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Dear Secretary Zinke,

Since 1974, it has been the ACLU's national policy to support Native Americans' right to retain their cultural and religious heritage and to enforce the commitments made to them by the United States in treaties, compacts, and by other governmental actions. When President Obama proclaimed Bears Ears to be a National Monument in December of last year, he recognized the historic coming together of individual Native Americans as well as tribal governments.¹ This unique coalition of Native American voices called for, and won, the protection of an area with rich cultural and religious significance, both historical and today.² This protection should not now be minimized or harmed by any alteration of the boundaries or governance of the Bears Ears National Monument.

There were times when efforts to advocate for this Monument were threatened with improper investigations by the State government that may have chilled stakeholder voices. However, the importance of the First Amendment protections held firm and allowed the dialogue regarding the proposed monument to carry on.³ Through a thorough process of public

¹ See the Bears Ears Inter-Tribal Coalition at <https://bearscoalition.org/about-the-coalition/> and Utah Diné Bikéyah's support of Bears Ears Monument at <http://utahdinebikeyah.org/history/>.

² <http://www.sltrib.com/news/5041159-155/another-factor-in-bears-ears-debate> (regarding the religious significance of the site).

³ See <http://acluutah.org/newsroom/item/1192-attorney-general-office-will-not-investigate-activist-groups-involved-in-bears-ears-advocacy?highlight=WyjZWFycyIsImVhcnMiLCJiZWZycyBLYXJzIl0=>

meetings held by former Secretary Jewel, the points of view of many Utahns were allowed to contribute to the final decision. Ultimately, the cultural and religious value of the area was recognized by President Obama. In addition, the “Native Nations are bringing their voices to the management of our public lands” through the Bears Ears Tribal Commission, contributing to the management of the Monument.⁴

The current administration must not undermine the work done and the promises made in the creation of the Bears Ears National Monument. We urge you to leave the monument as is.

Sincerely,

/s Brittney Nystrom
Executive Director

/s John Mejia
Legal Director

/s Leah Farrell
Staff Attorney

⁴ <http://www.sltrib.com/opinion/5147909-155/op-ed-bears-ears-tribal-commission-brings>