



Friend-of-the-court Briefs filed in Support of Apache Stronghold
April 2024

A diverse coalition of tribal nations, religious groups, and legal experts have filed a total of 23 friend-of-the-court briefs in [*Apache Stronghold v. United States*](#), asking the Ninth Circuit Court of Appeals to protect Oak Flat from destruction by a mining project. The groups include:

FRIENDS OF THE COURT	ARGUMENT
Full Court en banc petition stage	
Tohono O’odham Nation, Inter-Tribal Association of Arizona, National Congress of American Indians, the Association on American Indian Affairs, and the National Association of Tribal Historic Preservation Officers	This case will set vital precedent for tribal nations across the continent
The Mennonite Church USA, 2 Mennonite Conferences, the Mennonite Mission Network, and 17 Mennonite churches and ministries	The government can manage federal lands while still providing full protection to Native American religious practices
Religious liberty law scholars	The plain language of federal civil rights law requires protection of Oak Flat
A diverse array of 38 religious and indigenous groups—including the Episcopal Diocese of Eastern Oregon, the Southwestern Conference of the United Church of Christ, and the National Council of Jewish Women	Broad support for Native American religious exercise from across the country
The Sikh Coalition, Christian Legal Society, and the Islam and Religious Freedom Action Team of the Religious Freedom Institute	The legal standard for judging indigenous religious liberty claims should be consistent with that for other land-use and prisoner claims
Protect the First	The court of appeals should reconsider its narrow, inflexible approach toward Native American sacred site cases

The Native American Law Students Association	This case will have a unique effect on Native American religious believers under the current interpretation of the law
The International Council of Thirteen Indigenous Grandmothers, the MICA Group, and Tribal Elder Ramon Riley	The en banc panel's test creates a problematic double standard for Native American religious exercise
En banc panel stage	
The Jewish Coalition for Religious Liberty and Protect the First	The court of appeals should reconsider its narrow, inflexible approach toward Native American sacred site cases
Religious liberty law scholars	The plain language of federal civil rights law requires protection of Oak Flat
Mennonite Church USA and Pacific Southwest Mennonite Conference	The government can manage federal lands while still providing full protection to Native American religious practices
Sikh Coalition	The legal standard for judging Native religious liberty claims should be consistent with that for land use and prisoner claims
The Church of Jesus Christ of Latter-day Saints, The General Conference of Seventh-day Adventists, Islam and Religious Freedom Action Team of the Religious Freedom Institute, the Christian Legal Society	The court's ruling will affect people of all faiths, not just Native Americans
Tohono O'odham Nation, Tonto Apache Tribe, San Juan Southern Paiute, the Association on American Indian Affairs, and the National Association of Tribal Historic Preservation Officers	This case will set vital precedent for tribal nations across the continent
En banc petition stage	
Protect the First	The court of appeals should reconsider its narrow, inflexible approach toward Native American sacred site cases

The National Congress of American Indians , a Tribal Elder, and other Native American cultural heritage and rights organizations	The court's decision perpetuates a government history of callousness and coercion toward Native Americans
Panel stage	
Religious liberty law scholars	The plain language of federal civil rights law requires protection of Oak Flat
The Jewish Coalition for Religious Liberty, the International Society for Krishna Consciousness, The Sikh Coalition, The Church of Jesus Christ of Latter-day Saints, and Protect the First	The court's ruling will affect people of all faiths, not just Native Americans
The National Congress of American Indians , a Tribal Elder, and other federal Indian Law scholars and organizations	The decision below perpetuates a government history of callousness and coercion toward Native Americans
Emergency petition stage	
Religious liberty law scholars	The plain language of federal civil rights law requires protection of Oak Flat
The Jewish Coalition for Religious Liberty, the International Society for Krishna Consciousness, The Sikh Coalition, and Protect the First	The court's ruling will affect people of all faiths, not just Native Americans
The National Congress of American Indians , a Tribal Elder, and other federal Indian Law scholars and organizations	The court's decision below perpetuates a government history of callousness and coercion toward Native Americans
District Court	
MICA Group, Morningstar Institute, Ramon Riley	The transfer and destruction of Oak Flat violates federal religious liberty law