

## LEGISLATIVE SUMMARY SHEET

Tracking No. 0428-11

**DATE:** October 19, 2011

**TITLE OF RESOLUTION:** RELATING TO THE NABIK'ÍYÁTI' COMMITTEE: IN OPPOSITION TO CONGRESSIONAL LEGISLATION H.R. 1904, PROPOSING A LAND EXCHANGE IN SOUTHEASTERN ARIZONA FOR THE PURPOSE OF MINING OPERATIONS

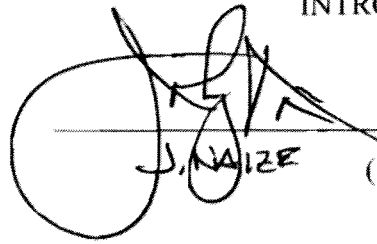
**PURPOSE:** IN OPPOSITION TO CONGRESSIONAL LEGISLATION H.R. 1904, PROPOSING A LAND EXCHANGE IN SOUTHEASTERN ARIZONA FOR THE PURPOSE OF MINING OPERATIONS

This written summary is provided in accord with Navajo Nation Council Rules of Order, Rule 11(A), or Standing Committee Rules of Order, Rule 12, on the resolution as drafted by the Office of Legislative Counsel. This written summary does not address recommended amendments as may be provided by the standing committees. The Office of Legislative Counsel requests each Council Delegate to review each proposed resolution in detail.

10-19-11  
10-23-11  
D. [Signature]

PROPOSED NAVAJO NATION COUNCIL RESOLUTION  
22<sup>nd</sup> Navajo Nation Council—First Year 2011

INTRODUCED BY

  
\_\_\_\_\_  
J. NAIZE (Sponsor)

TRACKING NO. 0428-11

AN ACTION

RELATING TO THE NABIK'ÍYÁTI' COMMITTEE: IN OPPOSITION TO  
CONGRESSIONAL LEGISLATION H.R. 1904, PROPOSING A LAND EXCHANGE  
IN SOUTHEASTERN ARIZONA FOR THE PURPOSE OF MINING OPERATIONS

BE IT ENACTED:

1. The Navajo Nation finds the following with respect to this legislation:
  - a) The Navajo Nation believes in supporting the sovereign rights of Indian nations, tribes, and communities on matters affecting them upon request; and
  - b) The traditional tribal life is rooted in a deep and personal understanding of the natural world and the forces that govern it; the source of tribal health, happiness, strength, and balance is the natural world, making our relationship with the natural world sacred; and
  - c) Congressional legislation H.R. 1904, entitled "Southeast Arizona Land Exchange and Conservation Act of 2011", as further explained in Exhibit "A" as attached, would approve a federal land exchange to transfer to the ownership of Resolution Copper over 2,400 acres of federal lands located within the Tonto National Forest for purposes of an unprecedented block cave copper mine; and

- 1 d) The federal lands which are proposed to be exchanged, which are generally  
2 known as Oak Flat, are within the San Carlos Apache Tribe ancestral lands, and  
3 these lands are of unique religious, cultural, traditional, and archeological  
4 significance; and
- 5 e) Congressional legislation H.R. 1904 would require congress to lift the decades old  
6 ban against mining within the 760 acres of the Oak Flat Withdrawal which was  
7 expressly set aside from mining by President Eisenhower in 1955 due to the lands  
8 value for recreation and other important purposes; and
- 9 f) The mining proposed for Oak Flat will destroy the religious, cultural and  
10 traditional integrity of Oak Flat for American Indian tribes affiliated with the area,  
11 and it will cause serious and highly damaging environmental consequence to the  
12 water, wildlife, plants, and other natural ecosystems of the area; and
- 13 g) The block cave mining method to be employed at Oak Flat will also cause the  
14 collapse of the surface of the earth and endanger the religious and historic terrain  
15 at Apache Leap, Oak Flat, and Gaan Canyon, as well as the in surrounding  
16 country side; and
- 17 h) The mining activity would deplete and contaminate water resources form nearby  
18 watersheds and aquifers leaving in its wake long term and in some cases,  
19 permanent religious, cultural and environmental damages; and
- 20 i) The National Congress of American Indians, the Inter Tribal Council of Arizona,  
21 the United South and Eastern Tribes, Arizona tribes, New Mexico Tries, and other  
22 tribes across the country oppose this land exchange due to the harm to religious,  
23 cultural, archeological, and historic resources, as well as the environmental  
24 consequences to the land from the proposed mining activities; and
- 25 j) It is in the best interest of the Navajo Nation to oppose such legislation.

26 2. The Navajo Nation hereby adopts as the official position of the Navajo Nation its  
27 strong opposition to H.R. 1904: Southeast Arizona Land Exchange and Conservation  
28 Act of 2011, and any companion legislation that may be introduced in the U.S. Senate  
29 in support of this exchange and the Resolution Copper mining project.  
30

1  
2  
3  
4  
5  
6  
7  
8  
9  
10  
11  
12  
13  
14  
15  
16  
17  
18  
19  
20  
21  
22  
23  
24  
25  
26  
27  
28  
29  
30

3. The President of the Navajo Nation, Speaker of the Navajo Nation Council and the Office of the Navajo Nation in Washington D.C. and any of their representatives are hereby authorized to provide any necessary testimony to the appropriate members of Congress, Senate and Office of the President in order to achieve the intent of this legislation.