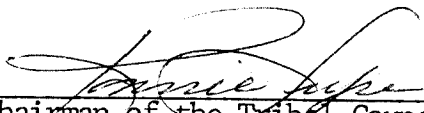


RESOLUTION OF THE
WHITE MOUNTAIN APACHE TRIBE OF THE
FORT APACHE INDIAN RESERVATION

- WHEREAS, the Tribal Council of the White Mountain Apache Tribe is advised that the U. S. Department of Labor has been making attempts to exercise jurisdiction over the Tribe in its operation of the Fort Apache Timber Company, a tribal enterprise, and
- WHEREAS, the Department of Labor's jurisdictional claims apparently extend to the imposition of the wage and hour standards of the Department of Labor, and
- WHEREAS, the Tribe owns and operates Fort Apache Timber Company from tribal income generated in its harvest and sale of tribal timber, a trust resource, and
- WHEREAS, the Tribal Council is further advised and aware that substantial federal law exists which supports the responsibility of the United States to protect the trust assets of the Tribe, to encourage tribal self-government, and to assist tribal economic development and stability, and
- WHEREAS, the Tribal Council is also aware that federal law protects the sovereignty of the tribal government, and
- WHEREAS, the Department of Labor has caused a lawsuit to be filed against the Tribe, but not yet served upon the Tribe, and
- WHEREAS, the Department of Labor's claims and litigation is contrary to the United States trust responsibility to the Tribe, to the sovereign immunity of the Tribe, and to the purposes and principles of both.
- BE IT RESOLVED by the Tribal Council of the White Mountain Apache Tribe that it hereby strongly opposes the breach of responsibility and the threatened injury, imposed upon the White Mountain Apache Tribe by the claims and assertions of the United States Department of Labor, hereinabove referenced.
- BE IT FURTHER RESOLVED that the Tribal Council urges the full support of the U. S. Department of Interior, acting in the best interests of the Tribe, to defeat the claims and litigation by the Department of Labor against the Tribe, and to thereby assert the trust responsibilities of the United States to protect and defend tribal assets, self-government, and economic development and stability.
- BE IT FURTHER RESOLVED that the Tribal Council requests the exercises of legal and moral authority by the U. S. Department of Justice in terminating litigation against the Tribe by the Department of Labor, through all available means, including the presentations of the lawful defense of the sovereign immunity of the Tribe from the Department of Labor's claims and litigation.

BE IT FURTHER RESOLVED that the Tribal Council hereby specifically asserts the immunity of the White Mountain Apache Tribe from suit, and that no consent of the Tribe is heretofore, nor hereafter, authorized, given, by the Tribe, or by any one acting for or on behalf of the Tribe, to suit, or other assertion of claim, by the Department of Labor against the Tribe.

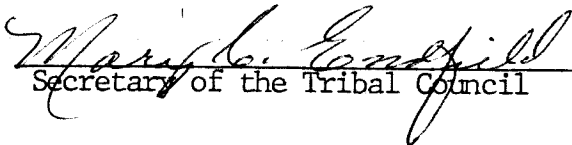
The foregoing resolution was on October 01, 1980 duly adopted by a vote of 9 for and 0 against by the Tribal Council of the White Mountain Apache Tribe, pursuant to authority vested in it by Article V, Section 1 (i) of the Amended Constitution and By-Laws of the Tribe, ratified by the Tribe June 27, 1958 and approved by the Secretary of the Interior on May 29, 1958, pursuant to Section 16 of the Act of June 18, 1934 (48 Stat. 984).


Chairman of the Tribal Council

RECEIVED

OCT 10 1980

FORT APACHE INDIAN
AGENCY
WHITERIVER, ARIZ.


Secretary of the Tribal Council