

**NAVAJO COMMUNITIES, GROUPS AND INDIVIDUALS OPPOSED TO
OR CONCERNED ABOUT HRI'S PROPOSED URANIUM ISL MINES
AND ANY NEW URANIUM MINING ON NAVAJO LANDS**

prepared by

**Eastern Navajo Diné Against Uranium Mining-Concerned Citizens of T'iiists'óóz Nídeeshgizh
(ENDAUM-CCT) and Southwest Research and Information Center (SRIC)**

Hydro Resources, Inc.'s (HRI) proposed Crownpoint Uranium Project, coupled with the possibility that proposed federal subsidies could indirectly facilitate construction of HRI's uranium *in situ* leach (ISL) mines in Church Rock and Crownpoint, N.M., has galvanized Navajo community and leadership against new uranium mining. As shown in the list below, prominent tribal and federal leaders and several chapters and institutions in the Eastern Navajo Agency have written letters, issued statements or adopted resolutions opposing new uranium mining. These same leaders and groups also have called for expeditious cleanup of abandoned mines and funding for environmental and health studies to understand the magnitude of *existing* impacts of past uranium development.

Navajo Leaders, Communities, Groups: (*indicates Navajo Nation policy statement)

- *Navajo Nation **President Joe Shirley, Jr.**, letter to Sen. Pete Domenici, Nov. 10, 2003
- **ENDAUM-CCT**, letter to Sen. Pet Domenici, Oct. 3, 2003
- **Statement and Resolution** of the Dineh Bidziil Strengthening Diné Unity Against Uranium Mining Conference, Shiprock High School, July 19, 2003; revised Aug. 1, 2003
- **Church Rock Chapter**, Resolution CRC-030720-05, July 20, 2003
- *Navajo Nation **President Joe Shirley, Jr.**, letter to Rep. Tom Udall opposing Sec. 14029 of H.R. 6, April 9, 2003
- *Navajo Nation **President Kelsey Begaye** and **Vice President Dr. Taylor McKenzie**, letter to Eastern Agency chapter officials, May 22, 2002
- **ENDAUM**, letter to Navajo Nation Council Resources Committee, Oct. 3, 2001
- **Crownpoint Chapter**, letter to Navajo Nation Council Resources Committee, Oct. 3, 2001
- **CW-TOP Development Corporation** (Counselors, Whitehorse Lake, Torreon, Ojo Encino and Pueblo Pintado chapters), resolution opposing new uranium mining, Sept. 12, 2001
- **Milton Bluehouse, Sr.**, former Navajo Nation President, letter to Navajo Nation Council Resources Committee opposing HRI project, Aug. 23, 2001
- **Lynda Lovejoy**, member, New Mexico Public Regulatory Commission, District 4, letter to Navajo Nation Council Resources Committee opposing HRI project, Aug. 22, 2001
- **Whitehorse Lake Chapter**, resolution opposing HRI project, Aug. 16, 2001
- ***K. Begaye** and **T. McKenzie**, letter to Sen. Jeff Bingaman opposing uranium mining subsidy provisions of H.R. 4, Aug. 15, 2001.
- **Eastern Navajo Health Board**, letter to congressional delegation and Resolution ENHB-01/08-2001 opposing uranium mining subsidies, Aug. 15, 2001
- **Concerned Citizens of T'iiists'óóz Nídeeshgizh**, letter to Sen. Jeff Bingaman opposing uranium subsidy provision of House Energy Bill, Aug. 6, 2001
- **ENDAUM, SRIC, NMELC** and seven other groups, letter to Rep. Billy Tauzin opposing uranium subsidy provision of House Energy Bill, July 18, 2001
- **Church Rock Chapter**, Resolution CRC-066-06-00/200 calling for cleanup of abandoned mines, health assessments; recommending against new uranium development, June 13, 2000
- **Crownpoint Chapter**, Resolution CPC-00-03-746 opposing HRI project, March 23, 2000
- **Edward T. Begay**, Speaker of the Council, remarks to Water Is Life Conference, Aug. 20, 1999
- **White Rock Chapter**, resolution supporting ENDAUM and opposing HRI project, April 9, 1999

- **Eastern Navajo Agency Council**, Resolution ENAC-99-04-200 supporting ENDAUM and opposing HRI project, April 3, 1999
- **Smith Lake Chapter**, Resolution 073-0199-002 opposing HRI project, Jan. 26, 1999
- **Pinedale Chapter**, Resolution PINE-99-01-005 opposing HRI project, Jan. 22, 1999
- **Standing Rock Chapter**, resolution opposing HRI project, Jan. 18, 1999
- **>1,300 individuals** who signed ENDAUM's petition against the HRI project, July-Dec. 1998
- **Navajo Tribal Utility Authority**, Resolution NTUA-11-97 opposing HRI project, Dec. 11, 1997
- **Crownpoint Healthcare Facility Safety Committee**, position statement opposing HRI Crownpoint Uranium Project, May 23, 1997
- **Eastern Navajo Area Agency on Aging Advisory Council**, resolution, Oct. 6, 1996
- **ENDAUM**, amended petition to intervene in HRI licensing before NRC, Feb. 15, 1995
- **ENDAUM**, resolution establishing ENDAUM and opposing HRI Project, Feb. 3, 1995.
- **Littlewater Chapter**, resolution LITT-01-95-0214 opposing HRI project, Jan. 17, 1995
- **Eastern Navajo Health Board**, resolution opposing HRI project, Jan. 4, 1995
- **Diné CARE** (Citizens Against Ruining Our Environment), letter to NRC, Dec. 12, 1994
- *Navajo Nation **President Peterson Zah**, E.O. Moratorium on Uranium Mining, Dec. 9, 1992

National Leaders and Groups:

- **Rep. Tom Udall**, letter to Leetso Dooda Conference, July 17, 2003
- **Rep. Tom Udall**, statement to U.S. House of Representatives advocating amendment to remove Sec. 14029 from H.R. 6, April 10, 2003
- **Rep. Tom Udall**, statement on House floor opposing uranium-subsidy provision of House Energy Bill and supporting ENDAUM's case against HRI project, Aug. 1, 2001
- **32 members of U.S. House of Representatives**, letter to President Clinton urging executive order to address uranium impacts in Navajo communities, Nov. 19, 1999
- **Congresswoman Cynthia McKinney** of Georgia, recorded video statement to Water Is Life Conference, Aug. 20, 1999

Navajo Institutions Expressing Concerns About New ISL Mining:

- Navajo Nation Historic Preservation Department (1998)
- Navajo Nation Environmental Protection Agency (1997-1995, 1992)
- Navajo Nation Department of Justice (1996-1995)
- Navajo Nation Water Resources Department (1994)

Other Groups and Institutions:

- New Mexico Environmental Law Center (2003-1996)
- Southwest Research and Information Center (2003-1988)
- Natural Resources Defense Council (2002, 2001)
- Mineral Policy Center (2001, 1997)
- Nuclear Information and Resource Service (2001)
- Physicians Resisting In Situ Mining (August 2001)
- Sierra Club, New Mexico Office (2001)
- U.S. Public Interest Research Group (2001)
- Taxpayers for Common Sense (2001)
- American Indian Cultural and Business Council, Dallas, TX (1999)
- Interfaith Stewards of Creation, Gallup NM (1999)
- South Texas Opposes Pollution (STOP), Kingsville, TX (1999)
- National Environmental Justice Advisory Council (1998)
- Sierra Club Environmental Quality Committee (1998)
- U.S. Environmental Protection Agency (1997, 1995)
- Water Information Network (1994)
- Zuni Mountain Coalition (1994)



**THE
NAVAJO
NATION**

P.O. BOX 9000 • WINDOW ROCK, ARIZONA • 86515 • (928) 871-6352 • (928) 871-4025 FAX

JOE **SHIRLEY, JR.**
PRESIDENT

FRANK J. **DAYISH, JR.**
VICE PRESIDENT

NOV 10 2003

The Honorable Pete V. Domenici
United States Senate
Washington, D.C. 20510

The Honorable Senator Domenici:

As a leader of the people, I have the greatest respect for you. In your tenure as an honorable leader, you have accomplished much, not only for the people of New Mexico, the United States, but, also for Navajo people, many of whom are your constituents.

It is not with disrespect to what you are trying to achieve with your energy bill but with grave concern on behalf of my people, once more, I make my approach. I hope you understand that, as President of the Navajo Nation, I have to plead the case of my people.

As you know, I have spoken out against several provisions of the pending Energy Bill that I believe will undermine tribal sovereignty over energy development decisions in Indian Country and contribute to environmental degradation of tribal lands and water. Certain other provisions will seriously undermine the United States' solemn trust responsibility toward tribes.

Of particular concern to the Navajo Nation and Navajo communities in northwestern New Mexico is Section 632 of the Conference Committee's second discussion draft. This provision will provide up to \$30 million in federal grants for groundwater remediation and enhanced production to domestic uranium mining companies that use the in situ leach (ISL) method to produce uranium. By its very nature, ISL mining contaminates the groundwater to recover uranium, and there is still no guarantee that the polluted groundwater will be restored to pre-mining conditions. In fact, no commercial-scale ISL mine in the U.S. has restored groundwater to its original condition in more than 30 years of ISL mining experience.

Water is one of our most sacred elements. The Navajo people have a saying, "To eii be'iina at'e," meaning "Water is life," because it is the substance that sustains our people. From a health and environmental perspective, the water resources of the Navajo Nation are too precious and too valuable to allow uranium ISL mining that risk irreversible pollution of these resources. In the Eastern Navajo Agency where four ISL mines are proposed, the aquifer at risk provides high-quality drinking water to an estimated 15,000 people. Our people travel many miles to haul water from places like

Crownpoint, which depends on its pure, "sweet-tasting" water for municipal supplies, healthcare and agriculture. The water in storage in this vast aquifer is capable of sustaining local commercial development in the region for many years to come, but not if it is polluted by uranium mining.

It is surprising and disturbing that the uranium subsidy provision crafted by your Conference Committee remain in the Energy Bill, given your previous statements that you would not allow such a provision in the final energy legislation. Your staff made comments in newspapers and on radio stations in the region as late as June 2003 that you would not advocate subsidies for uranium ISL mining. Two years ago, you had gone to the Senate floor to withdraw a similar provision from your nuclear energy bill based in part on concerns raised by "my friends on the Navajo." The Navajo people are now openly asking if Senator Domenici has forgotten his promise to them.

The fact that Section 632 does not allow activities funded under the proposed grant program to be conducted in New Mexico give us little comfort. If the Texas-based company that is the parent firm of the company that seeks to conduct ISL mining in Navajo communities were to receive a federal grant pursuant to Section 632, it could use that money on its Texas mines, freeing up other sources of cash to divert to its New Mexico subsidiary. In this way, Section 632 could indirectly subsidize construction and operation of the proposed New Mexico mines.

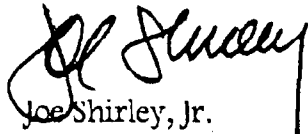
The Navajo people continue to suffer from the effects of the horrible legacy of uranium mining and atmospheric testing of the past. Only a small fraction of our former uranium workers and Navajo downwinders have received RECA compensation. Many residents of mining communities and dependents of former workers suffer from a mysterious disease for which no formal health studies have been conducted. We face a backlog of environmental studies in mining areas, and many communities, most notably Church Rock, who continually must seek private funds to conduct their own monitoring because the Navajo Nation cannot afford to investigate the environmental consequences of past mining.

Our people are constantly reminded of the adverse health impacts of past uranium mining because they live with these effects every day. For this and other reasons, numerous communities in the Eastern, Northern and Western agencies of the Navajo Nation and a number of Navajo organizations and institutions have passed resolutions and issued statements opposing new mining. Grass-roots groups from throughout Navajo Land have visited me on several occasions this year, pleading for the Navajo Nation to take a strong stand against any new uranium mining. I have told these groups that I support their position and will do whatever I can to prevent new uranium mining in Navajo communities, to obtain justice for Navajo uranium workers who have not been compensated, and to find resources necessary to clean up abandoned mines and conduct health studies in mining-impacted communities.

Once again, I ask you to remember your promise to the Navajo People and delete Section 632 from the Conference Committee Energy Bill before it is signed into law.

You have the power to do what is right for our people, and removing a provision that will cause harm to Navajo water resources and public health is the right thing to do.

Sincerely,



Joe Shirley, Jr.

President unites with grassroots groups

By JAN-MIKHAEL PATTERSON
THE NAVAJO TIMES

WINDOW ROCK - Navajo Nation President Joe Shirley Jr. and representatives of grassroots groups opposing uranium mining united Monday morning in an effort to prevent further desecration of Navajoland and to preserve resources for future generations.

At a press conference in the president's office, the representatives spoke of the dangers of uranium mining and said their stance with Shirley will help prevent further damage to the land and people.

"We are here as concerned citizens," said Chee Smith, project manager for Eastern Navajo Diné Against Uranium Mining. "We represent 23 grassroots organizations."

John Fogerty, board member for ENDAUM and a private family physician, was on hand to express gratitude to Shirley "making a huge step forward."

"You've been in office for a short time but you're making a huge step," Fogerty said. "Thousands of people are still sick from the contamination. This new mining could be worse and could destroy the water forever. President (Kelsey) Begaye and Vice President (Taylor) MacKenzie

were supportive but they did not make that huge step."

"Our people suffered enough," said Wynoma Foster, administrative assistant for ENDAUM. "We cannot go into a store and buy a new pair of lungs."

'We cannot go into a store and buy a new pair of lungs.'

"I just want to thank the creator for this day," Norman Patrick Brown, representing Diné for Better Government, said. "Never before had the Navajo Nation president invited any grassroots organizations to his office. This truly is a historic day. Never has the Navajo Nation offered any kind of assistance until now."

"We want a stronger effort from the council to stand against mining with the president - against outside interests," Brown said. "We want them to come and encircle the president."

Brown stated that for too long the government failed in their federal trust responsibilities. His statements were directed to Sen.

Pete Domenici, R-N.M.

"They failed to care for the our people," he said. "What we want to tell Mr. Domenici is there are other areas to deal with first. The energy bill, it's a wrong bill."

Senate Bill 14, if passed, would allow uranium mining on the reservation using the in situ method, a new technique for mining, which its proponents say is safe. Grassroots organizations are saying that the mining would damage water supplies and grazing lands.

"It is cancer that the uranium puts forward," Shirley said. "I don't see cancer as big or small. Cancer is cancer. It kills people. There's no cure for cancer. What is being brought to the Navajo Nation is cancer. They say they have a safer way to mine but there's no guarantee."

"Natives are going to be used as guinea pigs to get at what they're going to get at," he added. "I am in complete support of the grassroots organizations. The grassroots organizations want to be heard."

Shirley said he supports the Eastern Navajo Diné Against Uranium Mining, Diné Bidziil Coalition, Save the Peaks, and Diné Nationalists.

He said the organizations and the Navajo people do not agree with the \$30 million in subsidies that



President Joe Shirley Jr. holds a press conference Monday with representatives from the Southwest Research and Information Center, Eastern Navajo Diné Against Uranium Mining, Diné Bid'ziil Coalition, RECA Reform Committee and other grassroots groups. (Times photo - Paul Natonabah)

energy companies would use to test the new uranium mining technique incorporated in Senate Bill 14.

Shirley also said only 500 of 3,000 applicants have been compensated so far under the Radiation Exposure Compensation Act. The act allows people suffering

from exposure to uranium's radiation from past mining and testing of nuclear weapons to receive compensation.

"When is the rest of the money coming to compensate the rest of our people?" he said. "There's a lot more who have not applied (for

benefits). We're all going to work together to get the criterias lowered so that more people can apply.

"I also want to talk to the council in creating a Navajo law against uranium mining," he added, saying the support of the council would make a stronger impact.

**STATEMENT¹ AND RESOLUTION
OF THE INDIVIDUALS AND GROUPS ATTENDING
The Strengthening Diné Unity Against Uranium Mining
Shiprock High School
July 19, 2003**

The organizers, sponsors and attendees of the **Strengthening *Diné* Unity Against Uranium Mining Conference** issue this consensus statement of the more than 500 people who attended and participated in this historic meeting at Shiprock High School on Saturday July 19, 2003.

As set forth in the resolution adopted by the attendees and attached as "Exhibit A", the message from the conference is this: *Łeetso doodá* — No more uranium mining in Navajo Country. And "*doodá*", also, to pending federal energy legislation that will harm Native American communities, subvert tribal sovereignty over Native American natural resources, and provide subsidies to wealthy energy companies.

The conference was organized by the Diné Bidziil Coalition (DBC), Eastern Navajo Diné Against Uranium Mining-Concerned Citizens of T'iiists'óóz Nídeeshgizh (ENDAUM-CCT) and the Diné College Uranium Education Program (UEP) and hosted by Shiprock Chapter, Navajo Uranium Radiation Victims Committee and the Navajo Nation Dependents of Uranium Workers Committee. The participants included all of the major grass-roots Navajo groups, their supporting organizations and individual leaders who, in many cases, have devoted their lives to obtaining compensation for Navajo uranium workers, cleaning up abandoned uranium mines, studying the harmful effects of mining on the people's health and on the integrity of our lands, waters and air, and protecting their communities from future harm from proposed new mining. Most important, the participants included many of our elders who have suffered the debilitating effects of uranium mining that first came to our lands in the mid-1940s — nearly 60 years ago. And as was noted by several of the speakers at the conference, scores of our people — from former uranium workers and their dependents to the thousands who lived in the mining districts — could not attend because they are too sick to walk and lay dying in their homes or in distant hospitals.

Many of our leaders are no doubt aware of the painful history of uranium development on *Diné Bikéyah*, but it warrants summarizing here to provide the basis for the recommendations and requests that follow in this statement and the attached resolution.

First and foremost, uranium is a poison. Its radioactive byproducts, most notably radon gas, can damage and destroy our lungs. Many scientific studies have demonstrated that Navajo underground uranium miners have died from lung cancer and respiratory

¹ This statement was drafted and finalized by Norman Brown, Phil Harrison, Hazel James and Chris Shuey, all of whom participated in the conference and were delegated the duty of preparing this statement. Mr. Brown presented this statement on the floor of the Navajo Nation Council on Friday July 25, 2003. His report was "accepted" by a vote of 67 in favor, 0 opposed, 0 abstained.

diseases at rates far exceeding the national average. A recent study even found that two-thirds of all lung cancer cases among Navajo men between 1969 and 1993 were caused by a single exposure — uranium mining. In other words, lung cancer among our *Diné hastiin* would be virtually non-existent if uranium mining had never happened. By 1995, more than 350 Navajos who worked in the mines had died, and hundreds more continue to suffer from crippling respiratory diseases, cancers and mining injuries.

Unfortunately, many Navajo uranium workers who suffer from diseases and injuries that are commensable under provisions of the federal Radiation Exposure Compensation Act (RECA), as amended, do not qualify for benefits because their documented radiation exposures and employment histories fall below current RECA thresholds. People who worked in the mines and mills after 1971 remain ineligible for any benefits; in fact, no reliable register of post-'71 uranium workers even exists today. Furthermore, current estimates are that compensation monies will run out in 2005. Congress needs to fully fund the current program and revise RECA again to lower the exposure and employment thresholds and create a registration and compensation process for post-1971 uranium workers.

The dependents of uranium workers — their wives, children, grandparents, aunts and uncles and cousins — were regularly exposed to the uranium-laden mine and mill dusts that the workers brought home. It is estimated that 15,000 people could have adverse health conditions related to the fact that they were dependents of uranium workers and/or lived on or near uranium mines. Indeed, there is evidence that the high rates of birth defects among children born in the Shiprock area may have been related, at least in part, to their mother living near or next to abandoned uranium waste dumps. And there is evidence that a degenerative neurological disease that cripples the hands of its victims was related to their exposure to uranium mines and mining wastes as fetuses and infants. Despite this knowledge, no comprehensive medical studies have been done among people who lived and live in mining areas to ascertain their health status.

Uranium has chemical properties that harm other vital organs, especially the kidneys. Laboratory animal studies and studies of workers have shown that uranium is a potent renal toxicant. Recent studies in communities in Canada and Finland have shown that people who drink water containing even low amounts of uranium over long periods of time develop kidney damage and, eventually, irreversible kidney disease. Our Navajo people suffer from high rates of kidney disease, yet the contribution of uranium exposure to kidney illness has never been studied.

Nearly 1,100 uranium mines were abandoned on Navajo lands since the 1940s. While our Navajo government has made great strides lessening the hazards at these sites, many of these mines, especially those located in the Checkerboard Area of the Eastern Agency, remain unreclaimed, releasing pollutants to the environment. Four abandoned uranium mills located within the Reservation have been reclaimed, and a fifth, which is now a federal Superfund site, is located on private land less than a mile from the Reservation boundary near Church Rock. Yet massive amounts of groundwater remain polluted at these mill sites. And many families continue to live literally next door to these abandoned mines and mills, unaware of the health risks they face.

Sadly, we now face the prospect of uranium mining returning to our lands and communities. A Texas-based company wants to use the unsafe *in situ* leach (ISL) mining technique to mine uranium from the aquifer that provides precious drinking water to an estimated 15,000 residents of the southern portion of the Eastern Agency. Our courageous brothers and sisters who formed Eastern Navajo Diné Against Uranium Mining have been fighting this proposal for nine years. They have educated their communities, worked with the Navajo Nation leadership through four different administrations, and challenged the company's plans before an agency of the federal government — the Nuclear Regulatory Commission (NRC) — that has been indifferent to our *Diné* ways, to the effects of past uranium development on our people, and to the sovereign right of the people to say, "Doodá!"

But despite the lingering impacts of the past and the prospect for new uranium mining, there is hope. President Shirley has stated publicly and in writing that he opposes reopening uranium mining on *Diné Bikéyah* and will support the people's struggle against it. The support of our President provides us a unique opportunity to lend the voice of the people to forming a new Navajo uranium policy. Guided by the *Diné bi beenahaz'aanii* — the Fundamental Laws of the Diné enacted by the Council on Nov. 9, 2002 and signed into law by President Kelsey Begaye on Nov. 13, 2002 — we have the ability, through our elected representatives of the Navajo Nation Council, to enact Navajo law to guard against the ravages of uranium mining for generations to come.

With the encouragement and support of the President, the individuals, groups and communities that are addressing uranium mining impacts and the threat of new mining have united under the banner of the Diné Bidziil Coalition to develop a package of uranium-related legislation to bring before the Navajo Nation Council for consideration at its fall session in October. The attached resolution outlines the principles that will guide the development of that legislation, and we intend to communicate those principles to the Council at the Summer session in July.

Based on the urgent need to act on several fronts — from stopping the proposed Crownpoint and Church Rock ISL mines to expanding RECA eligibility and implementing health studies in uranium-impacted communities — we have recommended to President Shirley that he support formation of a Navajo Uranium Policy Task Force that would develop the proposed legislation, including a funding package. The President has indicated he supports this idea and will work with Council Speaker Lawrence Morgan to establish the Task Force as soon as possible. As indicated in "Exhibit B" attached hereto, we propose that the Task Force include representatives of seven grass-roots and community groups and seven representatives of Navajo Nation government.

Several of the groups that participated in Saturday's conference in Shiprock have already outlined the policy and programmatic objectives they will bring to the Task Force, and these issues are listed in part in "Exhibit C" attached hereto. As the process develops, we will have a better idea of the level of funding that the Council will be asked to provide to support these initiatives.

We note in closing that with few exceptions, the work of these groups and individuals has been done over the years without direct Navajo Nation financial support. Many of the people who have fought for uranium worker compensation have received little pay and most often volunteered their services. ENDAUM and its supporting technical and legal organizations have spent more than \$750,000 to stop the proposed ISL mining, and have never sought or received funds from the Navajo Nation. The work of these groups and individuals has been indispensable to the protection of the Navajo Nation and its people. We ask now that our elected representatives bring the economic, political and sovereign authority of the Navajo Nation to bare on these critical concerns.

We beseech the President, the Navajo Nation Council and all *Diné* to join us as "One Mind, One Voice, One Prayer" in unity to stop uranium mining on the Navajo Nation.

Respectfully submitted and endorsed,

Big Mountain Sovereign Diné Nation
Black Falls (Ariz.) community members
Black Mesa Water Coalition
Church Rock Chapter
Crownpoint Chapter community members
Diné Bohonii
Diné Bidziil Coalition
Diné Nationalists
Diné Sovereignty Defense Association
Eastern Navajo Diné Against Uranium Mining-Concerned Citizens of T'iists'óóz
Nídeeshgizh
Diné College Uranium Education Program
Houck Chapter community members
Kayenta Chapter community members
Navajo Uranium Radiation Victims Committee (Shiprock)
Navajo Nation Dependents of Uranium Workers Committee (Shiprock, Cudeii, Kayenta)
Red Rock-Cove community members
Shiprock Chapter community members
Southwest Research and Information Center (Albuquerque)
Teec Nos Pos community members
Tolani Lake community members
Tuba City community members

EXHIBIT A

RESOLUTION OF THE INDIVIDUALS, GROUPS AND COMMUNITIES ATTENDING THE STRENGTHENING DINÉ UNITY AGAINST URANIUM MINING CONFERENCE AT SHIPROCK HIGH SCHOOL, SHIPROCK, NAVAJO NATION, NEW MEXICO, ON JULY 19, 2003

Be it resolved by the individuals, groups and communities attending the Strengthening Diné Unity Against Uranium Mining Conference that —

1. President Joe Shirley, Jr., and Council Speaker Lawrence Morgan shall, within 30 days of the date of this resolution, form a Navajo Uranium Task Force consisting of representatives of seven grass-roots groups and seven representatives of the Navajo Nation Government as set forth in "Exhibit B" attached hereto; and
2. The Task Force shall develop policies, legislation and funding requests to address uranium mining impacts on the Navajo Nation for submittal to the Navajo Nation Council in time and through the appropriate legislative processes for consideration by the Council at its Fall 2003 session; and
3. The policies, legislation and funding developed by the Uranium Task Force should be governed by and include the following principles and elements:
 - a. Uranium mining in any and all forms shall be prohibited in Navajo law;
 - b. Environmental studies in mining-impacted communities shall be authorized and facilitated in Navajo law;
 - c. Health studies among families of Navajo uranium workers and in communities impacted by past uranium mining shall be encouraged and facilitated in Navajo law;
 - d. The history and consequences of uranium mining on the Navajo Nation shall be taught in Navajo schools and in community educational programs using the Navajo language.
 - e. Navajo Nation funds shall be appropriated to assist Eastern Navajo Diné Against Uranium Mining in its ongoing legal challenge of the proposed Crownpoint Uranium Solution Mining Project and the Executive Branch shall be authorized to support and join assist ENDAUM's litigation.

- f. The Executive Branch shall be authorized to implement and enforce all current and future tribal laws that address uranium mining.

4. The legislative package recommended by the Task Force shall be submitted to the Council and receive review by the relevant Committees of the Council, through the "SAS" process, in time for the Council to consider approving the package at the Fall 2003 session.

5. The congressional delegations of the states of Arizona, New Mexico and Utah are requested to oppose any and all federal energy legislation that subsidize, directly or indirectly, uranium mining in Navajo country; obstruct the Navajo Nation's ability to exercise its sovereign authority over its mineral resources and water supplies; and facilitate mineral development on Native American lands by non-native energy companies and outside governments.

6. The congressional delegations of the states of Arizona, New Mexico and Utah are requested to work with the Navajo Nation to provide federal funds to conduct environmental and health studies in uranium-impacted Navajo communities.

7. The congressional delegations of the states of Arizona, New Mexico and Utah are requested to advocate for adequate and complete funding of the Radiation Exposure Compensation Act program and to begin immediately to develop and propose amendments to RECA to extend eligibility to post-1971 uranium workers and to lower the eligibility thresholds for pre-1971 workers.

8. President Shirley is recognized and commended for his public statements opposing any new uranium mining in Navajo communities and for his leadership, on behalf of the indigenous peoples of the United States, in opposing pending federal energy legislation that will be harmful to Native American interests.

9. All *Diné* people, including and especially our religious leaders, are encouraged to offer their prayers and conduct ceremonies to help heal those among us, and those who have passed to the Spirit World, who have been harmed by uranium and to give us the strength, as individuals and as organizations, to achieve unity and justice in our campaign to say, "~~Leetso~~ Dooda".

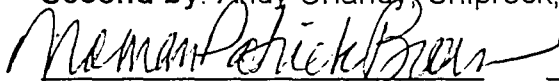
10. President Shirley is requested to help the *Diné* Bidzill Coalition present this resolution to the Navajo Nation Council at the Council's Summer 2003 session.


CERTIFICATION

Approved by a vote of 349 for, 0 against and 0 abstained at the publicly advertised and open *Diné* Bidzill Coalition Strengthening *Diné* Unity Against Uranium Mining Conference held at Shiprock High School, Shiprock, New Mexico, Navajo Nation, and this, the 19th day of July 2003.


Motion by: Bobby Charley, Shiprock, NM

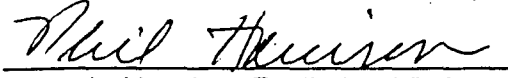
Second by: Andy Charley, Shiprock, NM



 Diné Bidzill Coalition


 Eastern Navajo Diné Against Uranium Mining-

Diné Nationalists (Norman Brown) Concerned Citizens of T'iists'óozí (Chee Smith Jr.)


 Uranium Education Program,
 (Perry H. Charley)
 Diné College


 Navajo Uranium Radiation Victims
 (Phillip Harrison)
 Committee


 Navajo Nation Dependents of Uranium
 Workers Committee
 (Gilbert Badoni)


 Black Falls (Ariz.) Community
 (Milton Yazzie)

'Uranium Dooda'

Grassroots Navajos, Shirley united against uranium mining

By Levi J. Long
The Navajo Times

SHIPROCK - In a hot and stuffy gymnasium at the high school here, Navajos who have been afflicted by uranium banded together under "one mind, one voice, one prayer."

The slogan struck a chord among the 500 people in the audience and the message rang loud and clear: "Uranium Dooda."

Elders from neighboring communities came to listen to the delegation that spoke about uranium mining issues. An elderly Navajo woman said she came here to represent her husband - he was too sick to get out of bed to come to the event.

"Ahe'hee' she'ewee," she said to speakers at the forum.

On July 19, Arizona State Rep. Jack Jackson Jr., D-District 2, Navajo Nation Vice President Frank Dayish Jr. and Navajo Nation President Joe Shirley Jr. spoke at the Diné Bidzill Coalition sponsored conference titled, "Strengthening Dine Unity against Uranium Mining: Honoring and Healing Navajo Elders, Families and Communities."

"We have to be united...uranium is continuing to kill our people," Shirley said with clenched fists and a passionate expression. "Why invite danger? We cannot. There's not even that many of us. Why invite cancer to kill us?"

Shirley also said the elders of the Navajo Nation and the seven generations to come need to be remembered. The impact that uranium mining has left should be remembered, he said, and the

destruction cannot be allowed it to happen again.

He said the proposed Indian energy bill, S. 14, if passed by Congress will leave Indian nations without power and will dissolve Indian country.

Last Wednesday, Shirley was in Washington, D.C. and met with Tex Hall, president of the National Congress of American Indians, and Sen. Pete Domenici, R-N.M., about uranium policies. Domenici, chairman of the Senate Energy and Natural Resources Committee, introduced the S. 14 bill under the Energy Policy Act of 2003.

The bill aims to streamline development on Indian lands. But Shirley said that the language of the bill limits the U.S. Department of Interior's trust responsibility and would sign away Navajo sovereignty rights.

The bill would also allow a tribe to submit energy resource regulations to the Interior for one-time approval. The department would not be required to review development taken under those regulations and would not be held liable if the tribe files a breach of trust.

Shirley said he would do everything in his power to fight this.

However, Shirley said that Domenici is very open to the Navajo Nation's voice as well as other tribes in Indian country.

At the end of the month, Shirley is scheduled to meet with leaders from the Montana, Wyoming and South Dakota tribes to gather support to say no to uranium.

Jackson spoke at the rally about his work with the Radiation Exposure Compensation Act of 1990. Jackson worked with former Navajo Nation President Peterson Zah to get the act passed.

Jackson said with current legislation pending regarding the S. 14 energy bill, the threat to Navajos is real.

"It's preposterous to allow continued injustice to our people," he said.

He also pointed out that it isn't just Navajo people who will be affected by the S. 14 bill. He said it will affect all people including residents around Gallup.

After Shirley's speech, coalition members met with the president and discussed ways to educate the Navajo people about the uranium issues. They also discussed what the Navajo Nation can do to ensure that the uranium mining won't happen again on the reservation and how to secure funding from the tribe for uranium effects programs.

Norman Brown, a spokesman for the coalition, said that Shirley needs to meet with the grassroots people.

He also said that the Navajo Nation Council needs to come to a consensus on this issue. He said both groups need to be educated about the uranium issue.

Jackson sat in on the discussion and told the coalition members that he'll send a strong message to Congress to stop mining for uranium. Jackson said he's working on the Joe Lieberman campaign for U.S. president and is working to educate Lieberman about the effects of uranium.

Jackson said the key to getting his colleagues to agree with his position is education.

When asked why Shirley was taking on a lot of environmental issues during his administration, Shirley said that mother earth is a mother to all Navajo people and we cannot sit back and allow people to destroy her.

When asked if Dayish, who had made earlier statements to the media about how uranium mining might be an option to get more money for Navajos, Shirley said he and Dayish stand behind the president's position.

"We're one on it," Shirley said.

After the meeting Brown said Shirley had compassion for his people.

"This is major stuff for our president to stand up to...the federal government and the corporate world," he said.

"We're here for you Naat'aanii," Brown told Shirley after the meeting, though Brown said he was disappointed that more Navajo Nation Council delegates didn't come to the rally.

Wallace Charley (Shiprock) was the only one who attended.

"One can start and lead to 30," Brown said. He said that the coalition and the Navajo Nation have "a hell of a battle" ahead with the U.S. government.

"It's important the Navajo Nation Council understand the severity with this fight," he said. "This is just the beginning."

Brown said that every Navajo needs to support the president and his position against uranium mining. He said that next there also has to be scientific studies and research done. Brown said once the Navajo Nation establishes a task force the group will have the power to lead to international guidelines.

"It's a great opportunity to lead the world," Brown said.

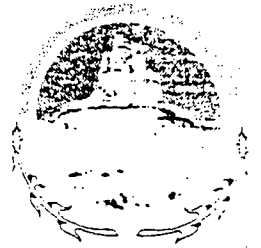
He said that the number of Navajo resources, Navajo scientists and Navajo talent is immense.

"That's what the Navajo Nation Council needs to understand," Brown said.



CHURCHROCK CHAPTER

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CHURCHROCK, NEW MEXICO 87311
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Dolly Pine, VICE-PRESIDENT
Evangelina Touchine, SECRETARY TREASURER

Edward F. Begay, COUNCIL DELEGATE
Annie Descheny, COUNCIL DELEGATE
Vanessa Begay-Lee, LAND BOARD MEMBER

The Honorable Joe Shirley
President of the Navajo Nation
P.O. Box 9000
Window Rock, A.Z. 86515

July 22, 2003

Dear President Shirley:

According to our discussion on July 9, 2003, we are sending you our Churchrock Chapter Resolution, CRC-030720-05, "Reaffirming Churchrock Chapter Opposition to Uranium Mining and Respectfully Requesting the Health and Social Services, Resources and Inter-governmental Committees of the Navajo Nation Council to Enact a Navajo Nation Energy Policy which Bans Uranium Mining within Navajo Indian Country and Provides legal Services to Chapters and Individuals Adversely Affected by Uranium Mining, Milling, Transportation, Accidents and Weapons Testing, Among other Things."

As stated in the Resolution, our people are devastated by the arrogant and reckless damages done by Mining Companies to Indian lands and unjustifiable related abrogation of its federal trust responsibilities by the U.S. Government.

Sincerely,

Johnny Livingston
President

Concurred.

Dolly Pine
Vice-President

Concurred.

Edward Carlisle
CSC

Enclosure

cc: Division of Health
Division of Social Services
Division of Resources
Legislative Services
Chris Shuey, SRIC
Chee Smith, Jr, ENDAUM
Lille Lane, NNEPA
File
Chrono



Charles S. Damon II, PRESIDENT
 Dolly Pine, VICE PRESIDENT
 Evangaline Touchine, SECRETARY TREASURER

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Edward T. Begay, COUNCIL DELEGATE
 Annie Deschery, COUNCIL DELEGATE
 Vanessa Begay-Lee, LAND BOARD MEMBER

RESOLUTION OF THE CHURCHROCK CHAPTER RESOLUTION NO. CRC- _____

REAFFIRMING CHURCHROCK CHAPTER OPPOSITION TO URANIUM MINING AND RESPECTFULLY REQUESTING THE HEALTH AND SOCIAL SERVICES, RESOURCES AND INTER-GOVERNMENTAL RELATIONS COMMITTEES OF THE NAVAJO NATION COUNCIL TO ENACT AN ENERGY POLICY, WHICH BANS URANIUM MINING WITHIN NAVAJO INDIAN COUNTRY AND PROVIDES LEGAL SERVICES TO CHAPTER AND INDIVIDUALS ADVERSELY AFFECTED BY URANIUM MINING, MILLING TRANSPORTATION, ACCIDENTS AND WEAPONS TESTING, AMONG OTHER THINGS.

WHEREAS:

1. Pursuant to 2 NNC Section 4001, the Churchrock Chapter is a local government entity of the Navajo Nation with delegated responsibilities to protect governmental interests, to advocate for and to provide for the general welfare of its constituents; and
2. The United States Congress is considering the National Omnibus Energy Bill, which will waive federal liability for environmental damages perpetrated on Indian lands by energy companies; and
3. The Omnibus Energy Bill will give license to energy and mining companies to continue to devastate Indian lands without clean-up toxic waste dumps, spills and contamination of scarce water resources and relieve the federal government of its trust responsibilities to Indian people; and
4. At a planning meeting on July 1, 2003, members of the Churchrock community spoke up bitterly against the irresponsible and unconscionable legacy the mining companies and U.S. Atomic Energy Commission have left behind in Churchrock, Eastern Navajo Agency, and the rest of the Navajo Nation and throughout Indian Country by:
 - a. Failing to properly provide health and safety training, equipment and practices to protect miners, mill-workers, teamsters and other employees from harmful elements and bi-products released by uranium
 - b. Releasing large quantities of untreated uranium mine water into communities, stream beds, washes and flood plains that damaged farmlands, rangelands and pastures and destroyed livestock and wildlife.

- c. Failing to clean up, close uranium mines, mill sites, tailing piles, tailings ponds and failing to reclaim the areas.
 - d. Failing to enforce health and safety requirements for uranium mining, including clean-up, closure and reclamation requirements, so that abandoned open mines, tailing piles and ponds were left to contaminate the air, soil and water systems and to enter into the food chain to cause all types of cancer and genetic damage to all living things.
5. A team of professional, including medical doctors, other health professionals, scientist and public officials from the Crownpoint Medical Center; the Northern Navajo Medical Center at Shiprock; the Federal Environmental Protection Agency; the Tribal Air Monitoring Support Center, in Las Vegas, Nevada; the Navajo Utility Authority; the Navajo Special Diabetes Project; Northern Arizona University, Flagstaff; University of New Mexico; the Southwest Research and Information Center; Albuquerque; and New Mexico Environmental Law Center, Albuquerque; and the University of Texas School of Public Health have strongly advised the Churchrock Chapter that in-situ uranium mining has not been proven to be a safe mining process and it will, on the other hand, pollute pristine ground water in the Churchrock and Crownpoint areas with uranium at levels 100,000 times background levels based in part upon the following scientific studies:
- a. "Chronic Ingestion of Uranium in Drinking: A Study of Kidney Bio Effects in Human," by M. Limson Zamora, et al.
 - b. "Renal Effects of Uranium in Drinking Water," by Paivi Kurttio, et al.
 - c. "Inorganic Components of Drinking Water and Microalbuminuria," by Yang Mao, et al.
 - d. "Uranyl Nitrate: 91-Day Toxicity studies in the New Zealand White Rabbit," by AP.Gillmen, et al.
 - e. "Uranyl Nitrate: 28-Day and 91-Day Toxicity Studies in the Sprague-Dawley Rat," by AP. Gillman, et al.
 - f. "Health Implications of Radio nuclide Levels in Cattle Raised Neau U Mining and Milling Facilities in Ambrosia Lake, New Mexico, by Sandra C. Lapham, et al.
 - g. "Impacts of Uranium Mining on Planned Springstead Housing Development in Churchrock Chapter by Southwest Research and Information Center.
 - h. "History and Facts about HRI's Crownpoint Uranium Solution Mining Project" by Southwest Research and Information Center.
 - i. "Uranium Milling and the Church Disaster," from Killing Our Own.
 - j. "Guidelines for Drinking Water-Quality," by World Health Organization, Geneva Switzerland.
 - k. "Uranium in Drinking Water, Document for Public Commet," by the Federal-Provincial Subcommittee on Drinking Water by Health Canada.
 - l. "Churchrock Uranium Monitoring Project" by Southwest Research and Information Center.

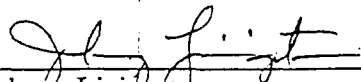
6. The Fort Defiance Housing Corporation has an agreement with the Navajo Housing Authority to build 900 homes in the Springstead Estates for low and moderate income families.
7. The Housing Project is being delayed, because the Indian Health Service, Navajo Environmental Protection Agency and the Southwest Research Information Center, believe that there may be dangerous levels of radio-active particulates in the air, and radon gas emanating from the ground and uranium contamination in the water that it would be unwise to build until an area health and water study has been completed; and
8. The Churchrock Chapter believes that it is therefore appropriate to request the Navajo Nation to establish an energy policy that will ban uranium mining and provide for legal services to Chapters and individuals that are adversely affected by uranium mining.

NOW THEREFORE BE IT RESOLVED THAT:

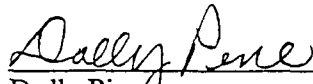
1. The Churchrock Chapter reaffirms its opposition to Uranium mining and respectfully requests the Health and Social Services, Resources and Inter-governmental Relations Committees of the Navajo Nation Council to Enact an Energy Policy, which bans uranium mining within Navajo Indian Country and provides legal services to Chapters and individuals adversely affected by uranium mining, milling, transportation, accidents and weapons testing among other things.

CERTIFICATION

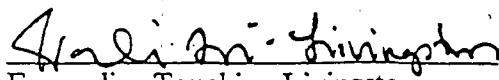
We, the undersigned, hereby certify that the foregoing resolution was presented to the Churchrock Chapter, at a duly called meeting at which a quorum was present, and was approved by a vote of 28 in favor, 6 opposed with 6 abstaining at Churchrock (Navajo Nation), New Mexico on the 20th day of July, 2003. The main motion was made by Cibon Livingston and the supporting motion was made by Marie Johnson.




 Johnny Livingston,
 PRESIDENT



 Dolly Pine
 VICE PRESIDENT



 Evangeline Touchine-Livingston
 SECRETARY/TREASURER



 Edward Carlisle,
 COMMUNITY SERVICES COORDINATOR

TOM UDALL

3D DISTRICT, NEW MEXICO

DEMOCRATIC STEERING AND
POLICY COMMITTEE

AT-LARGE WHIP

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Congress of the United States
House of Representatives
Washington, DC 20515-3103

COMMITTEES:

RESOURCES

SUBCOMMITTEE ON ENERGY AND

MINERAL RESOURCES

SUBCOMMITTEE ON
FORESTS AND FOREST HEALTH

SUBCOMMITTEE ON
NATIONAL PARKS, RECREATION AND
PUBLIC LANDS

SMALL BUSINESS

RANKING MEMBER

SUBCOMMITTEE ON WORKFORCE,
EMPLOYMENT, AND GOVERNMENT PROGRAMS

VETERANS' AFFAIRS

SUBCOMMITTEE ON
OVERSIGHT AND INVESTIGATIONS

July 17, 2003

Dear Attendees of the Leetso Dóodá Conference:

I write to you today to express my strong opposition to any uranium mining development that puts the Navajo people at risk. Throughout my tenure in Congress, I have taken an active role in protecting the health of all native peoples. You may well know, my father, Stewart Udall, worked to ensure that former Navajo miners were represented and compensated for the health problems stemming from mining uranium. In 1990, Congress passed the Radiation Exposure Compensation Act (RECA), and I have fought to fully fund this important program.

I believe the Native American miners were done an injustice when they were subjected to dangerous amounts of radiation. In fact, some government officials knew that the consequences of being exposed to large doses of radiation over long periods of time would result in cancer and other health problems. Amazingly, they did nothing to protect the health of miners.

I am encouraged that the new Navajo Nation administration, lead by my friend, the Honorable Joe Shirley, Jr., has taken a strong position and an active role in opposing uranium mining on the Navajo Nation. Together, we believe that the health of the Navajo people should not be compromised. In this case, we need to protect our precious water supplies. Here in the Southwest, we know that water is essential to daily life.

As passed in the House, the Energy Policy Act of 2003 includes a provision that I fought hard to remove. This provision calls for the appropriation of \$30 million dollars over three years to encourage In-Situ Leach Mining. We still must fight to stop this program from becoming a reality. I am hopeful that any final Energy Bill will not contain the uranium subsidies, and that my colleagues in Congress will understand the true gravity of this issue.

I thank you for the work you have done to raise awareness about this issue. I wish the Leetso Dóodá Conference success and encourage you to continue your good work.

Tom Udall

TU/ls

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110 WEST AZTEC
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**THE
NAVAJO
NATION**

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JOE SHIRLEY, JR.
PRESIDENT

FRANK J. DAYISH, JR.
VICE PRESIDENT

APR 09 2003

Honorable Tom Udall
United States House of Representatives
1414 Longworth House Office Building
Washington, DC 20515-3103

Dear Congressman Udall:

As the President of the Navajo Nation, which is the country's largest Indian tribe, I wish to express strong opposition to any attempt to re-open the Navajo Nation to Uranium Mining through in-situ leaching. Section 14029 of H.R. 6, the Energy Policy Act of 2003, would create a \$30 million federal subsidy for an in-situ uranium mining demonstration project that could poison my people to test "improved technologies." While proponent of in-situ leaching contend that this type of mining poses a low risk to ground water contamination, the fact remain that the technology is unproven and environment restoration is inconclusive.

The history of uranium mining on the Navajo Nation is painful; many Navajo People have died, or suffered painful effects, from uranium exposure through contaminated air, water, and livestock. To this day, the Navajo Nation Continues to work with the United States government to clean up the harmful residue of past uranium mining activity. We are still addressing the physical, emotional and financial hardships Navajo families continue to endure because of uranium.

Today, the Dine' will not tolerate the risk of being exposed to uranium again. It is important to note, however, that the proposed legislation would threaten the public health of not only the Navajo people, but of the entire region that depends upon the Navajo aquifer. The sites for the uranium leaching would be Church Rock and Crownpoint, New Mexico, 90 miles west of Albuquerque. Approximately 15,000 Navajo people, and thousands more non-Navajo, could be directly affected.

For the sake of the health and safety of the Navajo people, and its surrounding communities, I ask you to please do whatever you can to remove Section 14029 from H.R. 6. I am more than happy to supply to the House Committee on Energy and Commerce with boxes of documentation supporting the claims and concerns raised in this letter. I look forward to your prompt attention to this urgent matter.

Respectfully,

Joe Shirley, Jr.



THE NAVAJO NATION

Kelsey A. Begaye, *President*

Taylor McKenzie, M.D., *Vice-President*



May 22, 2002

- Crownpoint Chapter President
- Church Rock Chapter President
- Littlewater Chapter President
- Pinedale Chapter President
- Chairperson of Eastern Navajo Health Board
- CEO of the Crownpoint Healthcare Facility
- President of Eastern Agency Council
- Smith Lake Chapter President
- Standing Rock Chapter President
- Whitehorse Lake Chapter President
- White Rock Chapter President

Dear Honorable Chapter Presidents, Community Representatives, and Council Delegates:

We are writing to acknowledge your grave concerns about uranium mining operations in the Eastern Agency and to notify you of the Navajo Nation Executive Branch's policy on in-situ leach mining of uranium within the Navajo Nation. We have reviewed the resolutions opposing uranium mining passed by each of your communities and institutions, along with scientific information about in-situ leach mining technologies in general. We have concluded that in-situ leach mining technologies are unproven and are yet experimental. We also understand that the Navajo people in the area are overwhelmingly opposed to renewed uranium mining operations. We also support your contention that proposed uranium mining projects in the Crownpoint and Church Rock areas would pose significant public and environmental health risks to Navajo communities.

Therefore, in response to the numerous resolutions from your respective chapters and governing bodies opposing in-situ leach mining uranium within the Eastern Navajo Agency of the Navajo Nation, the Office of the President and Vice President are pleased to notify you of the adoption of the policy governing in-situ leach uranium mining within the jurisdiction of the Navajo Nation, including Navajo Indian Country. This policy will also govern Executive Branch action with respect to in-situ leach mining conducted on non-Indian lands but affecting Navajo communities.

This policy is based upon the concerns expressed in the Chapter and governing body resolutions passed by your respective chapters and organizations. In particular, the Executive Branch of the Navajo Nation acknowledges concerns raised about the threat of extensive groundwater contamination posed by in-situ uranium mining operations. The public health ramifications of such widespread groundwater contamination are enormous given the potent renal toxicity of uranium.

It is the policy of the Navajo Nation Executive Branch to oppose any in-situ leach uranium mining operations that would be located in or near populated areas, including towns, villages, housing

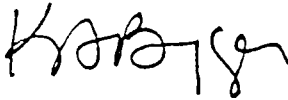
developments, inhabited complexes, and family camps. The water resources of the Navajo Nation are among its most valuable resources and must be protected. Therefore, the Executive Branch is also opposed to any in-situ leach uranium mining operations that would involve pumping water from or injecting lixiviant into potable or potentially potable groundwater or surface water sources.

The Executive Branch shall pursue this policy by all available means, including seeking Executive Branch resources for chapter governments and community organizations engaged in opposing in-situ leach mining projects. The Office of the President and Vice President will issue a memorandum to all Executive Branch agencies informing the agency directors of this Executive Branch policy. When appropriate we also will seek financial resources from the Navajo Nation Council.

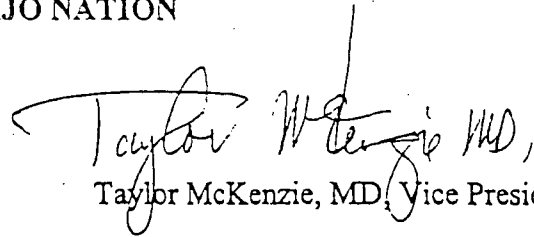
Uranium mining has proven to be devastating to the health and well-being of the Navajo people. We will work to assure that this type of devastation does not occur again. We deeply appreciate all that you have done for the Navajo people. We propose to assist in the effort of make Navajo communities safe, vibrant, and productive.

Sincerely,

THE NAVAJO NATION



Kelsey A. Begaye, President



Taylor McKenzie, MD, Vice President

cc: Robert Yazzie, Chief Justice, The Judicial Branch
Edward T. Begay, Speaker, The Navajo Nation Council
Levon Henry, Attorney General, The Navajo Nation
John Hubbard, Jr., Area Director, Navajo Area Indian Health Service
Derrith Watchman-Moore, Executive Director, Navajo Environmental Protection Agency

JOHN PERRY, JR.
Council Delegate
MITCHELL W. CAPITAN
President
CECILIA J. NEZ
Vice-President
LAURETTA ARVISO
Secretary / Treasurer
LINCOLN PERRY, SR.
Land Board Member
ARLENE ARVISO, B.S.W.
Community Services Coordinator
TILDA A. HARRISON
Chapter Clerk Typist I

CROWNPOINT CHAPTER

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Fax (505) 786-2136

Email: crwnptch@nm.net



Community Land Use
Planning Committee

STEVEN BEGAY
President
WILLIAM MURPHY
Vice-President
SHIRLEY
ELLSWORTH
Secretary
MAE BILLIE
Member
LEO MARTIN
Member

October 3, 2001

Navajo Nation Resource Committee
Navajo Nation Council
THE NAVAJO NATION
Window Rock, Arizona 86515

The Crownpoint Chapter reaffirms its' stance opposing the Crownpoint Uranium Mining Project in and surrounding Crownpoint community. Through Resolution CPC 00-03-746, the Crownpoint Chapter membership by a vote of 39 in favor, 2 opposed and 3 abstention at its' chapter meeting of March 23, 20010 opposed any uranium development.

At the recent chapter meeting of September 27, 2001, the membership reaffirmed Resolution CPC 00-03-746 opposing any uranium development now or in the future. This reaffirming resolution will be finalized for submission to Resource Committee and Navajo Nation Council next week. The membership strongly voiced their concerns about Senator Heather Wilson's support of uranium development throughout our country and thus, the chapter will be addressing this in a letter to her very soon.

The Crownpoint Chapter Officials and Membership staunchly maintain their opposition by the actions herein and will continue to do so for our community's health. If there are any questions, please feel free to contact Crownpoint Chapter at (505) 786-2130.

Sincerely,

A handwritten signature in black ink, appearing to read "Mitchell W. Capitan".

Mitchell W. Capitan, President
CROWNPOINT CHAPTER

A handwritten signature in black ink, appearing to read "Arlene Arviso".

Arlene Arviso, Community Services Coordinator
CROWNPOINT CHAPTER ADMINISTRATION

cc: CHAPTER OFFICIALS
Chrono File



THE NAVAJO NATION

Kelsey A. Begaye, *President*

Taylor McKenzie, M.D., *Vice-President*



August 15, 2001

The Honorable Jeff Bingaman
United States Senate
Washington, D.C. 20510

RE: Authorization of Appropriation for Demonstration Projects for In-Situ Leach Mining Technologies and Demonstration Projects with Domestic Uranium Producers

Dear Senator Bingaman:

On behalf of the Navajo Nation, we wish to express serious concerns regarding legislation that would provide funding for demonstration projects for in-situ leach mining technologies and demonstration projects with domestic uranium producers. As you know, the U.S. House of Representatives passed legislation regarding this type of funding on August 2, 2001, in H.R. 4, *The Securing America's Future Energy of 2001*. Pursuant to this particular legislation, there would be authorized to the Secretary of Energy \$10 million for each of fiscal years 2002, 2003 and 2004 for demonstration projects for in-situ leach mining technologies and demonstration projects with domestic uranium producers. If the U.S. Senate and President Bush approve this type of legislation, it will most certainly affect the Navajo Nation and the Navajo people.

While Hydro Resources, Inc. may contend that in-situ leaching of uranium is safe; other information appears to show that this is not the case, in particular, when the potential of contamination of underground water is considered. In reviewing the arguments from both camps, those who support in-situ leaching and those who oppose further uranium mining on or near Navajo land, we must take the position that in-situ leaching mining technologies is unproven and that the contention that in-situ leaching is safe is quite inconclusive.

You probably know that:

- An estimated 15,000 people in the Eastern Navajo Agency depend upon the Westwater Aquifer as their sole source of drinking water. This aquifer is currently a very pure source of drinking water with concentrations of uranium ranging from 1-20 ug/L. Uranium mining companies have proposed to use the aquifer for in-situ leaching of uranium.
- In-situ leaching will increase concentrations of uranium in groundwater to the range of 50,000 to 250,000 ug/L.


Letter to Honorable Jeff Bingaman
August 15, 2001
Page two

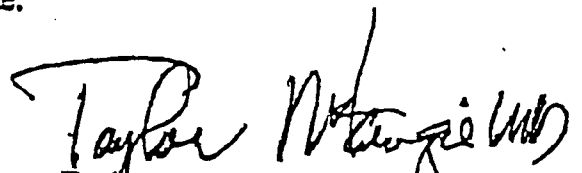
- In the last 30 years, uranium-mining companies have been largely unsuccessful in restoring aquifers after ISL mining.
- Restorations were unsuccessful at a pilot-scale ISL mine operated by Mobil Oil at a site 5 miles west of Crownpoint from 1979-1986.
- The Nuclear Regulatory Commission's (NRC) restoration groundwater standard of 440 ug/L is unsafe.
- The World Health Organization's (WHO) drinking water standard for uranium is 2 ug/L, and the U.S. Environmental Protection Agency (U.S. EPA) recently adopted a standard of 30 ug/L. The NRC standard is 220 times the WHO standard and more than 14 times the U.S. EPA standard.
- There is evidence of kidney damage with uranium levels in drinking water as low as 14 ug/L.
- Even if companies were able to restore the aquifer to the standard set by the NRC, uranium levels would be unacceptably high and communities in the Eastern Navajo Agency would be exposed to a potent nephrotoxin.
- The Navajo people already suffer from high rates of kidney diseases and adding an additional nephrotoxin like uranium to the water supply is an unacceptable risk.

You are aware that uranium mining has proven to be devastating to the health and well-being of the Navajo people, and we trust that you along with us, will assure that this type of devastation from uranium mining will not again be visited on the Navajo people. In view of the information presented here, and other abundant information, casting serious doubt on the safety of uranium in-situ leaching mining technology, we urgently request your assistance in assuring that H.R. 4, or any other form of such legislation is defeated in the United States Congress and does not become law of the land.

With sincere gratitude, we appreciate deeply all you have done for the Navajo Nation and the Navajo people, and with great respect for your position, we sincerely anticipate positive assistance from you on this issue.

Sincerely,


Kelsey A. Begaye, President
NAVAJO NATION


Taylor McKenzie, M.D. Vice President
NAVAJO NATION

Xc: Honorable Edward T. Begay, Speaker, The Navajo Nation Council
Honorable Robert Yazzie, Chief Justice, The Judicial Branch
John Hubbard, Area Director, Navajo Area Indian Health Service

6/13/2000



Churchrock Chapter

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Annie Descheny, Council Delegate
Edward C. Carlisle, Coordinator
Vera E. Brown, Clerk/Typist

Sherman Woody, President
Charles S. Damon II, Vice President
Evangeline Touchine, Secretary / Treasurer

RESOLUTION OF THE CHURCHROCK CHAPTER, CRC#066-06-00/200

Requesting Expeditious Cleanup of Abandoned Uranium Mines and Mill Sites and Funding for Environmental and Public Health Assessments in Churchrock Chapter, and Recommending Against Any New Uranium Development in Churchrock Chapter At Least Until Such Cleanup and Assessments are Completed.

WHEREAS:

1. Churchrock Chapter is a certified local governmental unit of the Navajo Nation; and
2. Pursuant to the Navajo Nation Local Governance Act, 26 N.N.C., Chapter 1, Subchapter 1, section 1(B)(1), Churchrock Chapter has the governmental authority to make decisions over local matters, consistent with Navajo law, including custom and tradition; and
3. Churchrock Chapter is authorized by 2 N.N.C. 4028.A to review matters including land use planning affecting the community and make appropriate recommendations to the Navajo Nation or such federal, state and local agencies as may have the responsibility for considering and approving such action"; and
4. Churchrock Chapter experienced extensive uranium development between the early-1950s and the mid-1980s; and
5. Reclamation and decontamination, or "cleanup," has been carried out at less than half of the 17 abandoned uranium mining and milling sites in Churchrock Chapter, and little or no reclamation and decontamination has been conducted at the remaining sites;
6. These abandoned uranium sites are likely contributing to abnormally high levels of cancer-causing radon gas and its radioactive decay products, which were detected in the air at several places in the northern part of Churchrock Chapter in the 1980s; and
7. Previous government studies and reports have shown that past uranium operations in Churchrock Chapter caused or contributed to:

- (a) Contamination of the North Fork of the Puerco River from wastewater released from three underground uranium mines over a 20-year period and during the July 1979 tailings spill at the United Nuclear Corp. (UNC) uranium mill;
 - (b) Higher-than-normal levels of uranium in groundwater under the North Fork of the Puerco River downstream from the Churchrock mining complex;
 - (c) High levels of toxic and radioactive contaminants in the groundwater in the vicinity of the UNC uranium mill tailings facility, which remains a federal Superfund site; and
 - (d) Higher-than-normal levels of uranium in the edible muscle and organs of sheep and cattle that grazed in the Churchrock mining area in the 1970s and 1980s; and
8. An estimated 865 people out of the more than 1,800 residents of Churchrock Chapter live within six miles of the abandoned uranium sites and, as a result, may be at increased risk of health damage from their exposure to radon and other radioactive and toxic contaminants in the air, water, soil and in meat from locally grown livestock; and
 9. Little or no monitoring of air, water, soils and livestock has been done in Churchrock Chapter in the last 12 years to determine if mining-related impacts still exist; and
 10. No studies of the health of Churchrock residents has ever been done, even though most residents of the northern part of Churchrock Chapter have lived here throughout the uranium mining era and some of them also worked in the uranium mines and mills; and
 11. The abandoned uranium sites in Churchrock Chapter are in addition to another 65 sites where uranium was explored for, mined and/or processed in the southern portion of the Eastern Navajo Agency since the early 1950s; and
 12. The Eastern Navajo Agency Council recommended in Resolution ENAC-99-04-200 (adopted April 3, 1999) that the Navajo Nation prioritize and expedite cleanup of abandoned uranium mining and milling sites in the Eastern Agency; and
 13. The Eastern Navajo Health Board recommended in Resolution ENHB-01/05-2000 (adopted May 30, 2000) that water sources throughout the Eastern Agency be tested to determine levels of uranium for purposes of assessing public health impacts; and
 14. New solution uranium mining is proposed at the site of the Old Church Rock Mine in Sections 8 and 17 of Township 16 North, Range 16 West, in Churchrock Chapter, and at two other sites in and west of Crownpoint; and
 15. The proposed new uranium solution mines threaten to contaminate the Westwater Canyon

Aquifer that is an important water source for domestic and livestock uses in Church Rock, Pinedale and Mariano Lake, and the sole source of drinking water for 10,000 to 15,000 people in Crownpoint and other Eastern Agency communities; and

16. The proposed mining in Churchrock would directly affect several local families that live and graze livestock on lands abutting the Section 8 and Section 17 properties; and
17. There is widespread local and regional opposition to the proposed mines, including from the Eastern Navajo Agency Council, the chapters of Crownpoint, Littlewater, Pinedale, Smith Lake and Standing Rock, the Eastern Navajo Health Board, the Crownpoint Healthcare Facility Safety Committee, the Eastern Navajo Area Agency on Aging Advisory Council, and the Navajo Tribal Utility Authority Management Board; and
18. New uranium mining should not be conducted in Churchrock Chapter as long as the environmental and potential health impacts of past uranium development have not been adequately addressed.

NOW, THEREFORE, BE IT RESOLVED THAT:

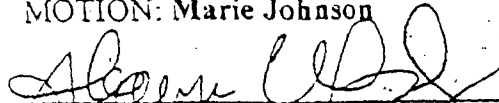
1. Churchrock Chapter requests that the Navajo Nation President and the Navajo Nation Council, in cooperation with appropriate tribal and federal agencies, including the U.S. Environmental Protection Agency (USEPA), obtain and appropriate funding to complete all environmental assessments of abandoned uranium sites in Churchrock Chapter and to expedite cleanup of those sites with the full involvement of the chapter's elected officials and with due regard for the health and safety of current and future residents; and
2. Churchrock Chapter further requests that the Navajo Abandoned Mines Lands Reclamation Department give periodic reports to Churchrock Chapter officials and residents at regular chapter meetings on the Department's progress in reclaiming and decontaminating abandoned uranium mines in the chapter; and
3. Churchrock Chapter further requests that all appropriate federal and tribal agencies, including and especially the USEPA and the Navajo Nation EPA, immediately undertake, with the advice and participation of local residents and elected officials, a comprehensive environmental monitoring program for air, water and lands consistent with findings of this resolution; and
4. Churchrock Chapter further requests that the Navajo Division of Health, in cooperation with Navajo EPA, USEPA, and other interested governmental and nongovernmental organizations, consult as soon as possible with the Chapter on ways to fund and implement a health survey for local residents; and
5. Churchrock Chapter recommends that federal, state and tribal agencies, including but not

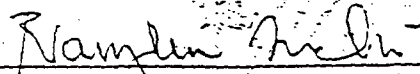
limited to the USEPA, the U.S. Nuclear Regulatory Commission, the N.M. Environment Department, and the Navajo EPA, refrain from approving any new uranium mining in the Churchrock area, at least until all abandoned uranium sites are satisfactorily cleaned up and existing environmental and health conditions are thoroughly assessed, consistent with the findings of this resolution.

CERTIFICATION

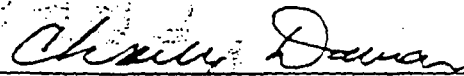
WE HEREBY CERTIFY that the foregoing resolution was duly considered by the Churchrock Chapter at a duly called meeting at Churchrock, Navajo Nation (New Mexico), at which a quorum was present and that same was passed by a vote of 36 in favor, 04 opposed, and 09 abstained, on this 13th day of June, 2000.

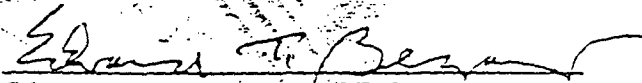
MOTION: Marie Johnson

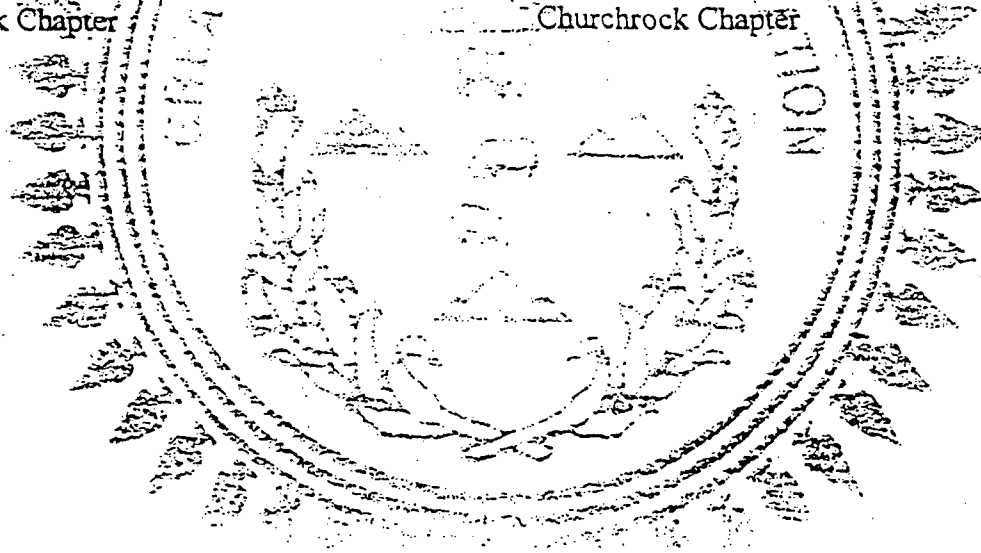

Sherman Woody, President
Churchrock Chapter


Evangeline Fouchine, Secretary/Treasurer
Churchrock Chapter

SECONDED: Albert Johnson


Charles S. Damon, Vice President
Churchrock Chapter

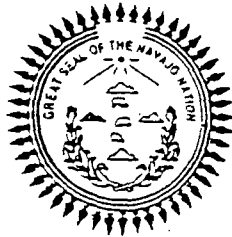

Edward T. Begay, Council Delegate
Churchrock Chapter



JOHN PERRY, JR. ...
Council Delegate
MITCHELL W. CAPITAN
President
JAMISON DEVORE
Vice-President
LAURETTA ARVISO
Secretary / Treasurer
LINCOLN PERRY, SR.
Land Board Member
ARLENE ARVISO, B.S.W.
Community Services Coordinator
TILDA A. HARRISON
Clerk Typist I

CROWNPOINT CHAPTER

P.O. Box 556 • Crownpoint, New Mexico 87515
Phone (505) 786-2150
Fax (505) 786-2156



3/23/2000
Community Land Use
Planning Committee

STEVEN BEGAY
President
WILLIAM MURPHY
Vice-President
CECILIA J. NEZ
Secretary
MAE BILLIE
Member
LEO MARTEN
Member

RESOLUTION OF CROWNPOINT CHAPTER CPC-00-03-746

SUBJECT: PROPOSED RESOLUTION RESCINDING CROWNPOINT CHAPTER RESOLUTION CP-93-07-142 AND APPROVING A NEW RESOLUTION OPPOSING THE CROWNPOINT URANIUM SOLUTION MINING PROJECT PROPOSED FOR SITES IN CROWNPOINT AND CHURCH ROCK, NEW MEXICO

WHEREAS:

1. Crownpoint Chapter is a certified local governmental unit of the Navajo Nation; and
2. Pursuant to the Navajo Nation Local Governance Act, 26 N.N.C., Chapter 1, Subchapter 1, Section 1(B)(1), Crownpoint Chapter has the governmental authority to make decisions over local matters, consistent with Navajo law, including custom and tradition; and
3. Crownpoint Chapter is authorized by 2 N.N.C. 4028.A "to review matters including land use planning affecting the community and make appropriate recommendations to the Navajo Nation or such federal, state, and local agencies as may have the responsibility for considering and approving such action"; and
4. There is widespread local and regional opposition to Hydro Resources, Inc.'s (HRI's) Crownpoint Uranium Project; including
 - (a) resolutions opposing the mining adopted by the Eastern Navajo Health Board (January 1995), the Crownpoint Healthcare Facility Safety Committee (May 1997), the Eastern Navajo Area Agency on Aging Advisory Council (October 1997), and the Navajo Tribal Utility Authority Board (December 1997),
 - (b) resolutions opposing the mining adopted by Little Water (1995), Pinedale (1999), Smith Lake (1999) and Standing Rock (1999) Chapters; and
 - (c) a resolution opposing the mining adopted by the Eastern Navajo Agency Council (ENAC 99-04-200), by a vote of 65 in favor, 0 opposed, and 3 abstained on April 3, 1999; and
5. HRI proposes to extract uranium using the solution mining method, which creates high levels of such toxic substances as uranium, radium, arsenic, and selenium and chloride in the groundwater at and around the three mining sites; and

EXHIBIT B

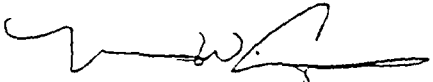
6. The groundwater in which HRI would mine is the only source of drinking water for an estimated 15,000 people in Crownpoint and other Eastern Agency communities, and an important water source for Church Rock, Pinedale and Mariano Lake residents; and
7. Crownpoint's drinking water is so clean that it requires minimal treatment and is known throughout the Navajo Eastern Agency for its purity and sweet taste; and
8. Uranium from Church Rock and Crownpoint mining sites would be processed at a plant that is located in Crownpoint within two miles of all homes, schools, churches, offices, businesses, a shopping center and the Crownpoint Indian Health Service hospital, and would be transported through Crownpoint residential areas by truck; and
9. There is no need for the Crownpoint Uranium Project because large amounts of uranium are flooding the national and international markets, keeping uranium prices low; and
10. HRI's parent company, Uranium Resources, Inc., stated in a press release issued February 16, 2000, that "the Company's ability to survive this down market is tenuous"; and
11. The Navajo Nation and the Navajo people continue to address the impacts of nearly 50 years of uranium development on their lands, including seeking compensation for deaths and illnesses among thousands of Navajo workers who worked in underground and open pit mines and uranium mills between the 1940s and the 1980s, and cleanup of contaminated lands, water and air at more than 1,100 abandoned uranium mining and milling sites, including more than three dozen sites in the Eastern Agency; and
12. There are viable alternatives to uranium mining that will create jobs for local people without sacrificing our clean water and air or threatening our health and that of future generations of Dine; and
13. Rescinding Chapter Resolution CP-93-07-142 and approving this resolution will benefit the residents of Crownpoint by protecting our health and environment, and Dine' culture and sovereignty.

NOW, THEREFORE, BE IT RESOLVED THAT:

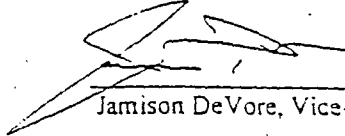
1. Crownpoint Chapter hereby rescinds Resolution CP-93-07-142; and
2. Crownpoint Chapter opposes the proposed HRI Crownpoint Uranium Project, including solution mining at Section 8 and Section 17 sites in Church Rock and at the Unit 1 and Crownpoint sites near Crownpoint and the proposed uranium processing plant to be located in Crownpoint; and
3. Crownpoint Chapter further recommends and requests that the President of the Navajo Nation and the Navajo Nation Council undertake all proper procedures according to Navajo law to carry out the intent of this resolution, including saying "No" to HRI's proposed uranium solution mines.
4. Crownpoint Chapter also recommends that the President of the Navajo Nation and the Navajo Nation Council obtain and appropriate adequate funding to complete all health and environmental assessments of abandoned uranium and coal mine sites in the Eastern Agency, and to expedite cleanup of those sites with the full involvement of affected chapters.

CERTIFICATION

WE HEREBY CERTIFY that the foregoing resolution was duly considered by the Crownpoint Chapter at a duly called meeting at Crownpoint, Navajo Nation (New Mexico), at which a quorum was present and that same was passed by a vote of 39 in favor, 2 opposed, and 3 abstained, on this 23rd day of March, 2000. And same was moved for adoption by Mae Billie and second by Valerie Murphy.



Mitchell W. Capitan, President



Jamison DeVore, Vice-President



Laurette Arviso, Secretary/Treasurer

John Perry, Jr., Council Delegate

Excerpts from the Statement of Edward T. Begay
Speaker of the Navajo Nation Council and Church Rock Chapter Delegate
at the 1999 ENDAUM Water Is Life Conference
August 20, 1999

- "I support the efforts of ENDAUM against new uranium mining by Hydro Resources, Inc. I support ENDAUM because I am from Church Rock and I have seen the destruction caused by uranium mines in the past. I believe HRI's proposal would damage our community's health, spirit and environment. The project does not offer benefits to the local communities. It offers the risk of environmental contamination."
- "Church Rock was the site of uranium mining in the 1960s, 1970s and the early 1980s. The abandoned sites continue to emit radon contamination into the air. The radon levels in the air in Church Rock are already too high, and any additional mining by HRI will make the health impacts on our community even worse. There are nearly 850 people living near this proposed mine. This is environmental injustice."
- "Crownpoint and Church Rock lie over the top of a pristine aquifer, the Westwater Canyon aquifer. This aquifer is pure, better than drinking water quality. We can't afford to lose this resource. [Yet,] HRI does not have the technology to restore this aquifer to pre-mining standards, or even to federal drinking water standards."
- "When he was President, Peterson Zah issued a moratorium on uranium mining in Navajo Country. This moratorium is still in place. We cannot forget that this moratorium bans all new uranium mines — mines like what HRI is proposing. ISL mining is not as horrible as the old mines that sent men underground, but it is by no means safe."
- "HRI should abandon its plan to mine uranium in Church Rock and Crownpoint. The Navajo Nation will enforce its moratorium against uranium mining. Our communities do not want any new mines. We cannot afford the contamination of our air and water. We cannot afford to risk our health and way of life."



Eastern Navajo Agency Council
 P.O. Box #668
 Crownpoint, New Mexico, 87313
 Telephone: (505) 786-2090 /2092



Resolution
 of the
 EASTERN NAVAJO AGENCY COUNCIL

ENAC-99-04-200

SUPPORTING EASTERN NAVAJO DINE' AGAINST URANIUM MINING, OPPOSING THE PROPOSED HYDRO RESOURCES, INC., CROWNPOINT URANIUM SOLUTION MINING PROJECT, AND URGING THE NAVAJO NATION TO OPPOSE NEW URANIUM MINING, FACILITATE CLEANUP OF ABANDONED URANIUM AND COAL MINING SITES, AND HELP LOCAL COMMUNITIES DEVELOP ENVIRONMENTAL SUSTAINABLE ALTERNATIVES TO URANIUM MINING.

WHEREAS:

1. The Eastern Navajo Agency Council composed of Chapter Officers, Council Delegates, Land Board Members and School Board Members from thirty-one (31) chapters and is the representative voice of the Eastern Navajo Agency and Chapters, and
2. The Eastern Navajo Agency Council recognizes Eastern Navajo Dine' Against Uranium Mining (ENDAUM) and its mission to protect our water supplies and health of our children by stopping the proposed uranium solution mining in the communities of Crownpoint and Church Rock located in the Eastern Agency of the Navajo Nation; and
3. ENDAUM is working to educate local residents, conduct outreach to communities in areas affected by the proposed mining, engage in communication with Navajo Nation officials, and legally challenged federal licensing of the proposed mining in partnership with Southwest Research and Information Center, and New Mexico Environmental Law Center; and
4. ENDAUM's hydrology experts have testified that Hydro Resources, Inc.(HRI), proposed uranium solution mines will contaminate the aquifer that provides the source of pure drinking water for an estimated 15,000 residents of Crownpoint and other Eastern Navajo Agency communities; and
5. ENDAUM's experts have concluded that a significant public health risk exists for several hundred Church Rock residents who are breathing high levels of radioactive gases coming from existing abandoned uranium mining and milling sites there, and that HRI's proposed Church Rock mine will only make the current problem worse; and

EXHIBIT H

6. At least three dozen abandoned uranium mining and milling sites are presently contaminating the environment and threatening residents' health in Church Rock, Pine Dale, Mariano Lake, Smith Lake, Thoreau and Baca chapters, and their cleanup is being delayed by jurisdictional issues and a lack of money for public health and environmental assessments; and

7. There is no need for HRI's proposed mines because there is currently enough uranium in utility and government stockpiles and in nuclear warheads to meet national and international needs for at least the next decade; and

8. Several institutions have adopted resolutions opposing the HRI project, including Lake Valley, Littlewater, Pine Dale, Smith Lake and Standing Rock chapters; the Navajo Tribal Utility Authority Management Board; Eastern Navajo Health Board; the Crownpoint Health care Facility Safety Committee; and the Eastern Navajo Area Agency on Aging Advisory Council; and

9. In addition, the Eastern Navajo Agency has several abandoned Coal Mines (Open Pit Mines) which needs serious attention by our Navajo Nation Government and pertinent Environmental Health Programs. It is highly recommended that a plan be devised for cleanup and restoration of these mines and lands; and

10. The approval of this resolution will benefit the residents of Crownpoint, Church Rock and other surrounding communities by protecting their health and their environment - the air they breathe, the water they drink, and the lands they use for livestock grazing.

8. NOW THEREFORE BE IT RESOLVED THAT:

1. The Eastern Navajo Agency Council hereby opposed HRI's proposed uranium mines in the Crownpoint and Church Rock communities located in the Eastern Navajo Agency.

2. The Eastern Navajo Agency Council further advises the Navajo Nation President, Vice-President and the Navajo Nation Council to communicate this Agency's opposition to HRI project to the U.S. Regulatory Commission.

3. The Eastern Navajo Agency Council further advises the Navajo Nation President, Vice-President and the Navajo Nation Council to implement the Executive Order Moratorium on Uranium Mining by declaring the Navajo Nation's opposition to HRI's proposed Uranium mines.

4. The Eastern Navajo Agency Council further recommends the Navajo Nation President, Vice-President and Navajo Nation Council prioritize and expedite clean up of abandoned uranium mining, and milling sites in the Eastern Navajo Agency to

protect public health and the environmental and to create jobs for the local residents.

5. The Eastern Navajo Agency Council further recommends, that with this resolution the Resources Committee of the Navajo Nation Council, Navajo Nation Office of the President & Vice-President and the Navajo Nation Council directs Navajo Nation Environmental Programs to conduct an assessment of abandoned Coal Mines (open pit mines) and devise & implement a plan for cleanup and restoration of these coal mines and lands.


6. The Eastern Navajo Agency Council further recommends that the Navajo Nation President, Vice-President, Resources Committee and the Navajo Nation Council help our communities develop economic plans that do not depend on polluting activities like uranium mining, but which are environmentally sustainable and emphasize creation of Navajo enterprises.

C-E-R-T-I-F-I-C-A-T-I-O-N


We hereby certify that the foregoing resolution was duly considered by the Eastern Navajo Agency Council at a duly called meeting at Smith Lake Chapter House, Smith Lake, Navajo Nation (New Mexico), at which a quorum was present and this same was passed by a vote of 65 in favor, 00 opposed and 03 abstained on this 3rd day of April, 1999.

Motion: Herbert Benally, Churchrock

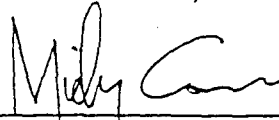
Second: Dorothy Rogers, Iyanbito



Martha Garcia, President



Wilson Ray, Vice-President



Michael Coan, Secretary

12-9-92
NATION

P. O. DRAWER 308 • WINDOW ROCK, ARIZONA 86515 • (602) 871-8352-53

PETERSON ZAH
PRESIDENT

MARSHALL PUMPER
VICE PRESIDENT

EXECUTIVE ORDER
of President Peterson Zah

12-9-92

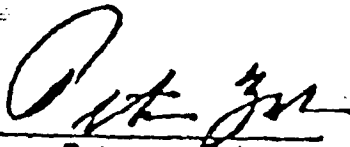
Moratorium on Uranium Mining

In 1983, the Navajo Nation announced the policy that a moratorium shall be placed on all uranium mining activity on Navajo lands until such a time that the Navajo people are assured that the hazards associated with uranium mining activity can be addressed and resolved. Uranium mining and related activities on Navajo lands have created health hazards to livestock and human beings and have contaminated ground and water to the detriment of the Navajo people. To this day, the Navajo Nation is working with the United States government to clean up the harmful residue of past uranium mining activity and to address the harmful effects caused by exposure to radiation which have created suffering and hardship for many Navajo families.

Goal 6 of the President's Energy Policy for the Navajo Nation (January, 1992) states that energy development shall "Protect and enhance the quality of the environment, and respect and preserve Navajo cultural values." The President's Energy Policy further states: "The Navajo Nation shall not approve any exploration, development, mining, milling, or transportation of uranium ore within the jurisdiction of the Navajo Nation unless and until the responsible party is able to certify and prove that the proposed activities will not contribute directly or indirectly to any further radioactive or heavy metal contamination of Navajo air, water, soil, vegetation, wildlife, or livestock." (Objective 4, Goal 6, President's Energy Policy for the Navajo Nation)

Therefore, in order to further establish and continue the policy of the Navajo Nation and in the best interests of the Navajo people, I hereby issue this Executive Order to reiterate and formally recognize that a moratorium is placed on uranium mining activity until such a time that the Navajo people can be assured that all safety and health hazards related to such activity can be addressed and resolved.

Sincerely,
THE NAVAJO NATION


Peterson Zah
President

EXHIBIT

X

EXHIBIT R