall include non-commercial  
21 community structures that are essential to the life of  
22 an Indian Tribe or to Tribal government services on  
23 Tribal land providing indispensable educational,  
24 health, or other community services, such as schools,

1 hospitals, clinics, nursing homes, homes of Tribal  
2 employees, Tribal offices, and post offices.

3 (2) AUTHORIZATION OF APPROPRIATIONS.—In  
4 addition to amounts otherwise available, there is au-  
5 thorized to be appropriated to the Secretary  
6 \$500,000,000 for each of fiscal years 2026 through  
7 2030, to remain available until expended, to carry  
8 out section 7(a)(1) of the Act entitled “An Act to  
9 transfer the maintenance and operation of hospital  
10 and health facilities for Indians to the Public Health  
11 Service, and for other purposes”, approved August  
12 5, 1954 (42 U.S.C. 2004a(a)(1)).

13 (c) TECHNICAL ASSISTANCE FUNDING.—In addition  
14 to amounts otherwise available, there is authorized to be  
15 appropriated to the Secretary \$30,000,000 for each of fis-  
16 cal years 2026 through 2030, to remain available until ex-  
17 pended, for Indian Tribes to enter into contracts for—

18 (1) technical assistance; and

19 (2) activities authorized under section  
20 302(b)(2) of the Indian Health Care Improvement  
21 Act (25 U.S.C. 1632(b)(2)).

22 (d) OPERATION AND MAINTENANCE FUNDING.—

23 (1) IN GENERAL.—The Secretary may provide  
24 financial assistance for the operation and mainte-  
25 nance of drinking water and sanitation facilities

1 serving Indian Tribes that are owned and operated  
2 by an Indian Tribe.

3 (2) AUTHORIZATION OF APPROPRIATIONS.—In  
4 addition to amounts otherwise available, there is au-  
5 thorized to be appropriated to the Secretary  
6 \$100,000,000 for each of fiscal years 2026 through  
7 2030, to remain available until expended, for the op-  
8 eration and maintenance of drinking water and sani-  
9 tation facilities serving Indian Tribes under para-  
10 graph (1).

11 (3) PRIORITY FOR FUNDING.—In awarding  
12 funding for the operation and maintenance of drink-  
13 ing water and sanitation facilities under paragraph  
14 (1), the Secretary shall prioritize drinking water and  
15 sanitation facilities that the Secretary determines to  
16 be the most in need of assistance.

17 (4) FUTURE FUNDING.—For not less than 5  
18 fiscal years after the date on which a drinking water  
19 or sanitation facilities project described in paragraph  
20 (1) is completed, to the extent to which funds are  
21 available, the Secretary shall include the completed  
22 project as eligible for sustained funding support and  
23 guidance to ensure that—

24 (A) the investments in the drinking water  
25 or sanitation facilities in the scope of the

1 project are adequately maintained and operated  
2 for the health and welfare of Indian Tribes  
3 served;

4 (B) the infrastructure investment is pro-  
5 tected; and

6 (C) the intended health promotion benefit  
7 is realized.

8 **SEC. 6. FUNDING FOR NATIVE AMERICAN AFFAIRS TECH-**  
9 **NICAL ASSISTANCE PROGRAM OF THE BU-**  
10 **REAU OF RECLAMATION.**

11 In addition to amounts otherwise available, there is  
12 authorized to be appropriated to the Secretary of the Inte-  
13 rior \$18,000,000 for use, in accordance with section 201  
14 of the Energy and Water Development Appropriations  
15 Act, 2003 (43 U.S.C. 373d), for the Native American Af-  
16 fairs Technical Assistance Program of the Bureau of Rec-  
17 lamation for each of fiscal years 2026 through 2030, to  
18 remain available until expended.

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