

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

WHEREAS, the Department of Justice has extended until January 15, 1982, the time within which the White Mountain Apache Tribe may accept the offer submitted by the United States in October, 1980, for the settlement of all of the tribe's claims in Docket 22-H for the sum of \$13,000,000, and

WHEREAS, the Tribal Council concludes that it will be in the best interest of the Tribe, that a "counter-proposal" of settlement be submitted as promptly as possible on behalf of the Tribe in Docket 22-H relative to the mismanagement of tribal funds ("fiscal claims") and would reserve for future settlement, negotiations or for litigation, all other claims of the tribe presented in Docket 22-H, and

WHEREAS, among the claims which would not be involved in the counter-proposal and which the Tribal Council desires to reserve for future settlement or litigation are claims for damages for compensation relative to the mismanagement of any of the tribe's lands and water rights and the resources of the lands and waters (including without limitation, timber, grazing, agricultural and mineral land and water resources) as well as any claims relative to the areas of land (approximately 14,000 acres) which were erroneously excluded from the Reservation, and

WHEREAS, the Tribal Council desires that the counter-proposal of settlement limited to the Tribe's fiscal claims, should be formally submitted in Docket 22-H on behalf of the Tribe by its present Tribal Attorney, Robert C. Brauchli, and where arrangements have been made whereby the Attorney's Contract between the Tribe and the law firm of Weissbrodt and Weissbrodt relative to the prosecution of the Tribe's claims in Docket 22-H will be terminated and the new attorney contract between the Tribe and Robert C. Brauchli will become effective upon the withdrawal by I.S. Weissbrodt, as attorney of record for the Tribe in Docket 22-H and the substitution of Robert C. Brauchli as attorney of record.

BE IT RESOLVED by the Tribal Council of the White Mountain Apache Tribe that its present Tribal Attorney, Robert C. Brauchli, be directed to complete the steps immediately for his substitution as Attorney of Record for the Tribe in Docket 22-H in place of I. S. Weissbrodt.

BE IT FURTHER RESOLVED by the Tribal Council of the White Mountain Apache Tribe that the Tribal Attorney, Robert C. Brauchli, immediately enter into negotiations with the Attorney of the Department of Justice relative to a counter-proposal of settlement which would be strictly limited to the Tribe's fiscal claims in Docket 22-II, namely claims pertaining to the dealings by the government with tribal monies and the restoration to the tribe of tribal monies that were improperly or illegally expended by the government and claims for interest on tribal monies that were mismanaged or were improperly or illegally expended.

BE IT FURTHER RESOLVED that the terms of such counter-proposal of settlement of the fiscal claims must explicitly provide that the settlement will not be effective unless it is appropriately approved by the Tribal Council and the general membership of the White Mountain Apache Tribe.

The foregoing resolution was on January 7, 1982, duly adopted by a vote of 10 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 (a, e, f, i, t, and u) 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

  
Acting Secretary of the Tribal Council

**RECEIVED**  
JAN 29 1982

FORT APACHE INDIAN  
AGENCY  
WHITERIVER, ARIZ