



*Office of the Governor*  
**Pueblo of Tesuque**  
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Santa Fe, New Mexico 87506

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April 20, 2021

The Honorable Teresa Leger Fernandez  
Chairwoman  
House Natural Resources Committee - Subcommittee on Indigenous Peoples of the U.S.  
U.S. House of Representatives  
1324 Longworth House Office Building  
Washington, D.C. 20515

***Re: Support for H.R. 1884/S. 915, the Save Oak Flat Act***

Dear Chairwoman Leger Fernandez:

I write on behalf of Pueblo of Tesuque to first thank you for co-sponsoring H.R. 1884, the Save Oak Flat Act, and for Chairing the hearing to discuss the bill on April 13, 2021. The Pueblo strongly supports H.R. 1884, which would reverse the dangerous precedent set by including Section 3003 as a last-minute rider to the FY'15 National Defense Authorization Act. H.R. 1884 will ensure future protections of all Native sacred places on federal lands in future congressional actions.

As you know, Oak Flat is a Traditional Cultural Property listed on the National Register of Historic Places located in the Tonto National Forest (TNF) in southeastern Arizona. The Oak Flat area plays a vital role in tribal religion, tradition, and culture. Since time immemorial, native people have gone to Oak Flat to participate in ceremonies, to pray, to gather medicines and ceremonial items, and to seek and obtain peace and personal healing.

H.R. 1884, the Save Oak Flat Act will repeal Section 3003 of the FY'15 National Defense Authorization Act, which authorized the transfer of a Native American Traditional Cultural Property (TCP) to advance the Resolution Copper Mining project ("Project"). If enacted, the Save Oak Flat Act will prevent the certain destruction of Chi'chil Bildagoteel (Oak Flat), Apache cultural resources, religious activities, and the region's water supply.

The now rescinded FEIS on the Project confirms many facts cited by Indian tribes more than a decade ago. The Project will result in a 1,000-foot deep by 1.8-mile-wide crater. This will destroy Oak Flat with no chance of ever restoring the damage. Native people will no longer be able to access this holy place. The Project will devastate the region's water, groundwater, and related resources in the area for generations to come.

The objections raised prior to adding Section 3003 as a last-minute rider to the FY'15NDAA ring as true today as they did then. Resolution Copper / Rio Tinto crafted Section 3003 to maximize profit

to the foreign-owned mining corporate beneficiary, while limiting public input, and minimizing accountability on the part of the corporate mining beneficiary. Section 3003 mandates the land transfer regardless of the findings of the environmental analysis. The result is a special interest giveaway of unprecedented proportions to a foreign owned mining corporation. The American public cannot afford this deal, and H.R. 1884 appropriately revisits the misguided last-minute rider.

Thank you again for co-sponsoring the Save Oak Flat Act, and for your consideration of advancing H.R. 1884 out of Committee as introduced to prepare the bill for House floor consideration. Reversing the dangerous precedent set by including Section 3003 in the FY'15 NDAA will restore vital protections all tribal sacred places and religious practices.

Sincerely,

A handwritten signature in cursive script that reads "Mark Mitchell".

Mark Mitchell  
Governor