

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

- WHEREAS, the Finance Committee for the White Mountain Apache Tribe has approached the Tribal Council with a plan to reduce Tribal Housing Authority delinquencies by the purchase of approximately \$30,000.00 of Accounts Receivable from the Tribal Housing Authority so that ostensibly the Housing Authority could apply for a HUD Grant for the construction of approximately 100 homes on the Fort Apache Indian Reservation, and
- WHEREAS, the Finance Committee and the Tribal Administrative Manager were in favor of such a plan based on representations made by Mr. Hurl Gearhart, Director of the Tribal Housing Authority that failure to reduce the delinquencies to the amount of \$50,000.00 by February 4, 1983 from the present indebtedness of \$76,000.00 would result in the cancellation of the tribe's grant application to HUD for the 100 houses, and
- WHEREAS, based on representations made by Mr. Gearhart that the HUD Grant for the 100 houses would be so terminated, the Finance Committee recommended that the tribe purchase \$30,000.00 worth of Accounts Receivable to reduce the Housing Authority liability, and
- WHEREAS, the Finance Committee, through the Tribal Attorney, presented a proposed resolution to the Tribal Council which would authorize the Tribal Administrative Manager to purchase \$30,000.00 worth of Accounts Receivable from the Tribal Housing Authority purportedly to qualify the Tribal Housing Authority for a HUD Grant for an additional 100 houses, and
- WHEREAS, the Tribal Attorney, Tribal Administrative Manager, and members of the Finance Committee present were requested by the Tribal Council Chairman for a definitive answer as to the source of the information that HUD would actually terminate the tribal request for a HUD Grant for 100 additional homes on the reservation, and
- WHEREAS, the Tribal Administrative Manager and the Tribal Attorney, as well as, the members of the Finance Committee present responded that the Director of the Tribal Housing Authority had that particular information and could clarify said matters for the Council; whereupon, the Tribal Attorney contacted the Tribal Housing Authority Director by telephone and advised the Housing Director that the proposed resolution authorizing the tribe to purchase \$30,000.00 was being

debated and that the Tribal Council wanted clarification as to whether or not the HUD Grant Application for 100 additional houses was really in jeopardy as presented or if there were alternatives to purchasing the Accounts Receivable, and

WHEREAS, the Tribal Housing Authority Director, Mr. Gearhart advised the Tribal Attorney he was with a HUD Official by the name of Walter Nelson from the Phoenix HUD Office and would shortly appear before the Tribal Council to clarify the Housing Authority's plan to reduce the outstanding delinquencies, and

WHEREAS, Mr. Gearhart and Mr. Walter Nelson appeared before the Tribal Council to answer questions put to them by the Tribal Council, and

WHEREAS, the Chairman of the Tribal Council first directed questions to Mr. Gearhart reference the request that the tribe purchase \$30,000.00 worth of Accounts Receivable from the Housing Authority and expressed his doubts to the Housing Director as to the wisdom of the tribe purchasing \$30,000.00 worth of Accounts Receivable and pointed out to the Housing Authority that it was their obligation to reduce the delinquencies, and

WHEREAS, further questions were propounded by the Tribal Chairman to Mr. Walter Nelson, a Federal employee representing the Phoenix HUD Office regarding cancellation or suspension of the Tribal HUD Application, and

WHEREAS, Mr. Gearhart clarified that if the Housing Authority reduced the delinquencies from \$76,000.00 to an amount between \$50,000.00 and \$70,000.00, it would become eligible to make a grant application and that the suspension might be lifted at that point as long as the Housing Authority continued to reduce the delinquencies on a monthly basis, but that if the Tribal Housing Authority failed to do so, or failed to bring the delinquencies below \$70,000.00, that the grant would remain suspended until such time as the delinquency was reduced, and

WHEREAS, the Tribal Housing Authority Director also advised the Chairman that there was no guarantees that even if the tribe purchased \$30,000.00 worth of Accounts Receivable that the HUD Grant Application would be approved and that the 100 houses would be constructed on the Fort Apache Indian Reservation, and

- WHEREAS, further, the Tribal Attorney inquired of Mr. Walter Nelson as to whether the filing of approximately 146 law suits by the Housing Authority in Tribal Court to collect delinquencies from tenants of the Tribal would evidence good faith and might satisfy HUD requirements that the delinquencies be reduced; in that the filing of the law suits indicated that voluntary repayment was not possible and that litigation had to be pursued, but that such litigation would take time to be brought to a close in order to collect on the monies in issue and for restitution of the premises, and
- WHEREAS, Mr. Walter Nelson, upon further questioning by the Tribal Chairman became vituperative and insulting to the Tribal Chairman, and without foundation and evidence, accused the Tribal Chairman of interfering with the Housing Authority, and
- WHEREAS, Mr. Nelson proceeded to escalate and exacerbate the negative discussions with the Tribal Chairman and used profanity towards the Tribal Chairman; thereby, showing complete disrespect towards Apache customs, the women present and the Governing Body of the White Mountain Apache Tribe, and
- WHEREAS, Mr. Nelson continued to be hostile, challenging and pugnacious toward the Tribal Chairman, Tribal Council and Council representatives and acted in a threatening physical manner which eventually resulted in his being escorted from the Tribal Council Chambers by a Tribal Police Officer, and
- WHEREAS, such conduct has been engaged in by Mr. Nelson on a previous occasion when he appeared before the Tribal Council in June or July of 1982 and personally insulted and used threatening gestures toward members of the Tribal Council, and
- WHEREAS, further, Mr. Nelson has insulted tribal representatives in Phoenix during meetings and showed utter disdain for Indian people, culture, values, and tribal leaders, and
- WHEREAS, the Tribal Council concludes that Mr. Walter Nelson is a disservice to the Federal Government and has acted in a manner unbecoming a Federal employee and representative of HUD and further, cannot be trusted to assist the White Mountain Apache Tribe in obtaining additional housing from HUD because of his apparent pugnacious attitude towards the Tribal Government, Tribal leaders and Indian people as a whole, and

WHEREAS, the Tribal Council respectfully recommends to the Regional Office of HUD that Mr. Nelson be removed from his present responsibilities over Indian Housing Programs to ensure that Indian people receives fair treatment, and

WHEREAS, as proof of Mr. Nelson's attitude, the Tribal Council directs that a transcript of the meeting and discussion with Mr. Nelson be transcribed and sent to the appropriate HUD Officials in the Regional Office of HUD immediately.

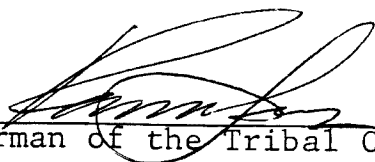
BE IT RESOLVED by the Tribal Council of the White Mountain Apache Tribe that it hereby condemns the disrespectful, vulgar and hostile words and actions engaged in by Mr. Walter Nelson of the HUD Phoenix Office and his utter show of disrespect to the Tribal Council and Tribal Chairman, the Governing Body of the White Mountain Apache Tribe.

BE IT FURTHER RESOLVED by the Tribal Council that it directs the Tribal Council Secretary to transcribe the tape of the argument which ensued between Mr. Walter Nelson and the Tribal Council and deliver the same to the appropriate HUD Officials, HUD Regional Office in San Francisco, California.

BE IT FURTHER RESOLVED by the Tribal Council that it hereby declares that Mr. Walter Nelson is no longer welcome to appear before the Tribal Council of the White Mountain Apache Tribe and is forbidden to enter the Tribal Council Chambers until further notice by the Tribal Council and that any appearance by Mr. Nelson before the Tribal Council without the consent of the Tribal Council will be treated as a trespass against the people of the White Mountain Apache Tribe.

BE IT FURTHER RESOLVED by the Tribal Council that it hereby respectfully recommends to the appropriate HUD Officials that Mr. Walter Nelson be removed or transferred from his present post which deals with Indian Housing Programs in order to ensure fair and unbiased treatment of Tribal Housing Applications and Grants.

The foregoing resolution was on February 03, 1983 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 (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

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FEB 11 1983

FORT APACHE INDIAN
AGENCY
WHITERIVER, ARIZ


Secretary of the Tribal Council