

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

WHEREAS, the United States Senate has established an Investigative Subcommittee of the Indian Select Committee charged with the responsibility of reviewing evidence and recommending solutions concerning certain fraud and mismanagement of resources in Indian County; and

WHEREAS, the White Mountain Apache Tribe, Fort Apache Indian Reservation, Whiteriver, Arizona, has forcefully brought to the attention of this Special Committee on Investigations the ongoing, fraudulent mismanagement of the Tribe's Reservation, involving the following wrongful acts, all of which have been fully documented.

- (1) The attempted seizure of the White Mountain Apache Tribe's reserved rights to Salt River Water by the Secretary of the Interior for the benefit of the downstream non-Indian water users within the Secretarial Salt River Federal Reclamation Project;
- (2) The suppression by the Secretary of the Interior of all Salt River resource development on the Fort Apache Indian Reservation, stifling the creation of a viable agricultural/livestock economy on the Reservation;
- (3) The ongoing destruction of the Tribe's invaluable forests by forced overcutting of those forests to enhance the flow of Salt River water off and away from the Reservation for the benefit of the Secretarial Salt River Federal Reclamation Project;
- (4) The destruction of the Tribe's grazing lands by intentionally permitting inordinate numbers of non-Indian livestock owners to enter upon the Tribe's Reservation totally depleting the vegetative cover of Tribe's once fine grazing lands with the result that the Tribe's Reservation is today literally washing away from the sheet and gully erosion which is rampant throughout the Reservation; and

WHEREAS, the Department of Justice, acting for and on behalf of the Secretary of the Interior, is forcing its rejected representation upon the Tribe, over the vigorous protests of the Tribe, by appearing in the State Court Salt River W-1 Proceedings in the Superior Court of Maricopa County, State of Arizona, and is asserting claims, purportedly on the Tribe's behalf, for

approximately one third of the Tribe's valid reserved Salt River rights and by that course of conduct is seeking to obtain legal confirmation and approval of the ongoing, illegal conduct of the Secretary of the Interior who, wholly without right, power, or authority, is mismanaging Tribe's Reservation not for the benefit of the Tribe but for the benefit of the non-Indian Salt River water users; and

WHEREAS, on July 5, 1988, Kenneth Ballen, Chief Counsel of the Special Committee on Investigations, came to Whiteriver, Arizona, and met with Chairman Reno Johnson, other members of the Tribal Council, and principal agents of the Tribe and was there fully informed of the disaster now being experienced by the White Mountain Apache Tribe due to the intentional mismanagement of the Tribe's resources with the attendant economic disaster to the Tribe; and

WHEREAS, as requested by Chief Counsel Ballen and General Counsel Rowe, the Tribe has fully documented its charges against both the Secretary of the Interior and had been led to understand that it would have a right to be heard in regard to those serious charges; and

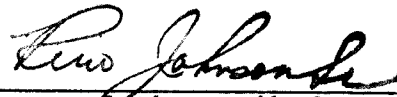
WHEREAS, the White Mountain Apache Tribe has been informed that the Special Committee, created for the express purpose of investigating, exposing, and correcting the ongoing gross improprieties reviewed above, has, nevertheless, departed from the objectives for which the Committee was originally created and--in an effort to avoid exposure of corruption in the administration of Indian Affairs by government officials--is repudiating its original mandate to assist the Indians, undertaking instead to investigate alleged Tribal and individual misconduct in Tribal governments with the objective of damaging Tribal governments and their leaders; and

WHEREAS, the Tribe firmly believes that, if Indian misconduct is uncovered, it surely does not mitigate nor does it have any relevancy to the vicious and historic wrongdoings that have been perpetrated upon Indian Tribes by their so-called Trustee, all of which wrongdoings as they affect the White Mountain Apache Tribe have been fully documented and submitted to this Committee. For the Special Committee to now turn its back on the Indians constitutes a shocking injustice, in keeping, nevertheless, with the conduct of the Trustee for the last 150 years.

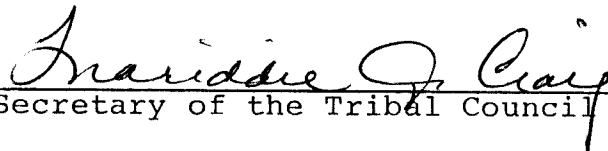
NOW THEREFORE BE IT RESOLVED the White Mountain Apache Tribe specifically petitions this Committee to permit

Chairman Reno Johnson Sr., to appear as a witness before this Committee and fully to document the charges of Secretarial wrongdoing and the wrongdoing of the Attorney General who is now acting in concert with the Secretary of the Interior seeking to have approved and affirmed in the Maricopa County Court the Secretary's attempted seizure of the Tribe's Salt River reserved rights and further to establish the planned destruction of the Tribe's forests and grazing lands to enhance the flow of Salt River water off and away from the Tribe's Reservation for the benefit of the non-Indian water users.

The foregoing resolution was on January 25, 1989, duly adopted by a vote of NINE for and ZERO against by the Tribal Council of the White Mountain Apache Tribe, pursuant to authority vested in it by Article V, Section 1 (a) & (f) of the Amended Constitution and Bylaws 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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