

The Great Spirit created Man and Woman in his own image. In doing so, both were created as equals. Both depending on each other in order to survive. Great respect was shown for each other; in doing so, happiness and contentment was achieved then, as it should be now.

The connecting of the Hair makes them one person; for happiness or contentment cannot be achieved without each other.

The Canyons are represented by the purples in the middle ground, where the people were created. These canyons are Sacred, and should be so treated at all times.

The Reservation is pictured to represent the land that is ours, treat it well.



The Reservation is our heritage and the heritage of our children yet unborn. Be good to our land and it will continue to be good to us.

The Sun is the symbol of life, without it nothing is possible – plants don't grow – there will be no life – nothing. The Sun also represents the dawn of the Hualapai people. Through hard work, determination and education, everything is possible and we are assured bigger and brighter days ahead.

The Tracks in the middle represent the coyote and other animals which were here before us.

The Green around the symbol are pine trees, representing our name Hualapai – PEOPLE OF THE TALL PINES –

HUALAPAI TRIBE OFFICE OF THE CHAIRPERSON

Sherry J. Counts
Chairwoman

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March 14, 2013

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Honorable Don Young
Chairman
Subcmte on Indian and Alaska Native Affairs
House Natural Resources Cmte.

Honorable Colleen Hanabusa
Ranking Member
Subcmte. on Indian and Alaska Native Affairs
House Natural Resources Cmte.

Re: *Opposition to S. 339 and H.R. 687, Southeast Arizona Land Exchange and Conservation Act of 2013*

Dear Chairs and Ranking Members:

On behalf of the Hualapai Tribe, I write to express our strong opposition to the identical bills of S. 339 introduced by Senators John McCain and Jeff Flake and H.R. 687 introduced by Rep. Paul Gosar and Rep. Ann Kirkpatrick on Feb. 14, 2013. The bills are captioned the Southeast Arizona Land Exchange and Conservation Act of 2013 and were referred to the Senate Energy and Natural Resources Committee and the House Natural Resources Committee. We respectfully request your assistance in ensuring that the Congress does not pass S. 339 or H.R. 687 during the 113th Congress. The bills are identical to their predecessor bill, H.R. 1904, introduced by Rep. Paul Gosar in the 112th Congress.

S. 339 and H.R. 687 would direct the Secretary of Agriculture to convey over 2,400 acres of U.S. Forest Service land in southeast Arizona in an area known as Oak Flat to a mining company called Resolution Copper, which is owned by the foreign mining giants Rio Tinto PLC (United Kingdom) and BHP Billiton Ltd (Australia). The mining company seeks to develop and operate an unprecedented large-scale copper mine on Oak Flat if conveyed. This public land has significant religious, cultural, historical, and archeological value to tribes in the region.

S. 339 and H.R. 687 have 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. The Obama Administration does not support this legislation partly because this federal land is a tribal sacred site. This land is also a traditional cultural property eligible for protection under the National Historic Preservation Act. We believe, at a minimum, this land should remain under federal jurisdiction for protection instead of being conveyed to a private foreign mining company whose project will collapse the surface of the earth and destroy the unique sacred and cultural sites located there.

Further, we believe that S. 339 and H.R. 697 set a bad precedent for a number of reasons. The bills do not allow for meaningful consultation with Indian tribes that would be affected by the proposed conveyance. The federal government has a fiduciary responsibility to Indian tribes to protect places of significance to Native Americans under federal jurisdiction. Under no circumstance should the federal government convey these lands to others where destruction of the area will be the inevitable result and where future generations will have to deal with the mess.

S. 339 and H.R. 697 mandate that the Secretary of Agriculture convey to the mining company the federal land in question within one year of enactment of the Act without any advance studies or analyses. Studies and analyses are critical for informed government-to-government consultation with affected Indian tribes. Also, it is necessary to provide the public with information about the mining company's proposed mining project, the impacts of the mining on the land, water, cultural resources, animals, and plants as well as the extent, quality, and value of the ore body below the surface of this land which would be conveyed to these foreign mining companies under these bills. These studies and analyses should be conducted before there are any decisions on whether to convey this land. The mining company should not be allowed to circumvent laws and

policies designed to promote tribal consultation and to ensure transparency and full consideration of impacts and consequences.

I appreciate your efforts on our behalf and your consideration of this important matter.

Sincerely,

A handwritten signature in cursive script, appearing to read "Sherry J. Counts", with a long horizontal flourish extending to the right.

Sherry J. Counts
Chairwoman

cc: State congressional delegation