



The Navajo Nation **DR. BUU NYGREN** **PRESIDENT**
Yideeskáądi Nitsáhákees **RICHELLE MONTOYA** **VICE PRESIDENT**

April 29, 2024

Honorable Crystalyne Curley, Speaker
Office of the Speaker
Navajo Nation Council
P.O. Box 3390
Window Rock, AZ 86515

RE: CAP-23-24, An Action Relating to an Emergency; Urgent Request to President Joseph R. Biden, Jr., the White House, Members of Congress, and Relevant Federal Agencies to Halt the Transportation of Uranium Through Navajo Nation Lands

Dear Honorable Delegates of the 25th Navajo Nation Council,

As the highest public official of the Navajo Nation elected by voters from across the Navajo Nation, I represent the Navajo Nation in relations with governmental agencies. I have been advocating for the safety and welfare of the Navajo Nation and its citizens on uranium related matters. By signing this resolution into law, the Council and I stand united in protecting the health, welfare, and safety of the Navajo People and all who live on the Navajo Nation along the roads where trucks may be transporting uranium ore across our lands.

In addition to my advocacy, Speaker Curley and I previously sent a letter to President Biden requesting that he do whatever he can to prevent the transportation of uranium ore across the Navajo Nation. By signing this legislation into law, we stand united in calling on our elected leaders in Washington, DC, to join us in our fight to protect our people and our lands from potential contamination caused by the transportation of uranium ore. The Navajo Nation has taken many measures to protect our people and lands from uranium ore transportation and now we need our federal partners to join us in our fight.

I am proud to sign this emergency resolution into law and I look forward to our continued action in unity to meet the needs of the Navajo People and all who live on the Navajo Nation.

Sincerely,

A handwritten signature in blue ink, appearing to read "B. Nygren", with a long horizontal flourish extending to the right.

Dr. Buu Nygren, *President*
THE NAVAJO NATION

RESOLUTION OF THE
NAVAJO NATION COUNCIL
25th NAVAJO NATION COUNCIL - SECOND YEAR, 2024

AN ACTION

RELATING TO AN EMERGENCY; URGENT REQUEST TO PRESIDENT JOSEPH R. BIDEN, JR., THE WHITE HOUSE, MEMBERS OF CONGRESS, AND RELEVANT FEDERAL AGENCIES TO HALT THE TRANSPORTATION OF URANIUM THROUGH NAVAJO NATION LANDS

WHEREAS:

- A. The Navajo Nation Council, the governing body of the Navajo Nation, pursuant to 2 N.N.C. § 102(A), is entrusted with the responsibility to safeguard the interests, rights, and traditions of the Navajo People.
- B. The Navajo Nation has a government-to-government relationship with the United States government.
- C. Pursuant to 2 N.N.C. § 164(A)(16) matters constituting an emergency shall be limited to cessations of direct services required as an entitlement under Navajo Nation or Federal law, or which directly threaten the sovereignty of the Navajo Nation. Such emergency matters must arise due to the pressing public need for such resolution(s) and must be a matter requiring final action by the Navajo Nation Council.
- D. Uranium mining has a long and troubled history on Navajo Nation lands, dating back to the early 20th century when prospectors began extracting uranium ore, leading to widespread environmental contamination and health hazards for Navajo communities.
- E. During the Cold War era, the demand for uranium surged, prompting extensive mining operations on Navajo lands without adequate environmental safeguards, resulting in lasting devastation to land, water, and public health, including high rates of cancer and other illnesses among Navajo uranium miners and their families.
- F. The Diné Natural Resources Protection Act of 2005, enacted through Navajo Nation Council Resolution No. CAP-18-05, and codified at 18 N.N.C. § 1301 *et seq.*, prohibits uranium mining and processing on Navajo lands, reflecting the Navajo Nation's commitment to safeguarding its people, land, water, and culture from additional harms posed by the mining of uranium.

- G. The Radioactive and Related Substances Equipment, Vehicles, Persons and Materials Transportation Act of 2012 at 18 N.N.C. § 1304 (A) states: *"The Navajo Nation opposes generally the transportation of radioactive and related substances, equipment, vehicles, persons and materials over and across Navajo Nation lands, except for purposes of transporting uranium ore or product currently left within the Navajo Nation from past uranium mining or milling operations for disposal at appropriate long-term facility outside of Navajo Indian country or at an appropriate temporary facility within Navajo Indian country and approved by the Navajo Nation Environmental Protection Agency."*
- H. The Pinyon Plain Mine in the Kaibab National Forest in Arizona has recently increased uranium mining activity and plans to transport the uranium ore across Navajo Nation lands on Arizona State Route 89 and Hwy 160 to the White Mesa Mill in Utah.
- I. Transportation of any uranium ore across Navajo Nation lands poses a significant threat to the health, well-being, and cultural integrity of the Navajo Nation and its tribal communities.
- J. The Navajo Nation President and Speaker of the 25th Navajo Nation Council issued a letter dated March 12, 2024 to President Joseph R. Biden, Jr. of the United States to review and deploy all available federal resources to prevent uranium mining transportation through the Navajo Nation. The March 12, 2024 letter is attached as **Exhibit A**.
- K. The transportation of uranium ore across Navajo Nation lands *except for purposes of transporting uranium ore or product currently left within the Navajo Nation from past uranium mining or milling operations for disposal at appropriate facility outside of Navajo Nation*, represents a disregard for Navajo Nation law, threatens its territorial integrity and is a threat to the sovereignty of the Navajo Nation. The need to halt plans to transport uranium across Navajo Nation lands is a pressing public need which requires final action by the Navajo Nation Council.

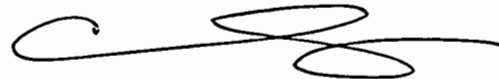
THEREFORE, BE IT RESOLVED:

- A. The Navajo Nation expresses its full support for the urgent request to halt the transportation of uranium, for non-remedial purposes, through Navajo Nation lands, as outlined in the letter addressed to President Joseph R. Biden, Jr., dated March 12, 2024.

- B. The Navajo Nation calls upon President Biden and the White House to utilize all available executive authorities to address this critical issue and prevent further harm to Navajo communities.
- C. The Navajo Nation urges President Biden, the White House, members of Congress, and relevant federal agencies to publicly support legislative measures that reinforce tribal sovereignty and enable the Navajo Nation to enforce its laws and protect its people from the risks associated with uranium transport.
- D. The Navajo Nation requests President Biden and members of Congress to work collaboratively to halt the transportation of uranium for non-remedial purposes through Navajo Nation lands.
- E. The Navajo Nation Council hereby authorizes the Speaker of the Navajo Nation Council, the President of the Navajo Nation, and their designees, to transmit a copy of this resolution to President Joseph R. Biden, Jr., the White House, members of Congress, relevant federal agencies, and other appropriate stakeholders to emphasize the Navajo Nation's urgent plea for action on this matter.
- F. The Navajo Nation hereby authorizes the Speaker of the Navajo Nation Council, President of the Navajo Nation, and their designees, to advocate for the purposes and intent of this resolution on behalf of the Navajo People.

CERTIFICATION

I, hereby, certify that the foregoing resolution was duly considered by the 25th 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 16 in Favor, and 00 Opposed, on this 16th day of April 2024.



Honorable Crystalyne Curley, Speaker
25th Navajo Nation Council

4/23/2024

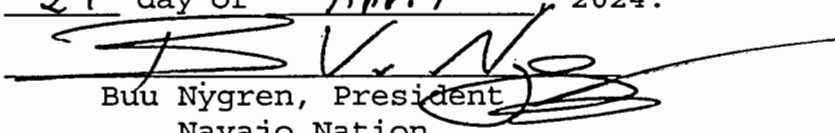
Date

Motion: Honorable Amber Kanazbah Crotty
Second: Honorable Herman M. Daniels, Jr.

Speaker Crystalyne Curley not voting

ACTION BY THE NAVAJO NATION PRESIDENT:

1. I, hereby, sign into law the foregoing legislation, pursuant to 2 N.N.C. § 1005 (C)(10), on this 29 day of April, 2024.


Buu Nygren, President
Navajo Nation

2. I, hereby, veto the foregoing legislation, pursuant to 2 N.N.C. § 1005 (C)(11), on this _____ day of _____, 2024 for the reason(s) expressed in the attached letter to the Speaker.

Buu Nygren, President
Navajo Nation



The Navajo Nation **DR. BUU NYGREN** *PRESIDENT*
Yideeskáądi Nitsáhákees **RICHELLE MONTOYA** *VICE PRESIDENT*

Transmitted via email: rose.n.petoskey@who.eop.gov

March 12, 2024



President Joseph R. Biden, Jr.
The White House
1600 Pennsylvania Avenue NW
Washington, DC 20500

Re: Urgent Need to Prevent Uranium Transport on Navajo Nation Lands

Dear President Biden:

I hope this letter finds you in the best of health and spirits. We are writing to you as the President of the Navajo Nation and Speaker of the 25th Navajo Nation Council, representing the voices and concerns of the Diné people. Over the past few months, an issue of critical importance has arisen that threatens the health, wellbeing, and cultural integrity of our tribal communities: the transportation of uranium ore through Arizona State Route 89 and Hwy 160.

The Diné Natural Resources Protection Act of 2005, approved through Navajo Nation Council Resolution No. CAP-18-05 and signed into law by then President Joe Shirley, was a powerful declaration by the Navajo Nation to prohibit uranium mining and processing on our lands. This law was our response to the catastrophic harm uranium mining has inflicted upon our people – a legacy of illness, contamination, and environmental degradation that we continue to confront. The Act was more than a legal statement; it was a call for justice, a commitment to the protection of our land, water, culture, society, and economy, and a testament to the resilience of our people.

Last year, we were encouraged by your establishment of the Baaj Nwaavjo I'tah Kukveni Grand Canyon National Monument, which aligned with our efforts to permanently ban new uranium development that could harm the Grand Canyon ecosystem. Our support for the monument reaffirmed our stance against the transportation of uranium across Navajo lands, which not only endangers our communities but also contradicts our sovereign rights to enforce our laws and protect our territory.

Despite these measures, uranium transport continues, posing an unacceptable risk to the wellbeing of our people and the sanctity of our land. Alternative routes exist that can and should be used to avoid crossing Navajo lands. The use of these alternative paths would demonstrate respect for our sovereignty and a commitment to our collective health and safety.

Mr. President, we urgently request the support of the White House to address this critical issue. We ask you to explore all executive authorities at your disposal to halt the transportation of uranium through our lands. Furthermore, we implore you to publicly support a legislative solution that would reinforce the sovereignty of tribal nations, enabling us to enforce our laws and protect our people.

We look forward to your response and stand ready to work closely with your administration to find a solution that honors our rights, our health, and our land. If you have any questions or require additional information regarding this matter, please contact Mr. Justin C. Ahasteen, Executive Director of the Navajo Nation Washington Office at (202) 682-7390 or by email at jahasteen@nnwo.org. *Ahéhee'* (thank you).

Respectfully,

A handwritten signature in black ink, appearing to read "B. V. Nygren", with a long horizontal flourish extending to the right.

Dr. Buu Nygren, *President*
THE NAVAJO NATION

A handwritten signature in black ink, appearing to read "Crystalyne Curley", with a long horizontal flourish extending to the right.

Crystalyne Curley, *Speaker*
25th NAVAJO NATION COUNCIL

NAVAJO NATION

372

4/16/2024

Navajo Nation Council Spring Session

09:41:46 PM

Amd# to Amd#

New Business: Item F. (MAIN)

PASSED

MOT Crotty, A

#0082-24

SEC Daniels, H

[Modified]

Yeas : 16

Nays : 0

Excused : 2

Not Voting : 5

Yea : 16

Arviso, S

Daniels, H

Nez, A

Slater, C

Begay, H

James, V

Nez, R

Tolth, G

Begay, N

Jesus, B

Notah, N

Yanito, C

Crotty, A

Johnson, C

Simpson, D

Yazzie, L

Nay : 0

Excused : 2

Charles-Newton, E

Tso, O

Not Voting : 5

Aseret, L

Parrish, S

Simonson, G

Yazzie, C

Claw, S

Presiding Speaker: Curley, C