



INTER-TRIBAL COUNCIL OF NEVADA, INC.

680 GREENBRAE DR., SUITE 265 • SPARKS, NV 89431
P.O. BOX 7440 • RENO, NV 89510
PHONE (775) 355-0600 • FAX (775) 355-0648

RESOLUTION NO. 11-ITCN-06

BATTLE MOUNTAIN
BAND COUNCIL
CARSON COLONY
COMMUNITY COUNCIL
DRESSERVILLE
COMMUNITY COUNCIL
DUCK VALLEY
SHOSHONE-PAIUTE
BUSINESS COUNCIL
DUCKWATER
SHOSHONE
TRIBAL COUNCIL
ELKO BAND
COUNCIL
ELY SHOSHONE
COUNCIL
FALLON BUSINESS
COUNCIL
FT. McDERMITT
PAIUTE-SHOSHONE
TRIBES
GOSHUTE BAND
COUNCIL
LAS VEGAS PAIUTE
TRIBAL COUNCIL
LOVELOCK TRIBAL
COUNCIL
MOAPA BUSINESS
COUNCIL
PYRAMID LAKE
TRIBAL COUNCIL
RENO/SPARKS
TRIBAL COUNCIL
SOUTH FORK
PAIUTE COUNCIL
STEWART
COMMUNITY COUNCIL
SUMMIT LAKE
PAIUTE COUNCIL
TE-MOAK TRIBAL
COUNCIL
TIMBISHA SHOSHONE
TRIBE
WALKER RIVER
PAIUTE TRIBAL
COUNCIL
WASHOE TRIBAL
COUNCIL
WELLS BAND
COUNCIL
WINNEMUCCA
COLONY COUNCIL
WOODFORDS
COMMUNITY
COUNCIL
YERINGTON PAIUTE
TRIBAL COUNCIL
YOMBA TRIBAL
COUNCIL

RESOLUTION OF

INTER-TRIBAL COUNCIL ON NEVADA, INC.

TITLE: Opposition to H.R. 1904, Southeast Arizona Land Exchange and Conservation Act of 2011, Which Would Transfer Land for a Massive Block Cave Mine that Would Destroy Native American Sacred and Cultural Sites.

WHEREAS, the Inter-Tribal Council of Nevada, Inc., is organized and operates in accordance with the Constitution and By-Laws, amended in November 1974; and

WHEREAS, the purpose of the Inter-Tribal Council of Nevada, Inc., are stated in its Constitution, Preamble; and

WHEREAS, the Executive Board, a body comprised of the elected 27 representatives of the member tribes in the State of Nevada and whose charter is ratified by these same tribes; and

WHEREAS, the Inter-Tribal Council of Nevada, Inc., has continuing interest the health, education and well-being of the American Indian People; and

WHEREAS, the United States Government has legal and moral responsibilities to manage traditional cultural territories in a way that shows respect for these places that hold cultural, historical, spiritual and religious importance to Indian tribes and their quality of life; and

WHEREAS, H.R. 1904, entitled the "Southeast Arizona Land exchange and Conservation Act of 2011" would mandate that the Secretary of Agriculture transfer over 2,400 acres of federal lands located within Tonto National Forest to a private mining company called Resolution Copper, which is owned by the foreign mining giants Rio Tinto PLC (United Kingdom) and BHP Billiton Ltd (Australia), for purposes of an unprecedented block cave copper mine that would be the largest mine in North America; and

- WHEREAS, the federal lands proposed for transfer, which are generally known as Oak Flat, including Oak Flats Withdrawal area, are the ancestral lands of tribes in the region; and these lands are of unique religious, cultural, traditional, and archeological significance; and
- WHEREAS, H.R. 1904 would require Congress to lift the decades old ban against mining within the 760 acres of the Oak Flat Withdrawal, which was expressly set aside from mining by President Eisenhower in 1955 due to the lands value for recreation and other important purposes; and
- WHEREAS, the mining proposed for Oak Flat will destroy the religious, cultural and traditional integrity of Oak Flat for tribes in the region, and it will cause serious and highly damaging environmental consequences to the water, wildlife, plants and other natural ecosystems of the area; and
- WHEREAS, the block cave mining method to be employed at Oak Flat will also cause the collapse of the surface of the earth and endanger religious, cultural and historic terrain in this area; and
- WHEREAS, H.R. 1904 has national significance because it is the only legislation pending in congress that would transfer federal land that is a sacred site of tribes to a private company for mining activities that will destroy it; and
- WHEREAS, H.R. 1904 sets bad precedent because it does not allow for meaningful consultation with Indian tribes that would be affected by the proposed conveyance; and
- WHEREAS, H.R. 1904 mandates that the Secretary of Agriculture convey to Resolution Copper the land in question within one year of enactment of the Act without any advance studies or analyses; and
- WHEREAS, these studies and analyses should be conducted before there are any decisions on whether to convey this land; and
- WHEREAS, tribes and tribal organizations across the country have passed resolutions or sent letters to the U.S. Congress opposing H.R. 1904 due to the harm to religious, cultural, archeological and historical resources, as well as the environment consequences to the land from the proposed mining activities; and

WHEREAS, despite strong opposition to H.R. 1904 from tribes and tribal organizations across the country due to the proposed mine's impact on and destruction of Native American sacred and cultural sites, on October 26, 2011 the House of Representatives passed H.R. 1904 by a vote of 235 – 186; and

WHEREAS, Representative Ben Ray Lujan (NM-3) offered an amendment to H.R. 1904 on the House floor during debate of H.R. 1904 that would have exempted all sacred and cultural sites for the land conveyance in H.R. 1904; but despite strong support from Indian tribes across the country, the amendment failed by a vote of 189 – 233; and

NOW THEREFORE BE IT RESOLVED, that Inter – Tribal Council of Nevada does hereby express its strong opposition to H.R. 1904, the Southeast Arizona Land Exchange and Conservation Act of 2011, and any companion legislation that may be introduced or considered in the U.S. Congress; and

BE IT FUTHER RESOLVED, that Inter – Tribal Council of Nevada declares that Resolution Copper should not be allowed to circumvent laws and policies designed to promote tribal consultation and designed to ensure transparency and full consideration of impacts and consequences; and

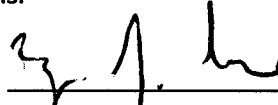
BE IT FUTHER RESOLVED, that Inter – Tribal Council of Nevada urgently calls upon the Senate Energy and Natural Resources Committee, the Senate Indian Affairs Committee, other Members of the United State Senate and the President of the United States to act to ensure that H.R. 1904 is not enacted into law; and

BE IT FUTHER RESOLVED, that this resolution shall be the policy of Inter – Tribal Council of Nevada, until it is withdrawn or modified by subsequent resolution; and until the United States Congress and the United States Government and all of its agencies act in Manner that is respectful to the quality of life and existence of tribal communities.

NOW THEREFORE BE IT RESOLVED that the Executive Board, on behalf of their Membership, hereby opposes H.R. 1904, Southeast Arizona Land Exchange and Conservation Act of 2011, Which Would Transfer Land for a Massive Block Cave Mine that Would Destroy Native American Sacred and Cultural Sites.

CERTIFICATION

The forgoing resolution was adopted at the duly called meeting of the Inter – Tribal Council of Nevada, Executive Board meeting held on the 14th of November, 2011 by a vote, 14 For; 0 Against; and 0 Abstentions.

A handwritten signature in black ink, appearing to read 'Bryan Cassadore', written over a horizontal line.

Bryan Cassadore, Secretary
ITCN Executive Board