




Overview of the Sanitation Facilities Construction Program Indian Health Service

CAPT Mathew J. Martinson, P.E.
Director, Division of Sanitation Facilities Construction




Sanitation Facilities Construction Portland Area IHS

Coverage:

1. Overview of the Program
2. Cooperation through P.L. 86-121 projects.
3. Recent directions and future directions of the program.




Sanitation Facilities Construction Portland Area IHS

Goal of IHS

“To raise the health status of the American Indian and Alaskan Native to the highest possible level.”




PUBLIC HEALTH MONOGRAPH No. 14

Relationship of Environmental Factors To Enteric Disease

U. S. DEPARTMENT OF HEALTH, EDUCATION, AND WELFARE
PUBLIC HEALTH SERVICE




Sanitation Facilities Construction Portland Area IHS

Public Law 86-121

Provides Authority to:

- Construct sanitation facilities
- Acquire land or permission
- Make arrangements and agreements
- Transfer facilities

Directs the Surgeon General to:

- Consult with Tribes
- Encourage participation




Public Law 86-121
86th Congress, 1st
July 31, 1959

AN ACT

To amend the Act of August 5, 1954 (68 Stat. 674), and for other purposes.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Act of August 5, 1954 (68 Stat. 674), is amended by adding at the end thereof the following new section:

“Sec. 7. (a) In carrying out his functions under this subchapter with respect to the provision of sanitation facilities and services, the Surgeon General is authorized—

(1) to construct, improve, extend, or otherwise provide and maintain, by contract or otherwise, essential sanitation facilities, including domestic and community water supply and facilities, drainage facilities, and sewage- and waste-disposal facilities, together with necessary appurtenances and fixtures, for Indian homes, communities, and lands;

(2) to acquire lands, or rights or interests therein, including sites, rights-of-way, and easements, and to acquire rights to the use of water, by purchase, lease, gift, exchange, or otherwise, when necessary for the purposes of this section, except that no lands or rights or interests therein may be acquired from an Indian tribe, band, group, community, or individual other than by gift or for nominal consideration, if the facility for which such lands or rights or interests therein are acquired is for the exclusive benefit of such tribe, band, group, community, or individual, respectively;

(3) to make such arrangements and agreements with appropriate public authorities and nonprofit organizations or agencies and with the Indians to be served by such sanitation facilities (and any other person so served) regarding contributions toward the construction, improvement, extension and provision thereof, and responsibilities for maintenance thereof, as in his judgment are equitable and will best assure the future maintenance of facilities in an effective and operating condition; and

(4) to transfer any facilities provided under this section, together with appurtenances and the maintenance responsibilities undertaken, and the special health needs of the Indians concerned, to any State or Territory or subdivision or public authority thereof, or to any Indian tribe, band, or community or, in the case of domestic appurtenances and fixtures, to any one or more of the occupants of the Indian home served thereby.

“(b) The Secretary of the Interior is authorized to transfer to the Surgeon General for use in carrying out the purposes of this section such interest and right in federally owned lands under the jurisdiction of the Department of the Interior, and in Indian-owned lands that either are held by the United States in trust for Indians or are subject to a restriction against alienation imposed by the United States, including appurtenances and improvements thereon, as may be requested by the Surgeon General. Any land or interest therein, including appurtenances and improvements to such land, so transferred shall be subject to disposition by the Surgeon General in accordance with paragraph (1) of subsection (a) of this section. *Provided, That, in any case where a beneficial interest in such land is in any Indian, or Indian tribe, band, or group, the consent of such beneficial owner to any such transfer or disposition shall first be obtained: **Provided further,** That where deemed appropriate by the Secretary of the Interior provisions shall be made for a reversion of title to such land if it ceases to be used for the purpose for which it is transferred or disposed.*

“(c) Project consultation and participation. The Surgeon General shall consult with, and encourage the participation of, the Indians concerned, State and political subdivisions thereof, in carrying out the provisions of this section.

SECURETY 7, as added July 31, 1959, Pub. L. 86-121, Sec. 1, 73 Stat. 267.

Indian, sanitation facilities, 42 USC 2004
Surgeon General, Powers.
Acquisition of lands.
Construction and maintenance.
Transfer and reversion of lands.
Transfer of U.S. land.

Sanitation Facilities Construction Portland Area IHS

Implementation of P.L. 86-121

- Program activities
 - Technical assistance
 - Need identification
 - O&M technical assistance.
- Projects
 - Funding is for delivering the scope and result.
 - Multiple project delivery options.
 - Approval of scope and budget.
 - Agreement with the Tribe through an MOA.
 - Transfer agreement upon completion.

Sanitation Facilities Construction Portland Area IHS

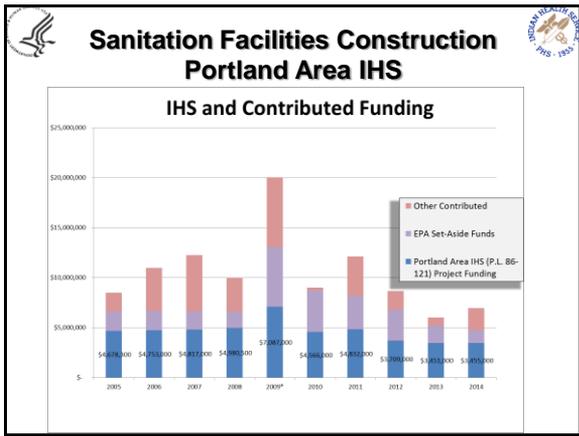
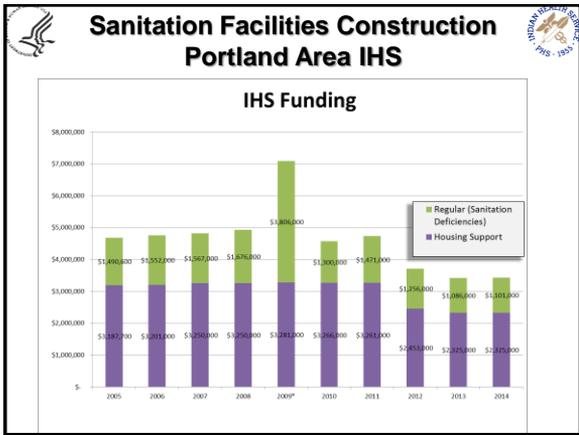
- Regular Funds
 - To address sanitation deficiencies at existing homes
 - Funded in priority order through sanitation deficiency system (SDS)
- Housing Support Funds –
 - To construct water and sewer facilities for new and like-new homes.
 - Funding as eligible homes or developments are identified and as funds are available.

Sanitation Facilities Construction Portland Area IHS

Key Eligibility Criteria:

“IHS funds sanitation facilities projects to serve homes only. Homes are defined as 24-Hour, Year-round family dwellings.”

“IHS project funds shall not be used to provide sanitation facilities for new homes funded by the housing programs of the Department of Housing and Urban Development.”



**Sanitation Facilities Construction
Portland Area IHS**

**Sanitation Facilities Construction
Portland Area IHS**

**Sanitation Facilities Construction
Portland Area IHS**

Focus Areas:

- Project development.
- Improved project planning.
- Strengthened project delivery.
- O&M (utility) support integrated with projects.

Program Foundation:

- P.L. 86-121 fundamentals.
- Technical core competencies – P.E.s, Pumps, Pipe
- Construction contracting.