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Grijalva Bill Reverses Giveaway of Sacred Tribal Land to Foreign-Owned Mining Company – Sen. Sanders Offering Senate Companion

Washington, D.C. – Ranking Member Raúl M. Grijalva today introduced the *Save Oak Flat Act*, which repeals an unjustified congressional giveaway of sacred Native American land to a mining company called Resolution Copper co-owned by multinational mining conglomerates Rio Tinto and BHP Billiton. Sen. Bernie Sanders (I-Vt.) is introducing a companion bill in the upper chamber today.

Section 3003 of the 2015 National Defense Authorization Act authorized the transfer of 2,422 acres in Arizona’s Tonto National Forest to Resolution Copper despite the area’s cultural importance to the San Carlos Apache and other local tribes in the region. The area, known as Oak Flat, has been home to tribal acorn gathering and traditional religious ceremonies for centuries. If Resolution Copper continues with its stated plans to establish a so-called block cave mine on the land, its environmental and cultural value will be destroyed.

Grijalva’s bill – a successor to his H.R. 2811 from the 114th Congress – would repeal section 3003, which has no connection to national defense. Grijalva has taken a leading lawmaker role in the ongoing Save Oak Flat movement and hosted a congressional forum on the issue in the last Congress.

“Using our military as an excuse to give sacred land away to a mining company is a cynical abuse of power,” Grijalva said today. “This is exactly the kind of Beltway corporate favoritism the American people can’t stand, and it needs to be undone immediately. Supporting this bill means standing up for tribal sovereignty and environmental quality. Opposing it means handing American resources over to a multinational conglomerate with no interest in our economy, let alone American Indian rights.”

“Too many times our Native American brothers and sisters have seen the profits of huge corporations put ahead of their sovereign rights,” Sen. Sanders said. “It is wrong that a backroom deal in Washington could lead to the destruction of a sacred area that is so important to so many. We must defend the hundreds of thousands of Americans who are standing in opposition to this giveaway of our natural resources to foreign corporations.”

Resolution’s proposed mine is directly adjacent to Apache Leap, a beautiful escarpment of unique archeological and historical significance, where Apaches pursued by the U.S. cavalry leapt to their deaths to avoid capture. Vernelda Grant, the tribal historic preservation officer for the San Carlos Apache Tribe, expressed concern in the respected journal *Science in 2014* that, as the magazine put it, the mine is “right next door” to Apache Leap and “having a working copper mine next to the site will change how people experience it.”

The Tribe’s campaign to protect Oak Flat has been profiled in the *New York Times*, *Rolling Stone*, *Indian Country Today* and many other publications.

Section 3003 is strongly opposed by Indian tribes across the country because of the dangerous precedent it has set. By requiring the conveyance of the land regardless of the outcome of mandated federal consultation with affected tribes, it allows Congress essentially to ignore the basic principles of federal-tribal relations. The language also requires the conveyance regardless of the outcome of a mandatory environmental review process, ignoring decades of environmental precedent requiring advance land and water impact analyses so that these analyses can help inform decision-makers about potential impacts from proposed activities before decisions are made that could have irreversible consequences.

The bill is cosponsored by the following representatives:

Grace F. Napolitano (D-Calif.)

Tony Cárdenas (D-Calif.)

Mark Pocan (D-Wisc.)

Matt Cartwright (D-Pa.)

Tom Cole (R-Okla.)

Markwayne Mullin (R-Okla.)

Walter B. Jones (R-N.C.)

Donald S. Beyer, Jr. (D-Va.)

Peter A. DeFazio (D-Oregon)

Diana DeGette (D-Colo.)

Jared Huffman (D-Calif.)

Ruben Gallego (D-Ariz.)

Norma J. Torres (D-Calif.)

Eleanor Holmes Norton (D-D.C.)

Niki Tsongas (D-Mass.)

Ted W. Lieu (D-Calif.)

Suzan K. DelBene (D-Wash.)

Debbie Dingell (D-Mich.)

Betty McCollum (D-Minn.)

Derek Kilmer (D-Wash.)

Alan Lowenthal (D-Calif.)

Earl Blumenauer (D-Oregon)

Jared Polis (D-Colo.)

Raul Ruiz (D-Calif.)

Elijah E. Cummings (D-Md.)

Ben Ray Luján (D-N.M.)

Alcee L. Hastings (D-Fla.)

Michelle Lujan Grisham (D-N.M.)

Gregorio Kilili Camacho Sablan (D-Mariana Islands)

Colleen Hanabusa (D-Hawaii)

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