

## Congress Gives Native American Lands to Foreign Mining Company With New NDAA

By [RT](#)

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*Congress is poised to give a foreign mining company 2,400 acres of national forest in Arizona that is cherished ancestral homeland to Apache natives. Controversially, the measure is attached to annual legislation that funds the US Defense Department.*

This week, the House and Senate Armed Services Committees quietly attached a provision to the National Defense Authorization Act (NDAA) that would mandate the handover of a large tract of Tonto National Forest to Resolution Copper, a subsidiary of the Australian-English mining company Rio Tinto, which co-owns with Iran a uranium mine in Africa and which is 10-percent-owned by China.

The “*Carl Levin and Howard P. ‘Buck’ McKeon National Defense Authorization Act for Fiscal Year 2015*” - named after the retiring chairmen of the Senate and House Armed Services panels - includes the giveaway of Apache burial, medicinal, and ceremonial grounds currently within the bounds of Tonto. News of the land provision was kept under wraps until late Tuesday, when [the bill](#) was finally posted online.

The land proposed to be given to Resolution Copper, in exchange for other lands, includes prime territory Apaches have used for centuries to gather medicinal plants and acorns, and it is near a spot known as Apache Leap, a summit that Apaches jumped from to avoid being killed by settlers in the late 19th century.

Lands included in the plan will stop 1,500 feet short of Apache Leap and will not initially include an area known as Oak Flats, though, when it comes to the oaks, contradictory legal parameters are but a minor hurdle for a company like Resolution Copper to eventually drill there.

The House may vote on the NDAA as soon as this week with rules included that would bar the Senate from amending the legislation. On Wednesday night, a last-minute effort to strip the land provision from the NDAA failed in the House Rules Committee, which voted to give one hour for debate over the NDAA in the House.

Terry Rambler, chairman of the San Carlos Apache Tribe, [told](#) The Huffington Post he was saddened by news of the proposal, yet not all that surprised.



“Of all people, Apaches and Indians should understand, because we’ve gone through this so many times in our history,” Rambler said.

“The first thing I thought about was not really today, but 50 years from now, probably after my time, if this land exchange bill goes through, the effects that my children and children’s children will be dealing with,” Rambler added.

“Since time immemorial people have gone there. That’s part of our ancestral homeland,” Rambler said. “We’ve had dancers in that area forever – sunrise dancers – and coming-of-age ceremonies for our young girls that become women. They’ll seal that off. They’ll seal us off from the acorn grounds, and the medicinal plants in the area, and our prayer areas.”

Arizona Sen. John McCain was instrumental in adding to the NDAA the land deal that had been pursued by Rio Tinto for a decade, according to HuffPo. Some in Congress were reportedly concerned with the deal, but it ultimately materialized thanks to economic assurances. Rio Tinto claims mining in Tonto will generate \$61 billion in economic activity and 3,700 direct and indirect jobs over 40 years.

Rambler said whether Rio Tinto’s economic assertions are true or not, it may not matter.

“It seems like us Apaches and other Indians care more about what this type of action does to the environment and the effects it leaves behind for us, while others tend to think more about today and the promise of jobs, but not necessarily what our creator God gave to us,” he said.

Rambler said he was particularly concerned with long-term ramifications, including the company’s intent to use “*block cave*” mining, which means digging under the ore, causing it to collapse.

“What those mountains mean to us is that when the rain and the snow comes, it distributes it to us,” Rambler said. “It replenishes our aquifers to give us life.”

Resolution Copper has said its mining plan for the area has been filed with the National Forest Service and that it will comply with the National Environmental Policy Act (NEPA) that supposedly protects federal lands.



But Rambler said NEPA is no match for Resolution Copper's intent.

*"This is what will happen - the law in one area says there will be consultation, but the law in another area of the bill says the land exchange will happen within one year of enactment of this bill," Rambler said. "So no matter what we're doing within that one year, the consultation part won't mean anything after one year. Because then it's really theirs after that."*

Basically, NEPA will only protect lands that remain in federal hands. The rest is fair game, according to federal law.

*"We would only have to do NEPA on any activity that would take place on remaining federal land,"* said Arizona Bureau of Land Management official Carrie Templin.

The 2015 NDAA contains other land deals, including one that would subject 70,000 acres of Tongass National Forest in Alaska to logging and another provision that would give 1,600 acres from the Hanford Nuclear Reservation in Washington State for purposes of industrial development, a plan that has spurred tribal [protest](#).

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