

APACHE STRONGHOLD

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FOR IMMEDIATE RELEASE, January 15, 2021

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APACHE HOLD LIEN ON OAK FLAT, PRELIMINARY INJUNCTION HEARING SCHEDULED FOR JANUARY 27

Apache Stronghold, on behalf of traditional Apache religious and cultural leaders, filed a lien on Oak Flat on Wednesday, January 13, with the Pinal County Recorder's Office which has been honored based on the Treaty of Santa Fe of 1852. This treaty is the only executed treaty between the United States and the Apache Indians for their aboriginal lands, at the center of which lies Oak Flat, *Chi'chil Bildagoteel*. This lien prevents the U.S. Forest Service from transferring the title for Oak Flat to Resolution Copper while the Apache Stronghold's case is being heard in court.

Apache Stronghold filed a lawsuit Tuesday in U.S. District Court in Phoenix challenging the land transfer on the grounds that the giveaway and destruction of Oak Flat violates the Religious Freedom Act and Apaches' constitutional rights to religious freedom, due process, and petition and remedy, and is a breach of trust and fiduciary duties.

Also filed this week was a request for a temporary restraining order to stop the U.S. Forest Service from signing the Final Environmental Impact Statement and a preliminary injunction to stop any further work on the Resolution Copper mine which would convert Oak Flat into a 1.8 mile-wide crater over 1000 feet deep. The hearing for the preliminary injunction is set for January 27, 2021.

The Final Environmental Impact Statement was published January 15, 2021, initiating a 55-day objection period, however if the preliminary injunction is honored, no transfer will take place until the lawsuit is held in court, the date of which has not yet been set.

"The FEIS publication only makes it technically possible for the U.S. Forest Service to try to convey the land to RCM," states Apache Stronghold's attorney Michael Nixon. "But the lien is like a giant Apache shield over Oak Flat, protecting it at least until the entire case is all over, including all appeals to the Court of Appeal and the Supreme Court, Apache Treaty Land ownership, Breach of Trust, and Freedom of Religion. Oak Flat is Apache Holy Land."

"It's not as complicated as it might seem to everybody. As the Apache Peoples know, that Apache Holy land was stolen from the Apaches by force and mass murder by the U.S. and

Arizona miners 160 years ago. It's stolen property and we're suing to get it back and to protect our religious holy grounds. The U.S. has no legal right to try and give it away."

"What was once gunpowder and disease is now replaced with bureaucratic negligence and mythologized past that treats us, as Native people, as something invisible or gone."

-Wendsler Nosie, Sr., Apache Stronghold

Oak Flat remains in legal possession of the Apache, according to the 1852 Santa Fe Treaty.

More information at: <http://apache-stronghold.com/about-us.html>

Instagram: @protectoakflat

Twitter: @ProtectOakFlat