

November 9, 2005

Dear Representative,

The United States Congress is poised for a fire sale of federal lands to domestic and international corporate interests that could affect Indigenous lands, cultural, and natural resources if an amendment introduced in the House Resources Budget Package is approved. House Representative Richard Pombo (R-CA), chair of the House Resources Committee, has submitted an amendment that would eviscerate existing U.S. mining laws so that multinational mining corporations can buy our public lands -- whether they contain minerals or not. This does not include lands withdrawn for other purposes, such as National Parks.

The legislation affects approximately 270 million acres of land across the U.S. It includes many areas where there are unresolved Indigenous land claims as well as the need for protection of sacred sites and other culturally sensitive areas. In areas where there are already questions about land title and concerns about off reservation hunting, fishing and gathering rights, and access to sacred sites, privatization could be the final blow to Indigenous nations and communities attempting to re-establish title or use of what is rightfully theirs.

Examples of Indigenous land claims that could be affected are: the Black Hills of South Dakota, the Western Shoshone lands of Idaho, Nevada, Utah and California, the San Francisco Peaks of Arizona, and lands in the headwaters region of rivers flowing into Bristol Bay, Alaska. These are just a few areas where Indigenous tribal nations and Native American communities may have to take action to protect what rightfully is theirs if this fire sale of federal lands is allowed to proceed. Additionally, mining and other forms of development that come with privatization could impact the ecological and human health of Indigenous communities living downstream or downwind from the operations. Mineral extraction impacts ecosystems that sustain Indigenous tribal nations and communities.

We are concerned that Representative Pombo drafted this legislation with no consideration or consultation with Indigenous tribal nations and communities. This legislation is a continuation of U.S. policy to exterminate or extirpate Indigenous Peoples from their lands. Numerous treaties with Indigenous nations have been violated in the pursuit of gold and other natural resources. The 1872 Mining Law signed into law by President Ulysses S Grant to induce people to settle the West by allowing citizens to buy mineral bearing public lands for \$5/acre, or less is an example of this 133 years later. Indigenous tribal nations and communities are still here and fighting to protect our ancestral lands and spiritual areas. Rather than reform existing discriminatory laws, Representative Pombo is proposing to change the mining law to allow corporations to take over huge areas of federal and Indian lands – without Indigenous tribal governmental and traditional council consent and further eliminating indigenous peoples' ability to use these lands. The United States has a trust responsibility to consult with

Indigenous tribes on proposed actions or development activities in through government-to-government negotiations and the National Environmental Policy Act. This has not occurred.

The Pombo amendment is attempting to sell what may not be theirs. This legislative maneuver is an outrage to Indian Country and should be addressed as such. It not only underscores the fundamental human rights violations continuing against Indigenous Peoples. It also draws directly into scrutiny the multinational and foreign corporate involvement in the theft and destruction of Indigenous lands and resources. Please remove the Pombo amendment from the House Resources Budget Package (House version of the Budget Reconciliation Bill). We, the Indigenous Peoples living in the U.S., have had to give way more than our fair share of land and resources to ensure the success of the U.S. and the corporations that do business here. There are more effective ways to raise money for the budget. Stop this effort before more harm is brought upon our Indigenous tribal nations and communities.

The undersigned Tribal Nations, Traditional Councils, Native Organizations and individuals respectfully request your prompt attention and action on this important matter.

Tribes and Traditional Councils

Duckwater Shoshone Tribe, Jerry Millett, Chairman
Winnemucca Indian Colony of Nevada, Sharon Wasson, Council Member
Western Shoshone National Council, Chief Raymond Yowell
White Mountain Apache: Mark T. Altaha, Tribal Historic Preservation Officer, Fort Apache, AZ

Organizations

Indigenous Environmental Network
Laguna Acoma Coalition for a Safe Environment
Mining Impact Coalition of Wisconsin
Colville Indian Environmental Protection Alliance
Indigenous Law Institute
Petra Foundation: Meg Fidler, Executive Director
Information Trust: Scott Armstrong, Director
Alaska Community Action on Toxics
International Indian Treaty Council
Redefining Progress: Jihan Gearon, Environmental Justice and Climate Change Initiative and concerned member of the Navajo Nation
Sacred Land Film Project of the Earth Island Institute: Christopher (Toby) McLeod
Western Shoshone Defense Project
The Auris Project, Inc.: Denise McVea, San Antonio, TX

First Nations North and South, Indigenous World Association, Boarding School Healing Project: Eulynda Toledo Benalli, Dine Nation
Apache Survival Coalition, AZ
Honor The Earth
The Community Consortium, Darby Penney, Albany, NY
White Earth Land Recovery Project
American Indian Law Alliance, New York City
Defenders of the Black Hills; Charmaine Whiteface, Coordinator
Indian Land Working Group: Theresa Carmody, Albuquerque, NM
Black Mesa Water Coalition, Southwestern USA
Native Movement, USA
Oxfam America – Extractive Industries: Ian Gary, Washington, DC
Indigenous Women's Network

Individuals

Bobby Andrew, Concerned citizen, Dillingham, AK (Bristol Bay)
Katie Halvorson, Gillette, Wyoming
Gerald Brown, Environmental Science Student and Church Rock Community member, Navajo Nation
Manuela Arciniegas
Greg Chester, Cass Lake, MN
Kelly Etheridge, Placerville, CA
George and Elizabeth Gage, Telluride, CO
Rebecca Solnit, San Francisco, CA
Storm Waters, Montana
Anna Rondon, Dine
Carrie Dann, Western Shoshone
Erika Little, Portland, OR
Rachel Yoder
Kimberly R. Stevenot, Mewuk, Cultural Activist, Modesto, CA
DeAna Grey, San Francisco, CA
Jacy D. Escoffier, San Francisco, CA
Clarissa Rojas, San Francisco, CA
Ursula Chanse, NY
Winona LaDuke, White Earth Anishinaabe
Lenny Foster, Citizen of the Dine Nation
Jaune Quick to See Smith, Corrales, NM
Raquel Chapa (Lipan Apache/Yaqui/Cherokee) Native Curator, Hemispheric Institute Tisch School of the Arts, New York University, New York, NY
Julia Rouvian, Flagstaff, AZ
Karen Jarratt – Ziemski: Professor of American Indian Studies, Northern Arizona University, Flagstaff, AZ
Jennifer Elk, Yurok
Amber Pacheco, Student of Environmental Sciences, SJSU