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NATIONAL CONGRESS OF AMERICAN INDIANS

April 4, 2023

To Whom It May Concern:

On behalf of the National Congress of American Indians (NCAI), we urge you to take any and all steps you are able to do to protect Oak Flat—which is located on public land, is listed on the National Register of Historic Places, and which is sacred to many Native people—and prevent its transfer to foreign mining entities.

The National Congress of American Indians, founded in 1944, is the oldest, largest and most representative American Indian and Alaska Native organization serving the broad interests of tribal governments, nations, and communities. NCAI was founded to protect tribal sovereignty, to prevent the destruction of Native culture, and to hold the United States to its trust and treaty obligations.

Since its inception, NCAI has passed countless resolutions seeking to protect sacred lands and sacred sites. With respect to Oak Flat, NCAI has passed nearly half a dozen resolutions which reflect the consensus position of NCAI's Tribal Nation members. Among these resolutions is MSP-015-001, which:

- Reaffirms NCAI's commitment to the protection of Native sacred and cultural sites located on federal lands;
- Urges Congress to enact legislation to repeal the Land Exchange, Section 3003 of the FY15 National Defense Authorization Act; and
- Calls on the Administration to make all appropriate efforts to stop implementation of Section 3003[.]

The reality is that through treaties with the United States, federal laws mandating the allotment of Indian lands, and other U.S. seizures, tribal governments ceded and had taken hundreds of millions of acres of tribal homelands to help build this Nation; and federal lands have all been carved out of the ancestral lands of Tribal Nations. Despite this history, the spiritual connections of Native Americans to these lands have not been extinguished, and some of these lands include the remains of our ancestors, and are places that Native Americans continue to pray, hold ceremonies, and gather traditional and medicinal plants on. On such lands, the United States government has legal and moral obligations to provide access to Native Americans and to protect these traditional cultural territories in a manner that respects the cultural, historical, spiritual, and religious importance to Tribal Nations.



NATIONAL CONGRESS OF AMERICAN INDIANS

With respect to Oak Flat specifically, Native people were forcibly removed from Oak Flat at gunpoint in the late 1800s by the U.S. Cavalry and made prisoners of war for decades. Despite this, Native people's connection to Oak Flat has never lapsed. Native people still hold ceremonies at Oak Flat, cleanse themselves in the perennial springs, collect sacred foods, pray, and connect with their Creator there. And for that reason, on Oak Flat, specifically, the United States government has legal and moral obligations to provide access to Native Americans and to protect these traditional cultural territories in a manner that respects their cultural, historical, spiritual, and religious importance.

NCAI's stance on this issue has not changed and we unequivocally oppose any actions taken by the United States of America that would destroy the sacred Oak Flat and would deliver it into the hands of a foreign entity with intents to carry out extractive mining on said lands. NCAI calls on the Administration to use every means at its disposal to prevent the transfer of Oak Flat and to protect the sacred land and the sacred culture of Native people.

Respectfully,

Fawn Sharp
President, National Congress of American Indians