

United States Senate
WASHINGTON, DC 20510-0309

April 28, 2022

The Honorable Tom Carper
Chairman
Committee on Environment and Public Works
United States Senate
Washington, D.C. 20150

The Honorable Shelly Moore Capito
Ranking Member
Committee on Environment and Public
United States Senate
Washington, D.C. 20150

Dear Chairman Carper and Ranking Member Capito:

Thank you for your ongoing leadership of the Senate Committee on Environment and Public Works. As you continue work on the Water Resources Development Act of 2022, I respectfully request that the legislation the authorizing statute for the Abandoned and Inactive Noncoal Mine Restoration Program waive the 50/50 cost-share requirement for the cleanup of non-coal mines on tribal land.

As you know, there are more than 500 abandoned uranium and other hardrock mines on the lands of the Navajo Nation and Hopi Tribe in northeastern Arizona. Many of these sites were constructed to meet the needs of the federal government, including the Department of Defense, from the 1940s to the 1970s. While federal government has acknowledged its responsibility in addressing the risks posed by these hardrock mines, yet too often, federal funding programs are inaccessible for tribal communities.

One federal program which aids in the cleanup of abandoned hardrock mines is the Army Corps of Engineers' Abandoned and Inactive Noncoal Mine Restoration Program, which provides technical, planning, and design assistance to Federal and non-Federal interests in carrying out projects to address water quality problems caused by drainage and related activities from abandoned and inactive non-coal mines. Under this program, cleanup projects on federal lands are fully covered by the Corps, while other cleanup projects, including those on tribal lands, must be carried out with a local sponsors with a 50 / 50 cost-share.

In recognition of the federal government's role in uranium mining in tribal communities, I ask that the WRDA 2022 bill reduce the cost-share requirement for projects carried out by the Corps under the Abandoned and Inactive Noncoal Mine Restoration Program on tribal lands. Reducing the cost-share will allow more tribes to take advantage of the Corps' expertise in mine cleanup, and accelerate the long overdue work on the part of the federal government to protect tribal communities from hazards posed by abandoned uranium mines.

Thank you again for your ongoing leadership and your consideration of this important request.

Sincerely,

A handwritten signature in blue ink that reads "Mark Kelly". The signature is fluid and cursive, with the first name "Mark" and last name "Kelly" clearly distinguishable.

Mark Kelly
United States Senator