



Press Release

FOR IMMEDIATE RELEASE: April 17, 2025

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BREAKING: Feds charge ahead with plan to destroy Oak Flat

Supreme Court poised to consider Apache Stronghold's appeal

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WASHINGTON – The U.S. government today [announced](#) that it is forging ahead with plans to transfer a Native American sacred site to a multinational mining giant in as few as 60 days, despite a federal lawsuit challenging the action as illegal. In [Apache Stronghold v. United States](#), Apache Stronghold—a coalition of Apaches, other Native peoples, and non-Native allies—sued to stop the federal government from transferring Oak Flat to Resolution Copper, a Chinese-owned mining company that plans to turn the site into a massive mining crater, ending Apache religious practices forever. ([Watch this short video to learn more](#)). The government has announced it will now forge ahead with the transfer even though the case is currently under consideration by the U.S. Supreme Court.

Since time immemorial, Western Apaches and other Native peoples have gathered at Oak Flat, outside of present-day Superior, Arizona, for sacred religious ceremonies that cannot take place anywhere else. Known in Apache as *Chi'chil Bildagoteel*, Oak Flat is listed in the National Register of Historic Places and has been protected from mining and other harmful practices for decades. These protections were targeted in December 2014 when a last-minute provision was slipped into a must-pass defense bill authorizing the transfer of Oak Flat to the Resolution Copper company. Resolution Copper now plans to turn the sacred site into a two-mile-wide and 1,100-foot-deep crater. The majority owner of Resolution Copper, Rio Tinto, sparked international outrage when it [deliberately destroyed](#) 46,000-year-old Indigenous rock shelters at one of Australia's most significant cultural sites.

"The feds are barreling ahead to give Oak Flat to Resolution Copper, even as the Supreme Court considers whether to hear the case," **said Luke Goodrich, vice president and senior counsel at Becket**. "This makes the stakes crystal clear: if the Court doesn't act now, Oak Flat could be transferred and destroyed before justice can be served."

Apache Stronghold filed this lawsuit in January 2021 seeking to halt the proposed mine at Oak Flat. The mine is opposed by 21 of 22 federally recognized tribal nations in Arizona, by the National Congress of American Indians, and by a [diverse coalition](#) of religious denominations, civil-rights organizations, and legal experts. Meanwhile, national polling indicates that [74% of Americans](#) support protecting Oak Flat. The Ninth Circuit [ruled 6-5](#) last year that the land transfer is not subject to federal laws protecting religious freedom. But five judges dissented, writing that the court "tragically err[ed]" by refusing to protect Oak Flat.

"The U.S. government is rushing to give away our spiritual home before the courts can even rule—just like it's rushed to erase Native people for generations," **said Dr. Wendsler Nosie Sr. of Apache Stronghold**. "This is the same violent pattern we have seen for centuries. We urge the Supreme Court to protect our spiritual lifeblood and give our sacred site the same protection given to the holiest churches, mosques, and synagogues throughout this country."

In addition to Becket, Apache Stronghold is represented by Erin Murphy of Clement & Murphy PLLC, Professor Stephanie Barclay of Georgetown Law School, and attorneys Michael V. Nixon and Clifford Levenson.



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Additional Information:

- [U.S. Government's Sixty-Day Notice of Publication of Final Environmental Impact Statement in *Apache Stronghold v. United States* \(April 17, 2025\)](#)
- [Becket's Supreme Court reply brief in *Apache Stronghold v. United States* \(November 6, 2024\)](#)
- [Becket's Supreme Court petition for certiorari in *Apache Stronghold v. United States* \(September 11, 2024\)](#)
- [Video: Sacred Lands and Copper Ore: Apaches Fight for their Ancestral Lands](#)
- [Case page for *Apache Stronghold v. United States* \(Images, b-roll and legal documents\)](#)
- [Media kit for *Apache Stronghold v. United States* \(Images for media use; credit Becket\)](#)

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*Becket is a non-profit, public-interest law firm dedicated to protecting the free expression of all religious traditions and has a 100% win-rate before the United States Supreme Court. For 30 years, it has successfully defended clients of all faiths, including **Buddhists, Christians, Jews, Hindus, Muslims, Native Americans, Sikhs, and Zoroastrians** (read more [here](#)).*