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FOR IMMEDIATE RELEASE

San Carlos Apache Tribe Requests Court to Block Transfer of Oak Flat to Resolution Copper

San Carlos Apache Reservation, Ariz.— The San Carlos Apache Tribe on Wednesday [requested a federal court](#) block the transfer of federal land that includes sacred Oak Flat to Chinese-backed Resolution Copper Mining until the Tribe's pending lawsuit challenging the land transfer is settled.

Resolution Copper plans to collapse the sacred site known as *Chi'chil Bildagoteel* in Apache into a two-mile-wide, 1,100-foot-deep crater. *Chi'chil Bildagoteel* is listed in the [National Register of Historic Places](#) as a Traditional Cultural Property.

"The Trump Administration is once again planning to violate federal laws and illegally transfer Oak Flat to the two largest foreign mining companies in the world," said San Carlos Apache Tribe Chairman Terry Rambler. *"Oak Flat sits above one of the largest copper deposits in the world. Resolution Copper intends to export the copper while destroying Apache sacred lands that the federal government has a Trust responsibility to protect. We will not allow this to happen."*

The Tribe filed a [lawsuit](#) challenging the first Trump Administration's publication of an environmental study in January 2021. Publication of the Final Environmental Impact (FEIS) is required before 2,400 acres of Tonto National Forest that includes Oak Flat could be transferred to Resolution Copper. A [2014 law](#) requires the U.S. Forest Service to transfer Oak Flat to Resolution Copper within 60 days of publication of the FEIS.

The Biden Administration subsequently withdrew the FEIS on March 1, 2021 and the court stayed the Tribe's lawsuit. At that time, the federal government agreed to provide the Tribe an opportunity to review a future FEIS, seek legal remedies and provide the court time to rule before transferring Oak Flat to Resolution Copper.

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The Trump administration is now stating it intends to publish the FEIS on June 16 and immediately transfer Oak Flat to Resolution Copper, depriving the Tribe an opportunity to challenge the legality of the FEIS.

“The federal government’s plan to renege on its promise has forced the Tribe to seek a preliminary injunction preventing republication of the FEIS until our lawsuit is resolved on its merits,” Chairman Rambler said. *“The federal government cannot ignore due process and the rule of law in its rush to give Oak Flat to Resolution Copper.”*

The Tribe’s filing comes less than a week after the nonprofit citizen’s group Apache Stronghold obtained a [preliminary injunction](#) from U.S. District Court Judge Stephen Logan. Logan’s ruling temporarily blocks publication of the FEIS and transfer of Oak Flat until the day after the U.S. Supreme Court either denies Apache Stronghold’s request for its religious rights case be heard or issues a final judgment resolving the case.

The Supreme Court could announce it has rejected or accepted Apache Stronghold’s petition as soon as May 16. Apache Stronghold’s [petition](#) was filed last September and has been reviewed 16 times by the court during its weekly conference to decide which cases the court will consider.

The Tribe’s request for a preliminary junction is before U.S. District Court Judge Dominic Lanza and would preserve the Tribe’s right to challenge the FEIS if the Supreme Court declines to accept Apache Stronghold’s case or does not rule in Apache Stronghold’s favor.

“The Tribe must seek to preserve its legal right to challenge the FEIS and land exchange given the uncertainties surrounding Apache Stronghold’s Supreme Court petition,” Chairman Rambler said.

Resolution Copper is owned by Melbourne-based [BHP](#), the world’s largest mining company, and London-based [Rio Tinto](#), the world’s second largest mining company. Both companies generate more than half of their revenue from China. The Chinese state-owned company [Chinalco](#) focuses on obtaining [strategic minerals](#) including copper and is Rio Tinto’s largest shareholder [owning nearly 15%](#) of the company’s stock.

“Resolution Copper is a major threat to U.S. national security given China’s significant financial influence over BHP and Rio Tinto,” Chairman Rambler said. *“Rather than attempting to short-circuit our Tribe’s right to its day in court, the Trump administration should be working with us to stop Resolution Copper’s plans to export its copper overseas.”*

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