

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

(Calling on NCAI to Continue to Recognize the Delaware Tribe of Indians)

WHEREAS, the Delaware Tribe of Indians is among the tribes in the United States with the longest history of continuous recognition by the United States; and

WHEREAS, the Delaware Tribe of Indians was the first Tribe to enter into a treaty with the United States and has been self-governing since time immemorial; and

WHEREAS, by Resolution #94-DEN-LG/JTG-025 the National Congress of American Indians formally recognized "the sovereign existence of the Delaware Tribe of Indians, and call[ed] upon the U.S. Department of the Interior and/or the U.S. Congress to reaffirm the federal government's recognition of this tribe's sovereign rights;" and


WHEREAS, the United States Court of Appeals for the 10th Circuit issued an opinion in the case of *Cherokee Nation v. Norton* in November, 2004 in which the court found that the Delaware Tribe of Indians should not be recognized by the United States because the Department of the Interior did not comply with the Federally Recognized Tribes List Act of 1994 when it affirmed the status of the Delaware Tribe as a federally recognized tribe in 1996; and

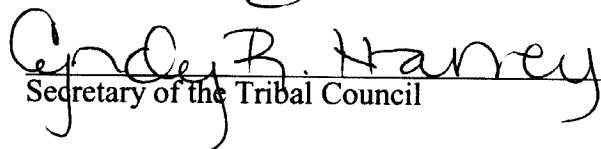
WHEREAS, the decision of the 10th Circuit threatens immediate and irreparable harm to the Delaware Tribe and its citizens as well as many other tribes; and

WHEREAS, the Department of the Interior can act to correct this injustice.

BE IT RESOLVED by the Tribal Council of the White Mountain Apache Tribe that it hereby agrees that the National Congress of American Indians should urge the United States Department of the Interior to take all necessary and proper steps to ensure that the Delaware Tribe of Indians continues to be federally recognized.

The foregoing resolution was on JULY 13, 2005 duly adopted by a vote of SIX for and ZERO against by the Tribal Council of the White Mountain Apache Tribe, pursuant to authority vested in it by Article IV, Section 1 (a), (b), (t), and (u) of the Constitution of the Tribe, ratified by the Tribe September 30, 1993, and approved by the Secretary of the Interior on November 12, 1993, pursuant to Section 16 of the Act of June 18, 1934 (48 Stat. 984).


Chairman of the Tribal Council


Secretary of the Tribal Council