



National Congress of American Indians  
1516 P Street, NW  
Washington, DC 20005

December 9, 2010

President Barack Obama  
The White House  
1600 Pennsylvania Ave., N.W.  
Washington, D.C. 20500  
Attn: Kimberly Teehee

The Honorable Nancy Pelosi  
Speaker  
U.S. House of Representatives  
Fax: 202-225-4188  
Email: Karen.Wayland@mail.house.gov

The Honorable Harry Reid  
Senate Majority Leader  
U.S. Senate  
Fax: 202-224-7327  
Email: Wendy\_Helgemo@indian.senate.gov

The Honorable Steny Hoyer  
Majority Leader  
U.S. House of Representatives  
Fax: 202-225-4300  
Email: Mary.Frances.Repko@mail.house.gov

The Honorable Jeff Bingaman  
Chairman, Senate Energy and Natural  
Resources Committee  
U.S. Senate  
Fax: 202-224-5521  
Email: Jorge\_Silva-Banuelos@bingaman.senate.gov

The Honorable Nick Rahall  
Chairman, House Committee on  
Natural Resources  
U.S. House of Representatives  
Fax: 202-225-1931  
Email: Jim.Zoia@mail.house.gov

**Re: *Opposition to the Inclusion of S.409, Southeast Arizona Land Exchange & Conservation Act, and H.R. 4880, Copper Basin Jobs Act, in Omnibus Lands Package***

Dear President Obama, Leader Reid, Speaker Pelosi, Majority Leader Hoyer, Chairman Bingaman and Chairman Rahall:

The National Congress of American Indians objects to inclusion of S. 409, the Southeast Arizona Land Exchange and Conservation Act, and H.R. 4880, the Copper Basin Jobs Act, in any lands or other package being considered for passage during the lame duck session. The inclusion of these bills would allow foreign-owned conglomerates, Rio Tinto PLC (United Kingdom) and BHP Billiton Ltd (Australia) through their subsidiary Resolution Copper Company, to acquire over 3,000 acres of public lands (including the 760-acre Oak Flat Withdrawal Area) within the Tonto National Forest in Arizona to develop and operate an unprecedented deep underground copper mining project in the Oak Flat area.

The Oak Flat area has significant cultural, archeological, historical, religious, and environmental significance to Apaches, Yavapais, and other Native Americans and qualifies as a

Traditional Cultural Property under Section 106 of the National Historic Preservation Act. The block and cave mining that would take place on the land proposed for conveyance would cause irreparable damage to the archeological and cultural resources of the area as well as highly damaging consequences to the water, wildlife, plants, and other natural resources in the area. Given the virtually unprecedented scope of Resolution Copper's project, it is imperative that the federal government take steps to study, investigate, and fully understand the direct, indirect, and cumulative impacts of the project before Congress takes any action on this legislation to convey federal land to Resolution Copper for mining. These studies have not been done to date.

For these reasons, we urge you to oppose this legislation and ensure that it is not included in any lands package, including the Omnibus Public Land Management Act of 2010. We appreciate your efforts to protect this special place. Please contact me if you have any questions about this matter.

Sincerely,

A handwritten signature in cursive script, reading "Jacqueline Johnson-Pata".

Jacqueline Johnson-Pata