

Testimony Before the House Natural Resources Committee Subject: Opposition to Unilateral Imposition of Deep Seabed Mining in U.S. Territories

Chairman, Ranking Member, and Members of the Committee,

We appear before you today as fellows of the [Right to Democracy Environment and Democracy Fellowship](#) and as Indigenous leaders from the Mariana Islands (Guam and the Commonwealth of the Northern Mariana Islands), American Samoa, jurisdictions directly affected by deep seabed mining proposals and that remain under the plenary authority of the United States Congress. We are united by a shared struggle against undemocratic governance and a resounding message to the federal government: our waters are not yours to exploit. We stand together against unilateral decision-making threatening the health of our ocean, its ecosystems, and our cultures.

For our communities in American Samoa and the Mariana Islands, the ocean is not merely an economic or scientific domain; it is an ancestor and a divine resting place managed with deep reverence. It is the lifeblood of our culture, our food systems, and our identity. Yet, recent actions by the Bureau of Ocean Energy Management (BOEM) and the White House to open these waters for mineral leasing treat our homes as mere "resource depots" for the benefit of venture capitalists and corporations that have no interest in our well-being. As explained in detail in two important testimonies by [Green Peace](#) and the [Natural Resources Defense Council \(NRDC\)](#), the environmental and cultural risks of deep seabed mining are too great, and the science is too uncertain to justify the exploitation of these important natural resources.

Most importantly, we write this testimony to declare that the federal government is failing to obtain the free, prior, and informed consent of the Indigenous people of the territories. In American Samoa, BOEM recently completed an Area Identification for critical minerals leasing following a request from the company Impossible Metals. The opposition from the American Samoan people has been absolute: a legal moratorium was issued by the American Samoa Government, and over 76,000 comments were filed against this destructive commercial activity.

True consultation requires meaningful respect for indigenous sovereignty, cultural knowledge, and lived relationships with the ocean. Pasifika peoples are not stakeholders to be balanced against industry interests, we are original stewards of these waters. Even Congresswoman Amata Coleman Radewagen, a majority member of this Committee, [expressed her opposition](#) to the "use of current technology that scrapes or vacuums or mines by digging the ocean floor" and expressed the standing with her people as they protect the Ocean as a sacred entity of livelihood and culture. *Right to Democracy and America the Beautiful for All* [gathered more than 2,300 signatures from the five U.S. territories](#) in opposition to this imposition of deep sea bed mining on American Samoans which were submitted to BOEM, and the petition has surpassed 3,500 afterwards.

BOEM's response to this unified local opposition was to double the size of the area under consideration. This action represents not merely poor consultation, but an inversion of

democratic process: where overwhelming opposition did not pause or narrow federal action, but instead accelerated and expanded it. Such conduct would be indefensible in any U.S. state and should not be normalized simply because it occurs in a territory. As island communities already facing climate change, rising seas, coral bleaching, and ecological stress, we should not bear additional risk so that extractive industries can profit from our ocean. This disregard for our voice emboldened the CEO of Impossible Metals, one of the witnesses in this Hearing, to [publicly revel in the idea](#) that these decisions will be made in Washington, D.C., rather than in American Samoa. He also repeated this position publicly and in confrontation to territorial leaders' position on environmental self-determination in a [Virtual Dialogue on these issues organized by Right to Democracy](#).

The dismissive attitude while imposing this [destructive commercial venture](#) has now spread to the Marianas. On November 12, 2025, BOEM published a Request for Information regarding mining leases covering over 35 million acres of our ocean—an area the size of New York state. As in American Samoa, this process was rushed, opaque, and initiated without our consent. When our leadership requested a reasonable timeline to address this complex issue, we were granted only a brief extension during the holiday season, a timeframe completely insufficient for the education and awareness building required for informed consent. And even so, [over 60,000 comments and signatures to petitions were submitted in opposition](#) to this imposition. A process cannot be considered 'informed' when communities are denied adequate time, resources, and access to independent expertise. Nor can it be considered 'prior' when federal agencies have already framed extraction as inevitable. Consent obtained under such conditions is not consent at all.

For our people, culture, identity, and survival are inseparable from the sea. The community fishes not only for sustenance, but to fulfill cultural and religious responsibilities. To the Samoan people, the ocean is not merely a resource; it is a sacred ancestor, part of our connection to the past, a divine resting place that should be managed with deep reverence and maintained as a legacy to be continued for the future generations. For the CHamoru people in the Marianas, fish are provided for cultural ceremonies and community gatherings throughout the year, including novenas during Christmas and celebrations of patron saints across churches in Guåhan and the NMI. The ocean is also central to CHamoru traditional medicine and healing practices. Yo'ámte or traditional medicine healers bring people into the ocean for physical and spiritual healing.

These practices depend on pristine waters and intact marine ecosystems. Polluting or industrializing the deep ocean threatens the ability to continue these religious and cultural practices and jeopardizes the continuation of Indigenous knowledge and healing traditions that our people have sustained over many millennia prior to colonization.

These proposed activities must also be understood within the broader context of cumulative harm of colonialism. The five U.S. Territories have endured generations of land dispossession and historical contamination, including due to the military build-ups. The [United Nations has expressed concern over the lack of free, prior, and informed consent](#) of our native peoples in the Marianas as projects move forward that harm our lands, waters and burials.

These governmental disregards and the pretenses of private corporations are symptoms of a deeper rot: the insidiousness of what Justice Gorsuch called “American Colonialism” in the U.S. territories. There is no legal basis for the colonial relationship between the US and its territories under the U.S. Constitution; rather, its foundation lies in the Insular Cases, a series of overtly racist Supreme Court decisions from the turn of the 20th century. The Insular Cases, solved 125 years ago - half-way through this Nation’s history and by the same judges that solved *Plessy vs. Ferguson* - constitute the doctrinal framework that legitimized this anti-democratic governance, with the primary justification expressed by the judges being the racial inferiority of the populations of our archipelagos.

As critics of these decisions, [including conservative jurists](#), very well explain, the Insular Cases encode into the political DNA of the US that it is okay to rule over these territories unilaterally. They maintain a system of subordination with the absence of meaningful participation and agency, which is a dehumanizing and alienating aggression to our populations. But the most insidious aspect of these cases is the creation of a culture that normalizes an undemocratic colonial framework, where unilateral decision making and imposition is normalized and even masked under “national security” and other various pretenses. The attitudes of public officials and mining companies evaluating these proposals are directly influenced by this legalized colonialism.

We refuse to let our islands serve as sacrifice zones for corporate greed. The meaningful exercise of self-determination remains elusive, and our communities feel the indignity and frustration caused by a total lack of agency over the things that affect us.

Participation is not merely having the opportunity to state our opinions or be studied. True participation means having the power and capacity to intervene in decision-making processes and laws that affect us. Guided by the Samoan proverb, “A logo i tai, ua logo i uta”—what is felt in the ocean is felt in the land—we assert that the destruction of our seabed is a violation of our dignity. We call on the federal government to halt all unilateral plans for deep seabed mining near our oceans and protected monuments. We demand prioritizing precautionary governance, Indigenous-led stewardship, and long-term ocean protection. A seat at the table is necessary, not as subjects of colonial rule, but as stewards of the ocean that sustains us all.

Respectfully submitted,

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