

The Forgotten Navajo: People in need

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A group of members of the Forgotten People gather in a house at Black Falls, Ariz., near the uranium-contaminated Box Spring well. Photo by Rachel Wise.

On the side of Gray Mountain in Northeast Arizona, Lorraine Curley lives alone in a two-room concrete home. Her roof is tarpaper and tin, and her bathroom is a wooden outhouse 50 feet from her door. Living without electricity or water is a way of life for Curley; she has, after all, been restricted by the Bennett Freeze, a law enacted in 1966 and not lifted until last May. Because of that law, more than 18,000 Americans were restricted from making any repairs to their homes or from building new ones for 43 years.

Curley would like a new home, but she's not picky: It doesn't need to have electricity or running water – a floor and insulation would be nice.

“Maybe I'll never see a home,” she said.

And at 79 years old, Curley is running out of time.

Curley is Diné, or Navajo, and like more than 180,000 others in her tribe, she lives on the reservation known as Navajo Nation, which spans a sprawling 27,000 miles stretched across Arizona, New Mexico and Utah. The land is also rich in highly sought-after natural resources, like coal and uranium, which has proven to be both a blessing and a curse. With its vast and breathtaking sandstone vistas and scrubby desert floor, the territory includes some of the prettiest land in America, but its people, scattered throughout, are without a doubt some of the country's most desperately underserved.

Because of its sovereign status, Indian territory is not regulated by federal environmental standards. In addition to oil and natural-gas drilling, the Nation was subjected to uranium mining from 1944 through 1986, when almost 4 tons of uranium ore was extracted for use in the arsenal build-up of the Cold War. It was mined without regard to the safety of the miners, the nearby residents or even the mineral-rich land itself, resulting in the inevitable pollution of the air and water. As a consequence, the land they treasure so deeply has turned against the Navajo people, many of whom have developed severe health problems from drinking contaminated water and breathing contaminated air.

And then there's the coal.

Since the mid-20th century, coal has been the primary source of energy for electricity-generating power plants around the world. Regardless of how it is measured, coal mining, and the processing of converting coal into electricity, has proved to have a devastating environmental impact. Coal mining pollutes land and seeps into groundwater, while emissions from burning coal have been cited as one

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of the main sources of global warming. Currently, there are five coal mines on Navajo land, and two companies are fighting to open up two more — Black Mesa (which was closed in 2005) and Desert Rock.

Sithe Global, the multinational corporation looking to open Desert Rock, says the Navajo stand to make \$52 million a year from the power plant in addition to the income from new jobs. But in reality, with more than 90,000 unemployed and thousands more underemployed, the Desert Rock plant will barely make a dent, employing only 300 workers. And although it is promoted as “clean coal,” a report by the Sierra Club estimates the emissions will poison the air, soil and water forever with toxic chemicals including carbon dioxide, sulfur dioxide, nitrogen oxides and solid waste containing cadmium, selenium, arsenic and lead.

Coal mining on the reservation is a thorny and multilayered issue. While coal companies, such as Sithe Global and Peabody Coal, are eager to build or reopen coal-fired power plants, both non-native and native environmental groups like San Juan Alliance and Diné CARE (Concerned Citizens Against Ruining Our Environment) warn of the disastrous impact of the projects. The president of the Navajo Nation government, Joe Shirley Jr., has sided with the coal companies, but the Navajo people themselves remain divided while bombarded with conflicting opinions.

Last month, Shirley issued a statement supporting future coal development in the Nation and targeting environmentalists. In part, he said, “The only people who say the project (Desert Rock) will not or cannot be permitted are environment activists ... who claim to put the welfare of fish and insects above the survival of the Navajo people when in fact their only goal is to stop the use of coal in U.S. and the Navajo Nation.”

Frank Maisano, a spokesperson with Bracewell Giuliani, a Texas law firm who represents Sithe Global, put it succinctly: “Frankly, the Navajo Nation is sitting on two hundred years of coal.”

There are roughly 40,000 occupied homes on the reservation. With rare exception, the Navajo homes are not served by the reservation’s power plants, leaving 18,000 homes without electricity. These homes are heated with wood stoves. The Nation is cut through with massive power transmission lines, which bypass but pass next to crumbling hogans (a traditional adobe Navajo dwelling), dilapidated trailers and one-room shacks. Those power lines run energy to cities in the Southwest, some of southern California and all of Las Vegas.

With its wealth of natural resources, it would be easy to imagine the people of Navajo Nation are wealthy beyond their wildest dreams. But the tragic irony is that many are excruciatingly poor, having derived no profit, in personal terms, from any of the bounty of their land. There is a common misconception that the Navajo actually own the land on which they live, but in fact they don’t, which means they have no control, ultimately, over how it is managed, even though they have lived on the land for hundreds of generations. Rather, it is held in trust by the U.S. government (or “in reserve,” thus the term “reservation”).

To complicate matters, there are dozens of laws on the books, which further complicate the rights and responsibilities of the federal government, the Navajo government and the people themselves. For example, an 1872 Mining Law opened the land to mining with no oversight, even permitting mining on private land. In addition, oil and gas leases were made possible by the Indian Reorganization Act of 1934, when industry, in partnership with Washington, created the opening of lands to thousands to make mining claims without compensation to the indigenous people.

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That arrangement has kept the Navajo people in a form of patriarchal colonialism since 1868 when the first treaty was signed. Unable to manage the land themselves they were at the mercy of the U.S. government and its agreements with industry.

“I strongly believe it’s time, it’s due — people deserve compensation,” said Carol Colorado during a recent meeting of the Forgotten People, a community development corporation concentrated in the Western part of the reservation.

According to the U.S. Environmental Protection Agency, because of regulated uranium mining and abandoned mines, there are “homes and drinking water sources (in the Navajo Nation) with elevated levels of radiation. Potential health effects include lung cancer from inhalation of radioactive particles, as well as bone cancer and impaired kidney function from exposure to radionuclides in drinking water.”

Colorado and about 30 cohorts met at a home in Black Falls, near Box Spring, a well of clear, cold water — rendered toxic from years of mining.

“There was neglect, no public outreach,” Colorado said. “Contamination was kept from people; they sat on that information of contaminated wells.”

Earl Tulley fills containers with uranium-contaminated drinking water at Box Spring well in Black Falls, Ariz. Photo by Rachel Wise



Activists say there are more than 1,200 abandoned mines in the Nation (although the Abandoned Land Mine Office consolidates that number closer to 500). The uranium-mining

companies are long gone, but the contamination remains.

“Exploiting indigenous people is one of the hallmarks of state corporate crime,” said Linda Robyn, a Chippewa Indian and professor of criminology and criminal justice at Northern Arizona University, who is studying the link between corporate-government complicity in environmental disregard for the Navajo’s well being. “Navajos are really, really poor with astronomical unemployment, substandard health care, drug abuse. It is a good place for corporations to exploit the people.”

Robyn says, to her knowledge, no corporate entity has ever been prosecuted for uranium contamination on Navajo soil, and yet as far back as the 1930s there was an awareness of the health risks associated with uranium. Somehow the message never made it to the Navajo. As recently as the 1980s — half a century later — U.S.E.P.A. scientists were putting Geiger counters to the wall of hogans near abandoned mines to measure radiation and seeing readings that were off the charts.

Florabell Paddock, 76, attended the Forgotten People meeting with her companion of 40 years, Jerry Huskon, 68. Like the thousands of others in the Western Navajo Nation, Paddock, a tiny, frail woman, has never had running water, instead having to haul heavy jugs from a nearby well to her home — something she won’t physically be able to do for much longer. And like so many others, her ailments are multiple.

“I drank water from the Tochachi Spring,” she said in her native Navajo, interpreted by the president of the Forgotten People, Don Yellowman. “My doctor told me my gall bladder was not working and I had internal bleeding. I have asthma, seizures, a problem with lung and liver,” she added, alluding to the cancer that has spread throughout her body.

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Pauline Lefthand, 41, also came to the meeting, albeit slowly and with help from a daughter on one arm and her husband on the other. She sat heavily in a metal chair and often nodded off during the meeting. She takes 15 pills a day, including strong painkillers.

“We did. We drank a lot of water from the well. That’s what we lived on. It’s one of the best waters,” she said, referring to the cool, refreshing taste of the water, which nonetheless was poisoned by the tasteless, odorless radionuclides.

Ten years ago, Lefthand began going “downhill.” Her legs became purple and swollen. She went to a doctor who told her that both her kidneys were “gone.”

“I went on dialysis,” Lefthand recalled. “I have arthritis, I have had my bladder and appendix removed. I had stomach surgery; they took my large intestines out.”

The medicine she is prescribed also has taken its toll.

“When I started, I weighed 135 pounds, then I went up to 247 pounds. Now I weigh 192,” she said.

Lefthand’s daughter Deidre Walker, 18, was there to support her mother, whom she said has had “kidney failure, diabetes, seizures” since Walker was eight years old. Two years ago, Walker gave her mother one of her own kidneys.

Despite decades of contamination, the U.S.E.P.A. began posting warning signs on drinking wells and in local post offices three years ago. Other education has been more grassroots, such as the recent community meeting. Local and national environmental groups are actively reaching out to educate Navajos about the drinking water and to build a consensus against new coal mining and power plants.

Those environmental groups came under fire last week by the tribal council of Hopi Nation (which is

surrounded by the Navajo Nation) who voted 12-0 to ban outside environmentalist including the Sierra Club, Natural Resources Defense Council, National Park Conservation Association and the Grand Canyon Trust groups from Hopi territory altogether.

“I stand with the ban and with the Hopi Nation,” said Navajo President Shirley in a news release. “Unlike ever before, environmental activists and organizations are among the greatest threat to tribal sovereignty, tribal self-determination, and our quest for independence.”

Local Navajo environmental groups say they don’t appreciate the censorship.

“The thing is, the question to ask is does President Shirley believe we are not capable of thinking and acting for ourselves?” said Earl Tulley, vice president of Diné CARE. “Does he believe we are controlled by outside groups?”

The struggle between environmentalists and corporations runs deep within the reservation. While environmentalists strive to educate residents about the risks of uranium exposure and strive to end coal mining, the corporations looking to mine the land fight back.

“The Desert Rock power plant should be built because there is an economic need in the region,” said Maisano, the spokesperson for Sithe Global. “And because it is a more efficient power plant than what exists. The Navajo Nation should be able to do this because of sovereignty. This is what they want to do.”

The Navajo Nation is divided into councils which voted 71-8 in February to approve the right-of-way legislation for Desert Rock. But last month the U.S.E.P.A. issued a remand against the mine until more air emission studies can be completed.

Along with the environmental and health challenges faced by the Navajo Nation, there has existed for many years a stigmatizing law further crippling

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development. Named for U.S. Commissioner of Indian Affairs Robert Bennett, the Bennett Freeze, enacted in 1966, restricted construction on more than 10 million acres of Hopi-Navajo disputed land. By law, no construction, additions or repairs could be made to any homes in the area, which covered 19 chapters — local governments — of the 110 chapters that make up Navajo land.

The law was originally intended as a temporary measure to prevent either tribe from claiming land that wasn't theirs until the division of the land was resolved. But the ban lasted 43 years, leaving thousands of Navajo without the means to make much-needed home repairs or to build new housing as needed, essentially crippling the people trapped within the Bennett Freeze. The Freeze was lifted by President Obama on May 8, 43 years later. But, most houses are now beyond repair. The long-standing restriction has taken a huge financial toll.

The Navajo territory, at 27,000 square miles, has only 2,000 miles of paved road and many more thousands of miles of unpaved, dirt roads, much of which are only accessible by foot or on horseback.

“We need \$3 billion for infrastructure, and nowhere near that will be coming in,” said Patrick Sandoval, chief of staff for the office of the president and vice president. “We will always be behind.”

That lack of infrastructure, along with tens of thousands of homes that remain “off the grid” without running water and electricity, has essentially locked those within the parameters of the reservation into poverty, and over the years, a collective and growing despair.

“You can't fix it with plastic or duct tape,” said John Benally, a sheepherder who lives in the area restricted by the Bennett Freeze. “You have to have respect.”

With more than half of the Diné people living below the poverty line, and just as many unemployed,

mental-health specialist Lusita Johnson sees a lot of depression.

“Many people tell me they can't sleep, they have purposeless lives,” she said. “They can't get up. Their lives don't have meaning.”

Still, Lorraine Curley, the elderly woman on Gray Mountain, holds on to hope for a new home. She spoke to reporters outside her house recently as dusk settled and several coyotes meandered past. A hundred yards to the south, massive power lines sizzled across the million-dollar desert view. She had been to check on her housing application, she said, and the news was not good. She was told her application needed to be resubmitted. Next, she has to commission an archeological survey. And last, there is a two-year wait for a new house — but that doesn't mean they'll be money to build, even then.



Lurene Curley's house. Photo by Rachel Wise

“We're just being led on, nothing ever happens. They just keep asking for documents,” she said, as the sun set behind the gray mountain.

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