

RESOLUTION OF THE
NAABIK'ÍYÁTI' STANDING COMMITTEE OF THE
23rd NAVAJO NATION COUNCIL -- Fourth Year, 2018

AN ACTION
RELATING TO HEALTH, EDUCATION AND HUMAN SERVICES COMMITTEE AND
NAABIK'ÍYÁTI' COMMITTEE; SUPPORTING H.R. 5128 TITLED "TRIBAL
URANIUM EXPOSURE TREATMENT ENHANCEMENT ACT OF 2018"

WHEREAS:

- A. The Navajo Nation established the Health, Education and Human Services Committee ("HEHSC") as a Navajo Nation Council standing committee and as such empowered HEHSC with oversight of health on the Navajo Nation and authority to review and recommend resolutions to the Naabik'íyáti Committee and Navajo Nation Council to accomplish or impact the Committee purpose. See 2 N.N.C. §§ 164 (A)(9), 400 (A), 401 (B)(6)(a) (2015); See also CO-45-12.
- B. The Navajo Nation established the Naabik'íyáti' Committee as a Navajo Nation Council standing committee and as such empowered Naabik'íyáti' Committee to coordinate with all committees, Chapters, branches and entities concerned with all Navajo appearances and testimony before Congressional committees, and departments of the United States government. See 2 N.N.C. §§ 164 (A)(9), 700 (A), 701 (A)(8) (2015); See also CO-45-12.
- C. The Navajo Nation has a government-to-government relationship with the United States of America, Treaty of 1868, Aug. 12, 1868, 15 Stat. 667.
- D. There are approximately 523 abandoned uranium mines located on the Navajo Nation. See **Exhibit A**.
- E. Abandoned uranium mines expose Navajo people to radioactive and carcinogenic matter and affect water sources, air quality, soil, and livestock. *Id.*
- F. The federal government has taken initial steps to rectify the negative effects of uranium extraction on the Navajo Nation by passing the Radiation Exposure Compensation Act ("RECA") which provided compensation to individuals who contracted cancer following occupational exposure to uranium during the Cold War. *Id.*

- G. The federal government has also agreed to cleanup 94 abandoned uranium mines on the Navajo Nation. *Id.*
- H. Currently, there are no cancer treatment facilities on the Navajo Nation to provide services to Navajo people that have developed cancer due to exposure to radioactive and carcinogenic matter from abandoned uranium mines. Navajo people must travel off the reservation to seek cancer treatment. See **Exhibit B.**
- I. On February 27, 2018, Arizona Congressman Tom O'Halleran and New Mexico Congresswoman Michelle Lujan Grisham introduced H.R. 5128 titled "Tribal Uranium Exposure Treatment Enhancement Act of 2018" to the United States House of Representatives. See H.R. 5128 attached as **Exhibit C.**
- J. The Navajo Nation supports H.R. 5128 for the following reasons:
 - 1. The Act will authorize the Secretary of Agriculture to award grants to tribal health programs located on Indian reservations impacted by uranium mining or milling for the purpose of providing cancer treatment.
 - 2. The Act authorizes \$10,000,000.00 to be appropriated for fiscal years 2018 through 2022 in order to provide cancer treatment as described in the Act.

THEREFORE, BE IT RESOLVED:

- A. The Navajo Nation hereby supports H.R. 5128 titled "Tribal Uranium Exposure Treatment Enhancement Act of 2018" as the Act will authorize the Secretary of Agriculture to award grants to tribal health programs located on Indian reservations impacted by uranium mining or milling for the purpose of providing cancer treatment and for the reasons stated herein.
- B. The Navajo Nation hereby authorizes the President of the Navajo Nation, the Navajo Nation Washington Office, the Speaker of the Navajo Nation Council and their designees, to advocate the Navajo Nation's support of H.R. 5128 titled "Tribal Uranium Exposure Treatment Enhancement Act of 2018" and to advocate for its passage and swift implementation.

CERTIFICATION

I, hereby, certify that the foregoing resolution was duly considered by the Naabik'iyáti' Committee of the 23rd Navajo Nation Council at a duly called meeting in Window Rock, Navajo Nation (Arizona), at which a quorum was present and that the same was passed by a vote of 13 in Favor, and 00 Opposed, on this 11th day of October 2018.

A handwritten signature in black ink, appearing to read "LoRenzo C. Bates", written over a horizontal line.

LoRenzo C. Bates, Chairman
Naabik'iyáti' Committee

Motioned: Honorable Davis Filfred
Second : Honorable Lee Jack, Sr.

Chairman LoRenzo C. Bates not voting

Legislative Proposal to Make Cancer Care Available on the Navajo Na

Background

Navajo people continue to pay a high price for helping the United States win both World War II and the Cold War. Left in the wake of the the federal government's atomic stampede, 523 Abandoned Uranium Mines (AUMs) now litter the reservation. These AUMs subject Navajos to multiple radioactive and carcinogenic exposure pathways.

Exposure pathways include air, water and soil. Navajo people inhale radioactive dust, drink radioactive water, and eat the meat of animals who eat the plants that grow in radioactive soil. Navajos even live and work in structures built from radioactive waste rock.¹

The federal government's radioactive legacy persists in the 523 AUMs:

- 518 are within one mile of a perennial or intermittent surface water source;
- 409 have gamma radiation levels more than twice the background level;
- 266 have gamma radiation levels ten-times above background;
- 198 are within 200 feet of a structure;
- 58 are within a quarter mile of a livestock or human drinking water well;
- 38 have gamma radiation levels two-times above background and are within a quarter mile of a residence; and
- 17 are within 200 feet of an occupied residence.

"[H]ealth effects as a result of exposure to these elements can include lung cancer, bone cancer, and impaired kidney function."²

Federal Response

The federal government has taken two steps needed to fully and fairly address radiological contamination of the Navajo people and their land:

In 1990 the Radiation Exposure Compensation Act (RECA) was passed into law for, "compensation to individuals who contracted certain cancers ... following their occupational exposure to radiation while employed in the uranium industry during the build-up to the Cold War."³ In 2000, Congress amended RECA to cover more Navajo workers.⁴

The Department of Justice and USEPA agreed to cleanup 94 of the worst abandoned uranium mines on the Navajo Nation because of the health and environment risks associated with radioactive contamination.⁵

A third and final step that the federal government needs to take to complete responsibility is to establish a cancer center on the Navajo Navajo because the Indian Health Service does not provide cancer treatment on any Indian reservation.

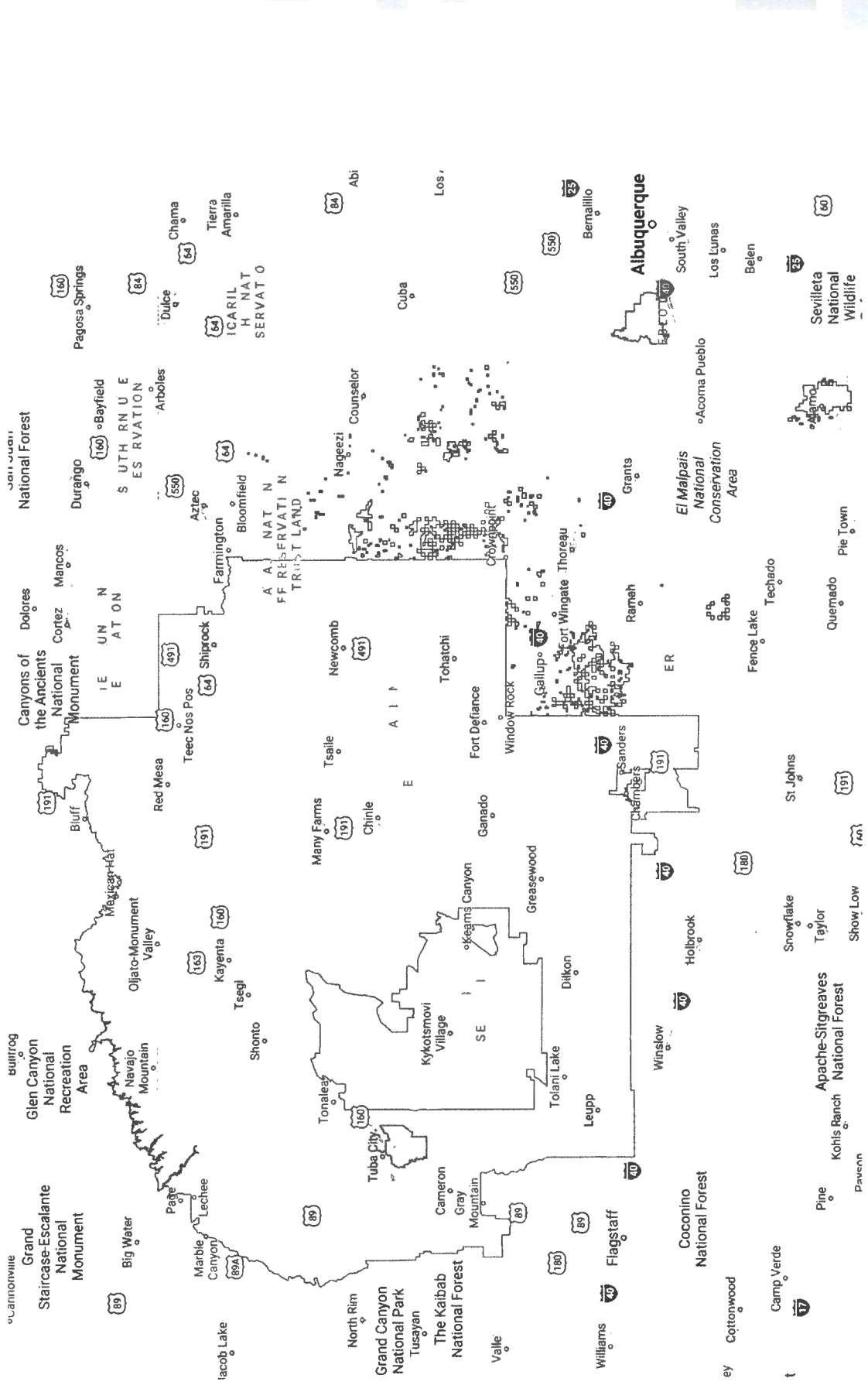
¹ Ram, N. M., Moore, C. and McTiernan, L. (2016), Cleanup Options for Navajo Abandoned Uranium Mines. Remediation, 26: 131–148. doi:10.1002/rem.21473 at 133.

² Ibid.

³ Public Law 101-426.

⁴ Public Law 106-245.

⁵ <https://www.epa.gov/newsreleases/justice-department-epa-and-navajo-nation-announce-settlement-cleanup-94-abandoned>



One Way Distances Patients on the Navajo & Hopi Reservations Must Travel to Flagstaff, Arizona for Cancer Care

Washington DC	0 miles	127 miles	150 miles	191 miles	193 miles	205 miles	New York City
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Flagstaff, AZ	Shonto, AZ	Kayenta, AZ	Fort Defiance, AZ	Mexican Hat, UT	Red Mesa, AZ
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115TH CONGRESS
2D SESSION

H. R. 5128

To authorize the Secretary of Agriculture to award grants to tribal health programs located on reservations impacted by uranium mining or milling, and for other purposes.

IN THE HOUSE OF REPRESENTATIVES

FEBRUARY 27, 2018

Mr. O'HALLERAN (for himself and Ms. MICHELLE LUJAN GRISHAM of New Mexico) introduced the following bill; which was referred to the Committee on Agriculture

A BILL

To authorize the Secretary of Agriculture to award grants to tribal health programs located on reservations impacted by uranium mining or milling, and for other purposes.

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

3 **SECTION 1. SHORT TITLE.**

4 This Act may be cited as the "Tribal Uranium Expo-
5 sure Treatment Enhancement Act of 2018".

1 **SEC. 2. GRANTS TO TRIBAL HEALTH PROGRAMS ON RES-**
2 **ERVATIONS IMPACTED BY URANIUM MINING**
3 **OR MILLING.**

4 Section 306(a) of the Agricultural Act of 1961 (7
5 U.S.C. 1926(a)) is amended by adding at the end the fol-
6 lowing new paragraph:

7 “(27) GRANTS TO TRIBAL HEALTH PROGRAMS
8 ON RESERVATIONS IMPACTED BY URANIUM MINING
9 OR MILLING.—

10 “(A) IN GENERAL.—The Secretary may
11 award grants to tribal health programs located
12 on reservations where uranium mining or mill-
13 ing occurred for purposes of providing cancer
14 treatment to Indians who reside on such res-
15 ervations and whose health was impacted by
16 such mining or milling.

17 “(B) AMOUNT AND CONDITIONS.—The
18 Secretary may award grants under subpara-
19 graph (A) in such amounts and subject to such
20 conditions as the Secretary determines appro-
21 priate.

22 “(C) DEFINITIONS.—In this paragraph,
23 the terms ‘Indian’, ‘reservation’, and ‘tribal
24 health program’ have the meanings given those
25 terms in section 4 of the Indian Health Care
26 Improvement Act (25 U.S.C. 1603).

1 “(D) AUTHORIZATION OF APPROPRIA-
2 TIONS.—For purposes of carrying out this
3 paragraph, there is authorized to be appro-
4 priated \$10,000,000 for each of fiscal years
5 2018 through 2022.”.

○

NAVAJO NATION

RCS# 1057

10/11/2018

Naa'bik'iyati Committee

04:00:34 PM

Amd# to Amd#

Legislation 0286-18: Supporting

PASSED

MOT Filfred

H.R. 5128 Titled "Tribal Uranium

SEC Jack

Exposure Treatment Enhancement
Act of 2018"

Yea : 13

Nay : 0

Excused : 0

Not Voting : 10

Yea : 13

Bennett

Damon

Jack

Phelps

Brown

Daniels

Perry

Smith

Chee

Filfred

Pete

Tso

Crotty

Nay : 0

Excused : 0

Not Voting : 10

Bates

BeGaye, N

Slim

Witherspoon

Begay, K

Hale

Tsosie

Yazzie

Begay, NM

Shepherd