

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

- WHEREAS, the White Mountain Apache Tribe and other Indian tribes throughout the United States possess the inherent authority to operate, control and regulate economic activities within their jurisdiction, to further federal policy and the trustee obligation to increase and support the exercise of tribal self-government, and
- WHEREAS, bingo and gaming operations provide Indian tribes a significant new source of revenue for tribes, and
- WHEREAS, tribal bingo is needed to generate desperately needed income for tribal employment, health, social services, economic development, tribal administration, law enforcement, college scholarships, child welfare, programs for the elderly, mental health, nutrition, counseling, tribal courts, legal aid, education, housing and alcoholic and drug rehabilitation programs, and
- WHEREAS, the White Mountain Apache Tribe has the sovereign right to operate its own gaming and bingo activities on its own reservation without state regulation or interference, and
- WHEREAS, the State of Arizona has not assumed civil jurisdiction over the White Mountain Apache Indian Tribe or the Fort Apache Indian Reservation pursuant to the Act of April 11, 1968 (82 Stat. 78; Public Law 90-284), or the Act of August 15, 1953 (67 Stat. 588; Public Law 83-280), for prosecution under applicable state law, and
- WHEREAS, there has been introduced in the House of Representatives on November 18, 1983 by Congressman Udall, Congressman McNulty and Congressman McCain, a bill to establish federal standards and regulations for the conduct of gambling activities within the Indian country and for other purposes, and
- WHEREAS, H.R. 4566 as the bill is known accomplishes by piece meal legislation what public law 280 cannot do without tribal consent in that it prohibits tribal gambling and bingo activities unless the

tribal licensing and regulations are as restrictive as state law, and

WHEREAS, the State of Arizona has adamantly voiced its opposition to tribal gambling and will undoubtedly draft legislation establishing regulations which will through H.R. 4566 be applicable to the reservation thereby interfering with tribal self government over its own economic activities, and

WHEREAS, H.R. 4566 further prohibits individual tribal members from obtaining a proprietary interest in a bingo operation on a reservation and further requires that state license requirements be the standard for tribal licenses for bingo activities, and

WHEREAS, the Tribal Council concludes that H.R. 4566 constitutes a reversal of the federal policy of encouraging tribal self-government and self determination and undermines the trust relationship between the Indian tribes and the federal government as guaranteed and set forth by the United States Constitution and statutes and federal policy enacted pursuant thereto, and

WHEREAS, further, H.R. 4566 constitutes special interest legislation undoubtedly generated by non-Indian sources who are in direct competition with the Indian bingo operations within the various states and is an attempt to cripple the financial success of bingo operations on Indian reservations, and

WHEREAS, H.R. 4566 is unnecessary in that the Indian tribes themselves have a strong interest in regulating or operating their gambling activities free from the influence of organized crime, racketeers, professional gamblers, and those who defraud or otherwise attempt to exert corrupt influence upon them and that H.R. 45 66 is unnecessary to accomplish that goal, and

WHEREAS, the Indian tribes working together with the federal government without H.R. 4566 or similar legislation are competent to negotiate and draft model bingo operation regulations or ordinances without any reference to state standards or interference so as to protect the integrity of the tribal gambling activity.

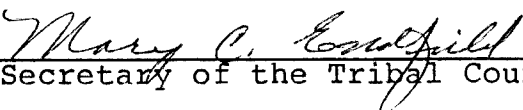
BE IT RESOLVED by the Tribal Council of the White Mountain Apache Tribe that it hereby opposes the introduction and passage of H.R. 4566 as constituting an unlawful infringement upon tribal self government, as being contrary to Federal case law upholding Indian Bingo operation free from state regulation and control, and a violation of the federal policy for Indian tribal self-government, self-determination and economic development.

BE IT FURTHER RESOLVED by the Tribal Council of the White Mountain Tribe that it hereby requests that the Office of the Tribal Chairman forward a copy of this resolution to the Congressional delegation for the State of Arizona and to the Committee on Interior Insular Affairs for the House of Representatives.

BE IT FURTHER RESOLVED by the Tribal Council of the White Mountain Apache Tribe that it hereby respectfully requests that Congressmen, Udall, McNulty and McCain withdraw H.R. 4566 from the Legislative Process and permanently table the bill for the reasons set forth in this resolution

The foregoing resolution was on January 25, 1984, 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 (a, c, i, s, t & 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

  
Secretary of the Tribal Council

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FEB 29 1984

FORT APACHE INDIAN  
AGENCY  
WHITERIVER, ARIZ.

Resolution No. 84-33