

SAVE OAK FLAT FROM FOREIGN MINING ACT

March 2023

On March 3, 2023, House Natural Resources Committee Ranking Member Raúl M. Grijalva (D-Ariz.) introduced the *Save Oak Flat From Foreign Mining Act* to permanently protect Tonto National Forest's Chí'chil Bíttagoteel Historic District, also known as Oak Flat, from foreign mining operations that will permanently desecrate the area and destroy its tribal cultural and religious heritage sites.

WHY DOES OAK FLAT NEED PROTECTION?

Oak Flat is sacred to several tribal nations in Arizona, including the San Carlos Apache Tribe, whose citizens have visited the area to conduct cultural ceremonies and gather traditional medicines and food for millennia.

In 2015, a non-germane midnight rider was inserted into the must-pass National Defense Authorization Act to mandate the public land transfer of the Oak Flat area to Resolution Copper for proposed copper mining operations.

Resolution Copper plans to use block cave mining, which will cause Oak Flat to collapse into a crater approximately two miles wide and 1,000 feet deep. The proposed mining operations will also drain Arizona's water resources at a time of extreme drought, contaminate local groundwater, and cause irreversible damage to the area's natural attractions.

The Trump administration ruled completion of the Environmental Impact Statement (EIS) for the proposed mine before leaving office in January 2021. In response to major public outcry and evidence of significant deficiencies in the analysis, the Biden administration rescinded the Trump-era EIS. However, they will still be mandated by law to proceed with the process.

WHO IS RESOLUTION COPPER?

Resolution Copper is owned by Rio Tinto, a foreign-owned mining company whose majority shareholder is the Chinalco holding company for the SASAC of the People's Republic of China.

Rio Tinto gained renewed notoriety in 2020 after blowing up a 46,000-year-old Indigenous heritage site sacred to the the Puutu Kunt Kurrama and Pinikura peoples in western Australia, including the Juukan Gorge Rock Dwellings.

WHAT DOES THIS LEGISLATION MEAN FOR TRIBAL NATIONS?

The public land transfer of Oak Flat to Resolution Copper was a blatant circumvention of the legislative process and the U.S. government's responsibility to conduct meaningful tribal consultation. Tribal nations across the country have voiced their strong opposition to the Oak Flat land transfer. The *Save Oak Flat From Foreign Mining Act* does more than protect Oak Flat for generations to come; it also sends the message that tribal sovereignty is not a political bargaining chip.

Original cosponsors include Rep. Gregorio Kilili Camacho Sablan (D-CNMI), Rep. Jared Huffman (D-Calif.), Rep. Gwen Moore (D-Wis.), Rep. Jimmy Gomez (D-Calif.), and Rep. Leger Fernández (D-N.M.).

Supporters include the San Carlos Apache Tribe, the Tohono O'odham Nation, the Fort McDowell Yavapai Nation, the Pascua Yaqui Tribe, the Fort Yuma Quechan Tribe, the Cocopah Tribe, the Hopi Tribe, the Ak-Chin Indian Community, the Salt River Pima-Maricopa Indian Community, the Inter Tribal Association of Arizona, Apache Stronghold, the National Congress of American Indians, Patagonia, Sierra Club - Grand Canyon (Arizona) Chapter, National Wildlife Federation, Earthjustice, Hispanics Enjoying Camping, Hunting, and the Outdoors (HECHO), National Trust for Historic Preservation, Concerned Citizens and Retired Miners Coalition of Superior, AZ, Center for Biological Diversity, Arizona Mining Reform Coalition, EarthKeepers 360, Access Fund, and Baptist Joint Committee for Religious Liberty.