NAVAJO NATION PRESIDENT JOE SHIRLEY, JR.
STATEMENT ON PROPOSAL TO ELIMINATE AML FUNDING

MARCH 12, 2010

I am discouraged by President Obama's initiative to cut millions of dollars in Abandoned Mine Land money to the Navajo Nation, as highlighted in the Fiscal Year 2011 budget. For the second time in less then five years, the federal government is attempting to end our program without acknowledging the importance of our government-to-government relationship and its trust responsibility to the Navajo Nation.

It was dispiriting to learn that funds are expected to be eliminated for certified states and tribes. In accordance with the 2006 Surface Mining Control and Reclamation Act, the Navajo AML Program is mandated to continue receiving payments from fees collected from current and past coal production on the Navajo Nation. If the proposal to cut funding is approved by Congress, the Navajo AML Program will end, triggering an injustice to the Navajo people and our lands.

Funds were collected from Navajo Nation coal resources and are not public tax money. Since 1988, the Navajo AML Program abided by the provisions set forth under SMCRA of 1977 and its 2006 amendments to perform reclamation of AML problems and to fund Public Facility Projects. With our successful work in coal reclamation, Navajo AML is now certified. The Obama Administration and U.S. Office of Management and Budgets have proposed penalizing the certified AML programs, including the Navajo Nation. Rather than eliminate a program that is successful, the Administration should spotlight the Navajo AML Program as an example of successful program with a record of accomplishment, and reiterate effectiveness in natural resources stewardship. Because of SMCRA funds, reclamation and public facility projects create jobs, help keep earned income in Navajo communities, and protect the public health and safety of Navajo people and our environment, while developing infrastructure to enhance our quality of life.

Environmental clean-up problems on the Navajo Nation are not just from coal mines. The legacy of mining goes back to the Cold War when there was an urgent need for uranium. The federal government came to the Navajo Nation for its minerals. Upon numerous years of mining, the lands were left distressed with no reclamation efforts performed by the previous owner/company. AML funds have been useful in reclamation work performed on these mines. These affected communities were environmentally and emotionally scarred from past uranium mining.

The Navajo Nation hopes to continue to educate Navajos about the vast benefits that our Nation has received. However, this is contingent upon Congress amending the 2006 SMCRA to allow certified states and tribes to continue to receive AML trust fund balances from the U.S. Treasury Fund Account. Contrary to the misconception of the U.S. OMB which implies wasteful spending of AML funds, it is our position that the Navajo AML Program has been cost-effective in funding projects that have, and continue to, significantly benefit our people in reclamation of abandoned coal, uranium and copper mines and community projects.

AML funds cannot and should not be eliminated as proposed by U.S. OMB, for the certified states and tribes. There is an immeasurable need for these funds to continue to improve the quality of life for our people.

DR. JOE SHIRLEY, JR., PRESIDENT
THE NAVAJO NATION