THE HOPI TRIBE

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Testimony of Benjamin H. Nuvamsa
Chairman, The Hopi Tribe
to the Subcommittee on National Parks and Public Lands
of the Committee on Natural Resources
Community Impacts of Proposed Uranium Mining Near Grand Canyon National Park
March 28, 2008, Flagstaff, Arizona

Loloma. Good morning. On behalf of the Hopi people, it is my responsibility as Chairman of the Hopi Tribe to be here today to express the Hopi Tribal government and *Hopisenom,* or Hopi people's opposition to uranium exploration and mining around the Grand Canyon. We understand that thousands of new mining claims have been filed around the Grand Canyon on United States Forest Service and Bureau of Land Management lands. These "public lands" are part of our ancestral lands.

Therefore, it is my pleasure as Chairman of the Hopi Tribe to be here today to express the Hopi Tribe and *Hopisinom* support for The Grand Canyon Watersheds Protection Act of 2008. H.R. 5583 would protect one million acres around the Grand Canyon from uranium mining and exploration by withdrawing "the Tusayan Ranger District and Federal land managed by the Bureau of Land Management in the vicinity of Kanab Creek and in Rock House Valley from location, entry, and patent under the mining laws, and for other purposes."

The Grand Canyon is a Traditional Cultural Property of the Hopi Tribe. Hopi people emerged into this World at the Grand Canyon, known to us as *Ongtuvqa*, or Salt Canyon. *Ongtuvqa* is our birthplace as a People.

With our emergence from *Ongtuvqa*, Hopi people entered into a sacred Covenant with *Maasaw*, the Earth Guardian, in which it is our responsibility to be preservers and protectors, or Stewards of the Earth. In accordance with that Covenant, our ancestors migrated to and settled in these lands, and then migrated from them to Hopi, *Tuuwanasavi*, the Spiritual Center of the Earth.

These lands contain the testimony of our ancestors' stewardship through thousands of years, manifested in the prehistoric ruins, the rock "art" and artifacts, and the human remains of our ancestors, *Motisinom*, First People, and *Hisatsinom*, People of Long Ago, who continue to inhabit them. *Hopisinom* have returned to *Ongtuvqa* on salt pilgrimages since time immemorial, and continue to do so today.

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Paatuwaquatsi. Water is life. The legacy of past uranium mining has left wounds on our land, our water, and our people. These are not scars, for they have not healed. Two of our Villages, Upper and Lower *Munqapi* (Moencopi), were established by residents of *Orayvi* (Oraibi), recognized as the oldest continuously occupied community in the United States. These Villages are now threatened by a uranium contaminated plume of ground water from the former Tuba City Landfill. The nearby Rare Metals uranium mine near Tuba City likely used the landfill for waste disposal and is considered a potential source for radioactivity in the groundwater plume at the landfill. Rare Metals is now a Uranium Mill Tailings Action Site managed by the Department of Energy.

For over a thousand years, the springs and waters of *Munqapi* have provided life to *Hopisinom*. These springs and waters, farms and people are threatened now from the legacy of past uranium mining. The federal government is proposing new studies of these wounds, apparently because action to heal them is beyond current technological capabilities. Although the Rare Metals mine is now closed, the wounds it left are continuing to infect the lives of our Villages and people.

The general mining law of 1872 offers very little protection for lands. Rather, it essentially prioritizes the interests of mining companies over those of the public. According to the Environmental Protection Agency (EPA) Toxics Release Inventory, mining metals is the country's leading source of toxic pollution, and as a result the EPA estimates that more than 40%of Western watersheds have contamination in their headwaters. According to the Arizona Game and Fish Department, in the mining of uranium, "all the methods have the potential for radioactive pollution."

Hopisinom and many other Native American people suffer an ongoing legacy of death by cancer, chronic health problems, and radioactive contamination including water contamination on tribal lands. We appreciate the efforts of the Navajo Nation and President Shirley in opposing uranium mining on and around the Navajo Nation. We know first hand from our experience at *Munqapi,* that the contamination will travel, that it does not stay in one place, and that it spreads contamination as it moves. We are facing just this situation in *Munqapi* today. We share President Shirley's position that "The federal government should clean up existing contaminated sites before it promotes renewed uranium mining."

The 1872 mining law is a 19th Century archaic law used to "discover," "claim," and "take" Native Americans' lands, continues today as a policy of disregard and disrespect toward the beliefs and sacred ties that Hopi and Native American people have with the Earth. The legacy of uranium mining has devastated the people and the land, and the 1872 mining law continues to destroy the land and lives of *Hopisinom*, Native Americans, and Americans alike.

Hopi Cultural Preservation Office consultations with the United States Forest Service, Kaibab National Forest and Bureau of Land Management, Arizona Strip confirm that these agencies proclaim that "The 1872 Mining Law specifically authorizes the taking of valuable mineral commodities from Public Domain Lands. A 'No Action" alternative is not an option that can be considered."

Koyaanisqatsi, told in Hopi history and prophesy, is life out of balance, or a state of life that calls for another way of living. This state of life characterizes the risks we face together in modern times. If Americans are to live together in America in the 21st Century, we must call together for another way of living. The laws of the past that are now being used against all American people must be consigned to the past, and replaced with laws that support life, and not destruction and death.

We would like to gratefully thank Representative Grijalva for his leadership in the United States House of Representatives' recent passage of a bill reforming the 1872 Mining Law, which includes a provision for Native American sacred sites preservation and protection. We hope the Senate acts positively on that House bill and the President signs it into law.

We would also like to thank Representative Grijalva for introducing The Grand Canyon Watersheds Protection Act of 2008. We look forward to working with the Grand Canyon Trust and the Tribes in the Grand Canyon area, including the Navajo, Hualapai, Havasupai, and Kaibab Paiute Tribes, to develop a collective Tribal policy opposing uranium development around the Grand Canyon. We also look forward to working with Representative Grijalva, Governor Napolitano, the Coconino County Board of Supervisors, and others to ensure that *Ongtuvqa* is protected and preserved for future generations of Hopisinom, Americans, and all the people and living things of the Earth. As the Hopi Foundation, says, "Our destiny together is a matter of choice, since we are the community we make."

Hopisinom say, "We're not just farming, we're growing children. This is why it is my responsibility as well as my pleasure to be here today: to express the Hopi Tribe and the *Hopisinom's* opposition to the 1872 mining law and uranium development around *Ongtuvqa,* and our support for the reform of that law and the Grand Canyon Watersheds Protection Act of 2008, H.R. 5583. We join others calling Arizona's delegation in the House and Senate to act and act quickly to protect the Grand Canyon. *Kwak'whai.* Thank you.