



The Lipan Apache Tribe of Texas

RESOLUTION in

**“SUPPORT FOR REPEAL OF SECTION 3003 OF THE FY15 NATIONAL DEFENSE
AUTHORIZATION ACT, THE SOUTHEAST ARIZONA LAND EXCHANGE”**

Foreward

The Lipan Apache Tribe of Texas resolves to support the San Carlos Apache Tribe in their opposition to the Southeast Arizona Land Exchange that transfers the Oak Flat sacred lands to foreign mining interests through the repeal of Section 3003 of the FY15 National Defense Authorization Act.

WHEREAS, the Lipan Apache Tribe (of Texas) is dedicated to preserving the spiritual, cultural, and traditional values of its people and all Apache peoples; and

WHEREAS, the Lipan Apache's origin story tells that all Apache emerged together and journeyed together as different Apache tribes found their homes from the West to the East; and

WHEREAS, the Lipan Apache Tribe is committed to working with other Apache Tribes in a spirit of support, cooperation, and friendship to achieve common goals of preserving our Apache life and land; and

WHEREAS, our Native people have not broken our historical and spiritual connection to ancestral lands that were seized by force as federal lands, sacred lands that hold the remains of our ancestors; and

WHEREAS, Apache and other American Indians continue to pray, hold ceremonies, and gather traditional and medicinal plants on these lands so the United States government has legal and moral obligations to provide access to American Indians and to protect these traditional cultural territories in a manner that respects the cultural, historical, spiritual and religious importance to Indian tribes; and

- WHEREAS,** the 2,422 acres of land in the Tonto National Forest to be irreligiously given to a private mining company, under Section 3003 of the FY15 National Defense Authorization Act has the area known as Oak Flat that is the ancestral homeland of the Western Apache, Yavapai, and other tribal people in the region; and
- WHEREAS,** Oak Flat has been used for centuries by the Western Apache, Yavapai, and other tribal people for traditional religious ceremonies and tribal acorn gathering; and
- WHEREAS,** the proposed mine is adjacent to Apache Leap, an especially sacred site where Apache warriors pursued by U.S. cavalry leapt to their deaths to avoid capture, and Section 3003 authorizes on Apache Leap the installation of seismic monitoring equipment and the operation of an underground tunnel; and
- WHEREAS,** the land with Oak Flat will be destroyed through the planned highly destructive block cave mining which will remove one cubic mile of ore that is now 7,000 feet beneath the surface of the earth without replacing any of the earth because it is the cheapest form of mining and the surface will ultimately collapse, destroying the sacred land forever; and
- WHEREAS,** for more than ten years, Congress considered and rejected legislation titled the "Southeast Arizona Land Exchange and Conservation Act of 2013" ("the Land Exchange") that proposed a mandatory conveyance of National Forest Service lands to Resolution Copper, a private mining company owned by the foreign mining giants Rio Tinto PLC (United Kingdom) and BHP Billiton Ltd (Australia), to conduct a massive and unprecedented block cave copper mining project; and
- WHEREAS,** the lack of transparency and other last-minute tactics used to attach Section 3003 to the must-pass National Defense Authorization Act for Fiscal Year 2015, which funds our troops and military operations, represents the antithesis of democracy and this method of enacting the Land Exchange represents dangerous precedent for all of Indian Country and poses a threat to all existing Native religions and sacred places on federal land; and
- WHEREAS,** the Land Exchange circumvents federal laws that mandate protection of Native religion and culture and circumvents federal laws that mandate protection of the environment; and
- WHEREAS,** by requiring the conveyance of the land regardless of the outcome of mandated federal consultation with affected tribes, Section 3003 allows Congress to ignore the basic principles of federal-tribe relations and sets dangerous precedent; and
- WHEREAS,** in December 2010, the United States recognized the rights of its First Peoples through its support of the United Nations Declaration on the Rights of Indigenous Peoples (UNDRIP), whose provisions and principles support and promote the purposes of this resolution; therefore, be it

RESOLVED, that the Lipan Apache Tribe joins hundreds of other tribal governments and organizations who support the San Carlos Apache Tribe in opposition to the Land Exchange as it will transfer public federal lands that encompass a known Native place of worship to a private mining company; and

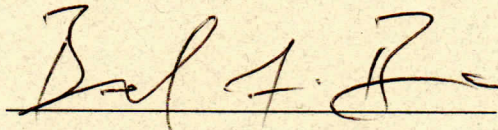
RESOLVED, that the Lipan Apache Tribe does hereby express its commitment to the protection of Native sacred and cultural sites located on federal lands; and be it further

RESOLVED, that the Lipan Apache Tribe urges Congress to enact legislation to repeal the Land Exchange, Section 3003 of the FY15 National Defense Authorization Act; and be it finally

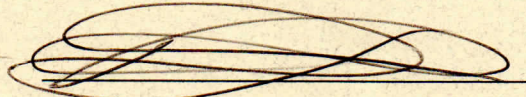
RESOLVED, that the Lipan Apache Tribe does hereby urge the Administration to make all appropriate efforts to stop implementation of Section 3003, and ensure full transparency and information sharing to the general public of the outcomes of the ongoing environmental assessment and impacts on tribal religion and culture prior to issuing a final environmental assessment.

CERTIFICATION

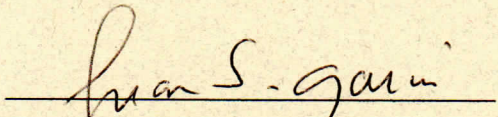
The foregoing resolution was adopted during a special meeting of the Tribal Council of the Lipan Apache Tribe of Texas, held via teleconference on July 7, 2015, with a quorum present.



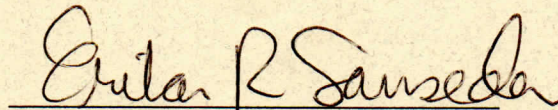
Bernard F. Barcena, Jr., Chairman



Robert Soto, Vice-chairman



Juan S. Garcia, Secretary



Erika Sauseda, Treasurer