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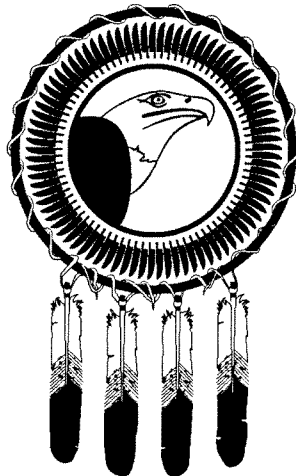
*The Challenges of Leadership and Self-Government:
A Perspective From the White Mountain Apaches (Speech)*

by

Ronnie Lupe

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**Harvard Project on
American Indian Economic Development**

**John F. Kennedy School of Government
Harvard University**

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**SPEAKER SERIES OF THE HARVARD PROJECT
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AMERICAN INDIAN ECONOMIC DEVELOPMENT**

**"THE CHALLENGES OF LEADERSHIP
AND SELF-GOVERNMENT:
A PERSPECTIVE FROM THE WHITE MOUNTAIN APACHES"**

**BY: Ronnie Lupe, Tribal Chairman
WHITE MOUNTAIN APACHE TRIBE**

Thursday, October 8, 1992

**John F. Kennedy School of Government
Harvard University, Cambridge, Massachusetts**

Distinguished faculty, students, and guests of the John F. Kennedy School of Government, it is indeed an honor to be invited to make this initial presentation at the Speaker Series of the Harvard Project on American Indian Economic Development. I am encouraged by the academic effort and expertise that the Kennedy School and particularly Professor Joe Kalt is focusing on important development issues that are critical to the future of Indian tribes across the country. It is also gratifying to see that Manley Begay, a Navajo who is married into our tribe, has a prominent role in these efforts. I hope that more Indian people will have an opportunity to study at this fine institution and be involved in these worthwhile projects.

I am Ronnie Lupe, Chairman of the White Mountain Apache Tribe and I bring greetings from the land of the Mountain Spirit Dancers, the Sunrise Dance, the water drum, and the sacred yellow pollen.

For the benefit of those of you who are not familiar with my Tribe, the White Mountain Apache Tribe resides on the 1.6 million acre Fort Apache Indian Reservation located in the central-eastern area of Arizona. The Creator blessed us with a beautiful and bountiful land that rises from an elevation of 2,700 feet at Gleason Flat on the southwest corner of the reservation to 11,590 foot summit of Mt. Baldy at the northeast corner. Approximately 800,000 acres in the northern half of the reservation contains commercial timber with the other half being primarily grazing land.

The White Mountain Apache Tribe is fortunate to have a land base that is rich in natural beauty and bounty. Our land flourishes with life and we are blessed by the changes brought by the four seasons. Our resources provide us with the potential and opportunity for sustainable development for future generations of Apaches.

Fishing abounds on our land which is washed with more than 400 miles of rivers and streams and our Tribe has created twenty-four lakes to add to the recreational enjoyment available on our reservation. Our trophy elk hunt is world renowned, as I am sure Professor Kalt can testify.

The Fort Apache Timber Company, which was started by the Tribe in 1963, is one of the most successful inland sawmills in the country milling 70 million board feet of timber a year. And, our Sunrise Ski Resort, which we began in 1970, has grown to become one of the best ski areas in the Southwest.

Today, our Tribe has grown and matured into a multi-million dollar corporate conglomerate. Not only do we operate successful tribal enterprises but we also provide essential governmental services to over 12,000 tribal members and manage the resources of a land base more than twice the size of the State of Rhode Island. But our size alone is no guarantee of our survival in the economic and political world. We can not afford to relax on our past success. In today's world, you must continue to grow or face stagnation and eventual failure.

The pressure to grow comes not only from the realities of business but the realities of our Tribal demographics. Our Tribe is confronted with a young and growing population. With this dynamic growth comes increasing demands on our Tribal government for jobs, housing, and education. We are challenged to continue our progress and build a stronger economic foundation for ourselves and future generations of White Mountain Apaches.

Tonight I would like to share with you some of the very real challenges that I face as Chairman of the White Mountain Apache Tribe. Challenges to our sovereignty, challenges to our self-governance, challenges to our economic and social development, challenges to our very existence.

The exercise and protection of our Tribal sovereignty has played a vital role in the development of our Tribal enterprises and the strengthening of our Tribal institutions. The growth that we experienced in the past was to a large extent based on the Tribal control and development of our natural resources. But the growth that we envision for the future of the White Mountain Apache Tribe will depend on our ability to absorb modern technological skills, to adopt improved business practices which will in turn broaden and strengthen our Tribal institutions.

We can learn to adopt new technologies and methods of governance by bringing aboard professors from Harvard University and other distinguished universities as well as bringing aboard successful business leaders and administrators to assist us in the development of our Tribal government and businesses. But their advise and guidance must be based on mutual understanding and respect. There must be a mutual understanding that Apaches are capable of learning new technologies and establishing any industry that man has devised if it is necessary for our survival. It must be understood that we have an established right and demonstrated ability to exercise our sovereignty for the betterment of our tribal members and the progress of our tribe. The challenge of survival for the White Mountain Apache people was never easy, it is not easy now nor will it be easy in the future.

But these are the kinds of direct challenges that we as Apache people enjoy. These are challenges that test our strength and discipline, our wit and wisdom, our ability to successfully adapt to our environment. This is the kind of test that we have been meeting for thousands of years.

But there is another type of challenge that is far more subtle and devious. The type of insidious challenges to which I refer is often embodied in governmental policies and practices which are shaped by special interest groups that seek to diminish our basic rights as Indian people, rob us of our resources, and limit our self-governance and self-determination.

Several areas where we are experiencing such challenges jump quickly to mind: our water rights, Indian gaming, and federal law enforcement on our reservation. In many ways they are different but in some significant ways, they are very similar.

WHITE MOUNTAIN APACHE WATER RIGHTS

It so happens that our land is the point of origin of a large water supply. This water flows into the desert valley and is coveted by greedy developers to provide for such "necessities" as swimming pools, large grass lawns, and artificial lakes for housing developments, none of which are natural or environmentally

beneficial. These development interests seek to take our water rights away from us for their personal benefit.

As White Mountain Apaches, we live in an ongoing battle to protect our invaluable, life sustaining, Winter's Doctrine Rights to the use of our water. The Winters Doctrine, based on Supreme Court decisions, has established that we have priority water rights for the present and future needs of the Tribe. Those rights were exercised by my ancestors long before the advent of the non-Indian culture on this continent. Unquestionably, our rights are prior and paramount on the Salt River. They date from time immemorial. Without our rights to the use of water in the Salt River and its tributaries, water which arises on our reservation, our Tribe will not be able to survive into the Twenty-First century. Yet this battle goes on day to day; it has a single objective: The seizure of my Tribe's right to the use of water in the Salt River for the benefit of the downstream Federal Reclamation Project.

The major antagonist of the White Mountain Apache Tribe is now and has been the State of Arizona. It has a single objective, to extend its jurisdiction, its power and authority, over the Winter's Doctrine rights for the use of our water, and to deprive my Tribe of those rights. The State is aided in their attempts to steal our water by the policies and practices of the Secretary of the Interior who has used every method available over the last century to frustrate water development on our reservation and subordinate our invaluable water rights to the demands of downstream non-Indian water users.

We have tremendous water needs for irrigation, domestic use, livestock, municipal, industrial and public services, fish and wildlife, outdoor recreation, cultural needs, hydro-electric power and other related uses which can utilize our water for the benefit of our Apache people, now and in the future.

Most recently, this battle to protect our water rights has taken a devious turn as the focus of efforts to thwart our rights has shifted to the enforcement of the Endangered Species Act.

Since the beginning of time, we Apaches have treated the land upon which we live with ultimate respect. We revere the trees, rivers and abundant wildlife. We take from the land only what we need, and then give thanks for its gifts. Our Apache traditions and cultural values have long been nourished by our sacred relationship to the land and with the Creator, Bik'ego ihi'dan, the Giver of Life. With this philosophy, which guides us as we practice our customs and religion, we have maintained a sanctuary for all of the living things which reside on our reservation.

Situated about 200 miles downstream from us is the city of Phoenix, whose values are diametrically opposed to our own. The best way to describe this metropolitan area is to say that it is a water-gulping monster with

an insatiable thirst. To help feed this obscene appetite, "the johnnie-come-lately" developers of the state of Arizona built Roosevelt Dam on the Salt River, just below the boundary of our reservation. In so doing, these developers forever altered the ecosystem along this stretch of the river, and, in combination with similar projects and associated land developments, became a major contributor to the destruction of 90 percent of the riparian areas in our State. And where does much of the remaining 10 percent of the untouched areas still reside? You're correct: Right there on the land of our ancestors, whose reverence for the Creator, in essence, made us the first conservationists.

When mainstream society began to realize the vast environmental destruction being caused by Phoenix and many other such urban monsters scattered throughout the United States, legislation was created to stem the unrelenting tide. One such measure is the Endangered Species Act, whose purpose as you know is to protect the legion of plants and animals that are threatened by extinction. It almost goes without saying that many of these species live on our reservation.

But what started as a well-intentioned piece of legislation, has resulted in the punishment of those who had the courage and wisdom to resist the temptation to plunder their land. And this blind application of the Endangered Species Act has been facilitated by a group of environmental extremists, the Ecological Services branch of the Fish and Wildlife Service, whose job it is to interpret and enforce the Act. Let me explain.

The town of Whiteriver and its surrounding area has grown to such a point that it now uses more water than its current water system (nine alluvial wells and a spring) can supply. To meet this demand for an adequate supply of public water, the Tribe and Indian Health Services have developed plans to build a water diversion and treatment plant to take water from the North Fork of the White River to provide for our water needs through the year 2022. One would assume that this is our unassailable right because this water originates on our ancestral lands and is necessary to the continued survival of our people. But whenever an Indian Tribe is up against the dominant society, which includes these environmental extremists and water interests, nothing is that simple.

In the East Fork of the White River, there presumably resides a minute and reclusive inhabitant called the loach minnow. Now mind you, I have lived here all my life. I have swam and fished in our rivers and streams and I have never heard of the loach minnow and have never seen one to this day. I doubt that I will ever see one. But It's the Ecological Services claim that the East Fork is one of five areas in Arizona and New Mexico that remain unspoiled enough to provide a perfect habitat for this creature. The loach minnow's entire three-year lifespan is spent under small pebbles and rocks in shallow, fast-running streams. Of course, there were an abundance of such habitats on the Salt, Gila, San Pedro and Verde Rivers until Phoenix and other urban and agricultural interests began their assault on the environment.

The handiwork of developers has reduced the loach minnow's population to a point where it is now considered a threatened species.

To obtain the necessary federal funds to finance the water treatment plant, a study pursuant to the Endangered Species Act had to be conducted. Enter the Ecological Services. Their findings and "reasonable and prudent alternatives" are nothing short of preposterous. Although we wish to take water from the NOorth Fork of the White River, and the loach minnow supposedly resides in the East Fork, one could safely assume that our project would offer no threat to the loach minnow.

However, there have been some loach minnow sightings in the White River mainstream, and the folks at Ecological Services believe their continued existence is vital to those living in the East Fork. They fear that if the water plant reduces the flow in the White River mainstream and kills off the loach minnow living there, that this will threaten the population living in the East Fork. Does this sound rational? I think not.

But this is just the beginning. Wait until you hear their alternatives. They suggest that "reasonable" alternatives would be to construct the water treatment plan about 20 miles downstream on the White River mainstem, or even farther downstream on the Salt River, about two miles from the San Carlos Reservation border. The costs for the installation of such an extensive pipeline and pumping system would make this bureaucratic boondoggle impossible.

Another "reasonable and prudent" alternative they mention is the mining of ground water. This would be a good trick, because ground water has never been found on our reservation. The only wells that have been successful have been those tapping into alluvial sources.

The final alternative they list is the construction of the water plant at our proposed site, but only if we agree to shut it down when the North Fork flow drops below certain levels. When this occurs, we'll also required to shut down the complete water supply system (the nine wells and the spring). The most likely time for this to happen would be during a drought, which would occur during the summer months-the time when water demands are greatest. In other words, Whiteriver would go bone dry. What's more, if we were to proceed with this project under these terms, we'd have to put down a \$90,000 bond which would be forfeited if we were ever found in violation. Without a doubt, the loud and clear message of these extremists is that a four-inch creature, whose existence on our land is questionable, and whose endangered status is even more tenuous, has a higher priority in the pecking order than our own Apache people.

They say that politics makes strange bedfellows. But the thought of these environmental "do gooders" jumping in bed with Phoenix developers, who have been pirating our water and degrading the environment for the past 100 years, is perhaps the strangest union in history.

When I put my ear to the ground, I can hear the developers and the bigwigs at the Salt River Project howling with glee all the way up here.

As I've said before, we have traditionally cared enough about our land to preserve it as a haven for all of the creatures that are natural to this area. An our modern-day accomplishment speak just as well. We have taken great pains to ensure that the Apache Trout have survived, and, although it means a reduction in our income, we have reduced our annual timber cut to make sure that our forests live in perpetuity.

Believe me, I have nothing against the loach minnow. I think it's tragic that they and other species have been killed off in such great numbers by the marauding mainstream society. I am proud that our sacred waters are thought to offer them refuge. But I believe it takes a twisted, if not sick mind to determine that the welfare of this small, anti-social creature takes precedence over our great Apache people.

I see the Endangered Species Act as dominant society's most modern method of performing genocide on the Apache people. First they came with their armies to kill us off. Then they came with their fire water and disease to finish off all who were left. When that failed, they hoarded us into boarding schools and welfared us to death to break our spirit. And now they come with perhaps their most clever scheme of all-taking away our lifeline, our water. But the Apache warrior spirit has sustained us during all past crises and it will see us though this latest attack on our honored way of life.

INDIAN GAMING

Since I have been Chairman of my Tribe, I have seen continuing attempts to destroy and eliminate the autonomy and sovereignty of our Tribe. The most recent example comes in the form of the Indian Gaming Regulatory Act. When the Indian Gaming Regulatory Act (IGRA) was passed in 1988, I was deeply concerned about the ambiguities in the law and the incursions that the Act made upon tribal sovereignty. I saw it as another example of special interest groups undercutting tribal court victories, specifically, the U.S. Supreme Court Cabazon Decision upholding the sovereign rights of tribes to engage in gambling in those states where gambling is not prohibited but only regulated. IGRA gave the state the opportunity to have input by requiring a tribal-state compact process. As for the White Mountain Apache Tribe, we immediately took steps to avail ourselves of the economic development and employment opportunities afforded by Indian gaming.

The supposed intent of the Act was to give Indians across the country the greatly needed opportunity to inject economic vitality into their tribes. But, as I feared, this apparent boon to Indian Tribes has a sticking point: the provision that tribes must negotiate a compact with the state in which they reside before they can offer most types of gaming.

Newspapers throughout the United States have documented, almost without exception, the refusal of states to negotiate these compacts in good faith. The State insists that they must oversee the certification of all casino employees. It seems odd that they demand to have total oversight in something related to money, when they leave it to the tribes to certify that certain professionals, such as teachers who work with children, have no record of child abuse.

The State has also refused to allow the tribes to offer casino games, such as blackjack, and will only allow 250 electronic machines per tribe, no matter what the size of tribal population, market conditions, or administrative capacity. The State wants to impose a regulation fee of \$1,000 per machine per year despite the lack of any proposed budget for these activities. Frustrated over the State's refusal to make a reasonable offer, several Arizona tribes, including the White Mountain Aapche Tribe, requested a joint conference with Governor fire Symington. In a typical divide-and-conquer strategy for dealing with Indians, the Governor refused such a meeting.

But the conspiracy of the state's efforts to stop Indian gaming doesn't stop here. The Lakota Times reports that several Las Vegas casinos, with a few exceptions, feeling that Indian gaming poses a threat to their bulging pockets, have organized to fight Indian gaming. This organization has already make contributions to out-of-state congressional candidates as well as the Bush-Quayle re-election campaign.

One of the most flagrant and irresponsible examples of the persecution of Indian gaming is the U.S. Attorney's in Arizona, who in her wisdom, conducted costly armed raids on tribal gaming operations because they were operating without compacts with the State of Arizona. Her priorities seem particularly twisted because there were no victims resulting from Indian gaming and she could have accomplished the same result through the use of a first class letter with a 29-cent stamp.

But the forms of her subtle racism don't end with this issue. Let me give you a more recent example. On the July 4th weekend an Arizona Department of Public Safety officer was tragically killed on our reservation in an auto accident while he was on duty. He was allegedly struck by a vehicle driven by an intoxicated Navajo man. Under the auspices of the U.S. Attorney, all of the necessary paperwork was processed in one day to

ensure that this Navajo man was speedily sent into the federal court system. The FBI even offered to send three agents to assist in the investigation, the type of help which is rarely, if ever, offered.

Meanwhile, during the same time period, an Apache man was allegedly murdered by another Apache man. On July 5, after several days, the suspected murderer was apprehended by Tribal police with no help from federal authorities. To this day, more than three months after the alleged crime, this man sits in custody on our reservation; the federal paperwork necessary for his prosecution in federal court has yet to be filed. This is the very same paperwork that was completed in one day after the unfortunate accident involving the highway patrolman. Make no mistake, the DPS officer was a good man, well respected in the community. Likewise, the Apache man who was murdered was held in equal high respect in his community.

Unfortunately this incident is no exception to the rule, it is the rule. Currently, we have ten unsolved murders on our reservation, and the U.S. Attorney has shown little or no interest in helping us solve these tragedies involving Apache Indians nor has the FBI offered additional agents to help solve these crimes. I feel certain that if any one of the victims in these cases were a white person, then the case would not be gathering cobwebs in some file cabinet and an accused subject would be safely incarcerated with all of the paperwork completed.

I hope the scenarios that I have described regarding our water rights, Indian gaming, and federal law enforcement on our reservation have given you some feeling for the insidious attacks we continue to endure as Indian people.

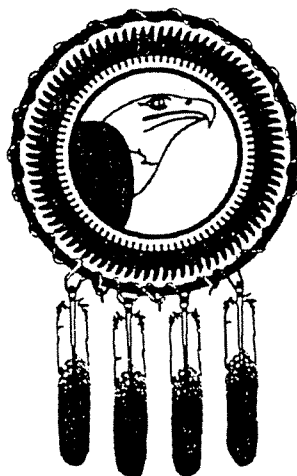
As White Mountain Apaches we understand too clearly that we are often hampered by the cruelty and harshness of the foreign entity who brought their government to our country. Today as in the past, we face a political atmosphere of severity and insensitivity toward the economic, social and legal problems that we Indian people face. The present administration seems resolved to erode the sovereignty of Indian Tribes and to dilute the government-to-government relationship that exists between the Tribes and the federal government.

Our ancestors fought bravely for survival against guns of the European invaders. Our existence today as a populous, progressive tribe continuing to maintain our cultural identity is testimony that our efforts have been successful. But now the mainstream's form of aggression is far more subtle but equally dangerous. That's why, as Tribal Chairman, I remain vigilant at working to protect our sovereign rights. Our survival depends upon it.

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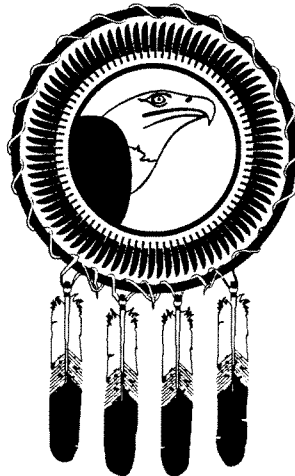
*The Challenges of Leadership and Self-Government:
A Perspective From the White Mountain Apaches (Speech)*

by

Ronnie Lupe

PRS 92-5

October 1992



**Harvard Project on
American Indian Economic Development
John F. Kennedy School of Government
Harvard University**

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**SPEAKER SERIES OF THE HARVARD PROJECT
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AMERICAN INDIAN ECONOMIC DEVELOPMENT**

**"THE CHALLENGES OF LEADERSHIP
AND SELF-GOVERNMENT:
A PERSPECTIVE FROM THE WHITE MOUNTAIN APACHES"**

**BY: Ronnie Lupe, Tribal Chairman
WHITE MOUNTAIN APACHE TRIBE**

Thursday, October 8, 1992

**John F. Kennedy School of Government
Harvard University, Cambridge, Massachusetts**

Distinguished faculty, students, and guests of the John F. Kennedy School of Government, it is indeed an honor to be invited to make this initial presentation at the Speaker Series of the Harvard Project on American Indian Economic Development. I am encouraged by the academic effort and expertise that the Kennedy School and particularly Professor Joe Kalt is focusing on important development issues that are critical to the future of Indian tribes across the country. It is also gratifying to see that Manley Begay, a Navajo who is married into our tribe, has a prominent role in these efforts. I hope that more Indian people will have an opportunity to study at this fine institution and be involved in these worthwhile projects.

I am Ronnie Lupe, Chairman of the White Mountain Apache Tribe and I bring greetings from the land of the Mountain Spirit Dancers, the Sunrise Dance, the water drum, and the sacred yellow pollen.

For the benefit of those of you who are not familiar with my Tribe, the White Mountain Apache Tribe resides on the 1.6 million acre Fort Apache Indian Reservation located in the central-eastern area of Arizona. The Creator blessed us with a beautiful and bountiful land that rises from an elevation of 2,700 feet at Gleason Flat on the southwest corner of the reservation to 11,590 foot summit of Mt. Baldy at the northeast corner. Approximately 800,000 acres in the northern half of the reservation contains commercial timber with the other half being primarily grazing land.

The White Mountain Apache Tribe is fortunate to have a land base that is rich in natural beauty and bounty. Our land flourishes with life and we are blessed by the changes brought by the four seasons. Our resources provide us with the potential and opportunity for sustainable development for future generations of Apaches.

Fishing abounds on our land which is washed with more than 400 miles of rivers and streams and our Tribe has created twenty-four lakes to add to the recreational enjoyment available on our reservation. Our trophy elk hunt is world renowned, as I am sure Professor Kalt can testify.

The Fort Apache Timber Company, which was started by the Tribe in 1963, is one of the most successful inland sawmills in the country milling 70 million board feet of timber a year. And, our Sunrise Ski Resort, which we began in 1970, has grown to become one of the best ski areas in the Southwest.

Today, our Tribe has grown and matured into a multi-million dollar corporate conglomerate. Not only do we operate successful tribal enterprises but we also provide essential governmental services to over 12,000 tribal members and manage the resources of a land base more than twice the size of the State of Rhode Island. But our size alone is no guarantee of our survival in the economic and political world. We can not afford to relax on our past success. In today's world, you must continue to grow or face stagnation and eventual failure.

The pressure to grow comes not only from the realities of business but the realities of our Tribal demographics. Our Tribe is confronted with a young and growing population. With this dynamic growth comes increasing demands on our Tribal government for jobs, housing, and education. We are challenged to continue our progress and build a stronger economic foundation for ourselves and future generations of White Mountain Apaches.

Tonight I would like to share with you some of the very real challenges that I face as Chairman of the White Mountain Apache Tribe. Challenges to our sovereignty, challenges to our self-governance, challenges to our economic and social development, challenges to our very existence.

The exercise and protection of our Tribal sovereignty has played a vital role in the development of our Tribal enterprises and the strengthening of our Tribal institutions. The growth that we experienced in the past was to a large extent based on the Tribal control and development of our natural resources. But the growth that we envision for the future of the White Mountain Apache Tribe will depend on our ability to absorb modern technological skills, to adopt improved business practices which will in turn broaden and strengthen our Tribal institutions.

We can learn to adopt new technologies and methods of governance by bringing aboard professors from Harvard University and other distinguished universities as well as bringing aboard successful business leaders and administrators to assist us in the development of our Tribal government and businesses. But their advise and guidance must be based on mutual understanding and respect. There must be a mutual understanding that Apaches are capable of learning new technologies and establishing any industry that man has devised if it is necessary for our survival. It must be understood that we have an established right and demonstrated ability to exercise our sovereignty for the betterment of our tribal members and the progress of our tribe. The challenge of survival for the White Mountain Apache people was never easy, it is not easy now nor will it be easy in the future.

But these are the kinds of direct challenges that we as Apache people enjoy. These are challenges that test our strength and discipline, our wit and wisdom, our ability to successfully adapt to our environment. This is the kind of test that we have been meeting for thousands of years.

But there is another type of challenge that is far more subtle and devious. The type of insidious challenges to which I refer is often embodied in governmental policies and practices which are shaped by special interest groups that seek to diminish our basic rights as Indian people, rob us of our resources, and limit our self-governance and self-determination.

Several areas where we are experiencing such challenges jump quickly to mind: our water rights, Indian gaming, and federal law enforcement on our reservation. In many ways they are different but in some significant ways, they are very similar.

WHITE MOUNTAIN APACHE WATER RIGHTS

It so happens that our land is the point of origin of a large water supply. This water flows into the desert valley and is coveted by greedy developers to provide for such "necessities" as swimming pools, large grass lawns, and artificial lakes for housing developments, none of which are natural or environmentally

beneficial. These development interests seek to take our water rights away from us for their personal benefit.

As White Mountain Apaches, we live in an ongoing battle to protect our invaluable, life sustaining, Winter's Doctrine Rights to the use of our water. The Winters Doctrine, based on Supreme Court decisions, has established that we have priority water rights for the present and future needs of the Tribe. Those rights were exercised by my ancestors long before the advent of the non-Indian culture on this continent. Unquestionably, our rights are prior and paramount on the Salt River. They date from time immemorial. Without our rights to the use of water in the Salt River and its tributaries, water which arises on our reservation, our Tribe will not be able to survive into the Twenty-First century. Yet this battle goes on day to day; it has a single objective: The seizure of my Tribe's right to the use of water in the Salt River for the benefit of the downstream Federal Reclamation Project.

The major antagonist of the White Mountain Apache Tribe is now and has been the State of Arizona. It has a single objective, to extend its jurisdiction, its power and authority, over the Winter's Doctrine rights for the use of our water, and to deprive my Tribe of those rights. The State is aided in their attempts to steal our water by the policies and practices of the Secretary of the Interior who has used every method available over the last century to frustrate water development on our reservation and subordinate our invaluable water rights to the demands of downstream non-Indian water users.

We have tremendous water needs for irrigation, domestic use, livestock, municipal, industrial and public services, fish and wildlife, outdoor recreation, cultural needs, hydro-electric power and other related uses which can utilize our water for the benefit of our Apache people, now and in the future.

Most recently, this battle to protect our water rights has taken a devious turn as the focus of efforts to thwart our rights has shifted to the enforcement of the Endangered Species Act.

Since the beginning of time, we Apaches have treated the land upon which we live with ultimate respect. We revere the trees, rivers and abundant wildlife. We take from the land only what we need, and then give thanks for its gifts. Our Apache traditions and cultural values have long been nourished by our sacred relationship to the land and with the Creator, Bik'ego ihi'dan, the Giver of Life. With this philosophy, which guides us as we practice our customs and religion, we have maintained a sanctuary for all of the living things which reside on our reservation.

Situated about 200 miles downstream from us is the city of Phoenix, whose values are diametrically opposed to our own. The best way to describe this metropolitan area is to say that it is a water-gulping monster with

an insatiable thirst. To help feed this obscene appetite, "the johnnie-come-lately" developers of the state of Arizona built Roosevelt Dam on the Salt River, just below the boundary of our reservation. In so doing, these developers forever altered the ecosystem along this stretch of the river, and, in combination with similar projects and associated land developments, became a major contributor to the destruction of 90 percent of the riparian areas in our State. And where does much of the remaining 10 percent of the untouched areas still reside? You're correct: Right there on the land of our ancestors, whose reverence for the Creator, in essence, made us the first conservationists.

When mainstream society began to realize the vast environmental destruction being caused by Phoenix and many other such urban monsters scattered throughout the United States, legislation was created to stem the unrelenting tide. One such measure is the Endangered Species Act, whose purpose as you know is to protect the legion of plants and animals that are threatened by extinction. It almost goes without saying that many of these species live on our reservation.

But what started as a well-intentioned piece of legislation, has resulted in the punishment of those who had the courage and wisdom to resist the temptation to plunder their land. And this blind application of the Endangered Species Act has been facilitated by a group of environmental extremists, the Ecological Services branch of the Fish and Wildlife Service, whose job it is to interpret and enforce the Act. Let me explain.

The town of Whiteriver and its surrounding area has grown to such a point that it now uses more water than its current water system (nine alluvial wells and a spring) can supply. To meet this demand for an adequate supply of public water, the Tribe and Indian Health Services have developed plans to build a water diversion and treatment plant to take water from the North Fork of the White River to provide for our water needs through the year 2022. One would assume that this is our unassailable right because this water originates on our ancestral lands and is necessary to the continued survival of our people. But whenever an Indian Tribe is up against the dominant society, which includes these environmental extremists and water interests, nothing is that simple.

In the East Fork of the White River, there presumably resides a minute and reclusive inhabitant called the loach minnow. Now mind you, I have lived here all my life. I have swam and fished in our rivers and streams and I have never heard of the loach minnow and have never seen one to this day. I doubt that I will ever see one. But It's the Ecological Services claim that the East Fork is one of five areas in Arizona and New Mexico that remain unspoiled enough to provide a perfect habitat for this creature. The loach minnow's entire three-year lifespan is spent under small pebbles and rocks in shallow, fast-running streams. Of course, there were an abundance of such habitats on the Salt, Gila, San Pedro and Verde Rivers until Phoenix and other urban and agricultural interests began their assault on the environment.

The handiwork of developers has reduced the loach minnow's population to a point where it is now considered a threatened species.

To obtain the necessary federal funds to finance the water treatment plant, a study pursuant to the Endangered Species Act had to be conducted. Enter the Ecological Services. Their findings and "reasonable and prudent alternatives" are nothing short of preposterous. Although we wish to take water from the North Fork of the White River, and the loach minnow supposedly resides in the East Fork, one could safely assume that our project would offer no threat to the loach minnow.

However, there have been some loach minnow sightings in the White River mainstream, and the folks at Ecological Services believe their continued existence is vital to those living in the East Fork. They fear that if the water plant reduces the flow in the White River mainstream and kills off the loach minnow living there, that this will threaten the population living in the East Fork. Does this sound rational? I think not.

But this is just the beginning. Wait until you hear their alternatives. They suggest that "reasonable" alternatives would be to construct the water treatment plan about 20 miles downstream on the White River mainstem, or even farther downstream on the Salt River, about two miles from the San Carlos Reservation border. The costs for the installation of such an extensive pipeline and pumping system would make this bureaucratic boondoggle impossible.

Another "reasonable and prudent" alternative they mention is the mining of ground water. This would be a good trick, because ground water has never been found on our reservation. The only wells that have been successful have been those tapping into alluvial sources.

The final alternative they list is the construction of the water plant at our proposed site, but only if we agree to shut it down when the North Fork flow drops below certain levels. When this occurs, we'll also required to shut down the complete water supply system (the nine wells and the spring). The most likely time for this to happen would be during a drought, which would occur during the summer months-the time when water demands are greatest. In other words, Whiteriver would go bone dry. What's more, if we were to proceed with this project under these terms, we'd have to put down a \$90,000 bond which would be forfeited if we were ever found in violation. Without a doubt, the loud and clear message of these extremists is that a four-inch creature, whose existence on our land is questionable, and whose endangered status is even more tenuous, has a higher priority in the pecking order than our own Apache people.

They say that politics makes strange bedfellows. But the thought of these environmental "do gooders" jumping in bed with Phoenix developers, who have been pirating our water and degrading the environment for the past 100 years, is perhaps the strangest union in history.

When I put my ear to the ground, I can hear the developers and the bigwigs at the Salt River Project howling with glee all the way up here.

As I've said before, we have traditionally cared enough about our land to preserve it as a haven for all of the creatures that are natural to this area. An our modern-day accomplishment speak just as well. We have taken great pains to ensure that the Apache Trout have survived, and, although it means a reduction in our income, we have reduced our annual timber cut to make sure that our forests live in perpetuity.

Believe me, I have nothing against the loach minnow. I think it's tragic that they and other species have been killed off in such great numbers by the marauding mainstream society. I am proud that our sacred waters are thought to offer them refuge. But I believe it takes a twisted, if not sick mind to determine that the welfare of this small, anti-social creature takes precedence over our great Apache people.

I see the Endangered Species Act as dominant society's most modern method of performing genocide on the Apache people. First they came with their armies to kill us off. Then they came with their fire water and disease to finish off all who were left. When that failed, they hoarded us into boarding schools and welfared us to death to break our spirit. And now they come with perhaps their most clever scheme of all-taking away our lifeline, our water. But the Apache warrior spirit has sustained us during all past crises and it will see us though this latest attack on our honored way of life.

INDIAN GAMING

Since I have been Chairman of my Tribe, I have seen continuing attempts to destroy and eliminate the autonomy and sovereignty of our Tribe. The most recent example comes in the form of the Indian Gaming Regulatory Act. When the Indian Gaming Regulatory Act (IGRA) was passed in 1988, I was deeply concerned about the ambiguities in the law and the incursions that the Act made upon tribal sovereignty. I saw it as another example of special interest groups undercutting tribal court victories, specifically, the U.S. Supreme Court Cabazon Decision upholding the sovereign rights of tribes to engage in gambling in those states where gambling is not prohibited but only regulated. IGRA gave the state the opportunity to have input by requiring a tribal-state compact process. As for the White Mountain Apache Tribe, we immediately took steps to avail ourselves of the economic development and employment opportunities afforded by Indian gaming.

The supposed intent of the Act was to give Indians across the country the greatly needed opportunity to inject economic vitality into their tribes. But, as I feared, this apparent boon to Indian Tribes has a sticking point: the provision that tribes must negotiate a compact with the state in which they reside before they can offer most types of gaming.

Newspapers throughout the United States have documented, almost without exception, the refusal of states to negotiate these compacts in good faith. The State insists that they must oversee the certification of all casino employees. It seems odd that they demand to have total oversight in something related to money, when they leave it to the tribes to certify that certain professionals, such as teachers who work with children, have no record of child abuse.

The State has also refused to allow the tribes to offer casino games, such as blackjack, and will only allow 250 electronic machines per tribe, no matter what the size of tribal population, market conditions, or administrative capacity. The State wants to impose a regulation fee of \$1,000 per machine per year despite the lack of any proposed budget for these activities. Frustrated over the State's refusal to make a reasonable offer, several Arizona tribes, including the White Mountain Apache Tribe, requested a joint conference with Governor fire Symington. In a typical divide-and-conquer strategy for dealing with Indians, the Governor refused such a meeting.

But the conspiracy of the state's efforts to stop Indian gaming doesn't stop here. The Lakota Times reports that several Las Vegas casinos, with a few exceptions, feeling that Indian gaming poses a threat to their bulging pockets, have organized to fight Indian gaming. This organization has already make contributions to out-of-state congressional candidates as well as the Bush-Quayle re-election campaign.

One of the most flagrant and irresponsible examples of the persecution of Indian gaming is the U.S. Attorney's in Arizona, who in her wisdom, conducted costly armed raids on tribal gaming operations because they were operating without compacts with the State of Arizona. Her priorities seem particularly twisted because there were no victims resulting from Indian gaming and she could have accomplished the same result through the use of a first class letter with a 29-cent stamp.

But the forms of her subtle racism don't end with this issue. Let me give you a more recent example. On the July 4th weekend an Arizona Department of Public Safety officer was tragically killed on our reservation in an auto accident while he was on duty. He was allegedly struck by a vehicle driven by an intoxicated Navajo man. Under the auspices of the U.S. Attorney, all of the necessary paperwork was processed in one day to

ensure that this Navajo man was speedily sent into the federal court system. The FBI even offered to send three agents to assist in the investigation, the type of help which is rarely, if ever, offered.

Meanwhile, during the same time period, an Apache man was allegedly murdered by another Apache man. On July 5, after several days, the suspected murderer was apprehended by Tribal police with no help from federal authorities. To this day, more than three months after the alleged crime, this man sits in custody on our reservation; the federal paperwork necessary for his prosecution in federal court has yet to be filed. This is the very same paperwork that was completed in one day after the unfortunate accident involving the highway patrolman. Make no mistake, the DPS officer was a good man, well respected in the community. Likewise, the Apache man who was murdered was held in equal high respect in his community.

Unfortunately this incident is no exception to the rule, it is the rule. Currently, we have ten unsolved murders on our reservation, and the U.S. Attorney has shown little or no interest in helping us solve these tragedies involving Apache Indians nor has the FBI offered additional agents to help solve these crimes. I feel certain that if any one of the victims in these cases were a white person, then the case would not be gathering cobwebs in some file cabinet and an accused subject would be safely incarcerated with all of the paperwork completed.

I hope the scenarios that I have described regarding our water rights, Indian gaming, and federal law enforcement on our reservation have given you some feeling for the insidious attacks we continue to endure as Indian people.

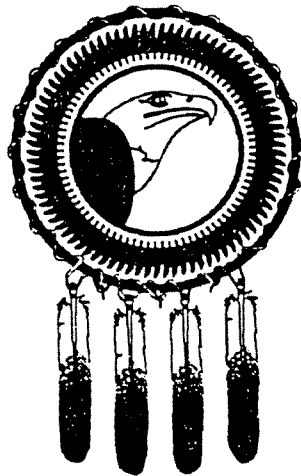
As White Mountain Apaches we understand too clearly that we are often hampered by the cruelty and harshness of the foreign entity who brought their government to our country. Today as in the past, we face a political atmosphere of severity and insensitivity toward the economic, social and legal problems that we Indian people face. The present administration seems resolved to erode the sovereignty of Indian Tribes and to dilute the government-to-government relationship that exists between the Tribes and the federal government.

Our ancestors fought bravely for survival against guns of the European invaders. Our existence today as a populous, progressive tribe continuing to maintain our cultural identity is testimony that our efforts have been successful. But now the mainstream's form of aggression is far more subtle but equally dangerous. That's why, as Tribal Chairman, I remain vigilant at working to protect our sovereign rights. Our survival depends upon it.

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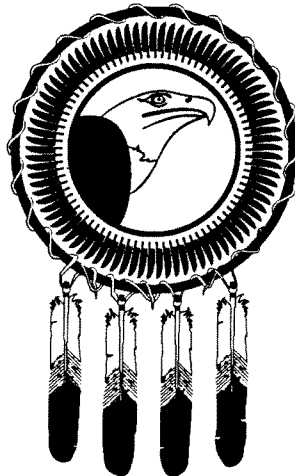
*The Challenges of Leadership and Self-Government:
A Perspective From the White Mountain Apaches (Speech)*

by

Ronnie Lupe

PRS 92-5

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**Harvard Project on
American Indian Economic Development
John F. Kennedy School of Government
Harvard University**

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**SPEAKER SERIES OF THE HARVARD PROJECT
ON
AMERICAN INDIAN ECONOMIC DEVELOPMENT**

**"THE CHALLENGES OF LEADERSHIP
AND SELF-GOVERNMENT:
A PERSPECTIVE FROM THE WHITE MOUNTAIN APACHES"**

**BY: Ronnie Lupe, Tribal Chairman
WHITE MOUNTAIN APACHE TRIBE**

Thursday, October 8, 1992

**John F. Kennedy School of Government
Harvard University, Cambridge, Massachusetts**

Distinguished faculty, students, and guests of the John F. Kennedy School of Government, it is indeed an honor to be invited to make this initial presentation at the Speaker Series of the Harvard Project on American Indian Economic Development. I am encouraged by the academic effort and expertise that the Kennedy School and particularly Professor Joe Kalt is focusing on important development issues that are critical to the future of Indian tribes across the country. It is also gratifying to see that Manley Begay, a Navajo who is married into our tribe, has a prominent role in these efforts. I hope that more Indian people will have an opportunity to study at this fine institution and be involved in these worthwhile projects.

I am Ronnie Lupe, Chairman of the White Mountain Apache Tribe and I bring greetings from the land of the Mountain Spirit Dancers, the Sunrise Dance, the water drum, and the sacred yellow pollen.

For the benefit of those of you who are not familiar with my Tribe, the White Mountain Apache Tribe resides on the 1.6 million acre Fort Apache Indian Reservation located in the central-eastern area of Arizona. The Creator blessed us with a beautiful and bountiful land that rises from an elevation of 2,700 feet at Gleason Flat on the southwest corner of the reservation to 11,590 foot summit of Mt. Baldy at the northeast corner. Approximately 800,000 acres in the northern half of the reservation contains commercial timber with the other half being primarily grazing land.

The White Mountain Apache Tribe is fortunate to have a land base that is rich in natural beauty and bounty. Our land flourishes with life and we are blessed by the changes brought by the four seasons. Our resources provide us with the potential and opportunity for sustainable development for future generations of Apaches.

Fishing abounds on our land which is washed with more than 400 miles of rivers and streams and our Tribe has created twenty-four lakes to add to the recreational enjoyment available on our reservation. Our trophy elk hunt is world renowned, as I am sure Professor Kalt can testify.

The Fort Apache Timber Company, which was started by the Tribe in 1963, is one of the most successful inland sawmills in the country milling 70 million board feet of timber a year. And, our Sunrise Ski Resort, which we began in 1970, has grown to become one of the best ski areas in the Southwest.

Today, our Tribe has grown and matured into a multi-million dollar corporate conglomerate. Not only do we operate successful tribal enterprises but we also provide essential governmental services to over 12,000 tribal members and manage the resources of a land base more than twice the size of the State of Rhode Island. But our size alone is no guarantee of our survival in the economic and political world. We can not afford to relax on our past success. In today's world, you must continue to grow or face stagnation and eventual failure.

The pressure to grow comes not only from the realities of business but the realities of our Tribal demographics. Our Tribe is confronted with a young and growing population. With this dynamic growth comes increasing demands on our Tribal government for jobs, housing, and education. We are challenged to continue our progress and build a stronger economic foundation for ourselves and future generations of White Mountain Apaches.

Tonight I would like to share with you some of the very real challenges that I face as Chairman of the White Mountain Apache Tribe. Challenges to our sovereignty, challenges to our self-governance, challenges to our economic and social development, challenges to our very existence.

The exercise and protection of our Tribal sovereignty has played a vital role in the development of our Tribal enterprises and the strengthening of our Tribal institutions. The growth that we experienced in the past was to a large extent based on the Tribal control and development of our natural resources. But the growth that we envision for the future of the White Mountain Apache Tribe will depend on our ability to absorb modern technological skills, to adopt improved business practices which will in turn broaden and strengthen our Tribal institutions.

We can learn to adopt new technologies and methods of governance by bringing aboard professors from Harvard University and other distinguished universities as well as bringing aboard successful business leaders and administrators to assist us in the development of our Tribal government and businesses. But their advise and guidance must be based on mutual understanding and respect. There must be a mutual understanding that Apaches are capable of learning new technologies and establishing any industry that man has devised if it is necessary for our survival. It must be understood that we have an established right and demonstrated ability to exercise our sovereignty for the betterment of our tribal members and the progress of our tribe. The challenge of survival for the White Mountain Apache people was never easy, it is not easy now nor will it be easy in the future.

But these are the kinds of direct challenges that we as Apache people enjoy. These are challenges that test our strength and discipline, our wit and wisdom, our ability to successfully adapt to our environment. This is the kind of test that we have been meeting for thousands of years.

But there is another type of challenge that is far more subtle and devious. The type of insidious challenges to which I refer is often embodied in governmental policies and practices which are shaped by special interest groups that seek to diminish our basic rights as Indian people, rob us of our resources, and limit our self-governance and self-determination.

Several areas where we are experiencing such challenges jump quickly to mind: our water rights, Indian gaming, and federal law enforcement on our reservation. In many ways they are different but in some significant ways, they are very similar.

WHITE MOUNTAIN APACHE WATER RIGHTS

It so happens that our land is the point of origin of a large water supply. This water flows into the desert valley and is coveted by greedy developers to provide for such "necessities" as swimming pools, large grass lawns, and artificial lakes for housing developments, none of which are natural or environmentally

beneficial. These development interests seek to take our water rights away from us for their personal benefit.

As White Mountain Apaches, we live in an ongoing battle to protect our invaluable, life sustaining, Winter's Doctrine Rights to the use of our water. The Winters Doctrine, based on Supreme Court decisions, has established that we have priority water rights for the present and future needs of the Tribe. Those rights were exercised by my ancestors long before the advent of the non-Indian culture on this continent. Unquestionably, our rights are prior and paramount on the Salt River. They date from time immemorial. Without our rights to the use of water in the Salt River and its tributaries, water which arises on our reservation, our Tribe will not be able to survive into the Twenty-First century. Yet this battle goes on day to day; it has a single objective: The seizure of my Tribe's right to the use of water in the Salt River for the benefit of the downstream Federal Reclamation Project.

The major antagonist of the White Mountain Apache Tribe is now and has been the State of Arizona. It has a single objective, to extend its jurisdiction, its power and authority, over the Winter's Doctrine rights for the use of our water, and to deprive my Tribe of those rights. The State is aided in their attempts to steal our water by the policies and practices of the Secretary of the Interior who has used every method available over the last century to frustrate water development on our reservation and subordinate our invaluable water rights to the demands of downstream non-Indian water users.

We have tremendous water needs for irrigation, domestic use, livestock, municipal, industrial and public services, fish and wildlife, outdoor recreation, cultural needs, hydro-electric power and other related uses which can utilize our water for the benefit of our Apache people, now and in the future.

Most recently, this battle to protect our water rights has taken a devious turn as the focus of efforts to thwart our rights has shifted to the enforcement of the Endangered Species Act.

Since the beginning of time, we Apaches have treated the land upon which we live with ultimate respect. We revere the trees, rivers and abundant wildlife. We take from the land only what we need, and then give thanks for its gifts. Our Apache traditions and cultural values have long been nourished by our sacred relationship to the land and with the Creator, Bik'ego ihi'dan, the Giver of Life. With this philosophy, which guides us as we practice our customs and religion, we have maintained a sanctuary for all of the living things which reside on our reservation.

Situated about 200 miles downstream from us is the city of Phoenix, whose values are diametrically opposed to our own. The best way to describe this metropolitan area is to say that it is a water-gulping monster with

an insatiable thirst. To help feed this obscene appetite, "the johnnie-come-lately" developers of the state of Arizona built Roosevelt Dam on the Salt River, just below the boundary of our reservation. In so doing, these developers forever altered the ecosystem along this stretch of the river, and, in combination with similar projects and associated land developments, became a major contributor to the destruction of 90 percent of the riparian areas in our State. And where does much of the remaining 10 percent of the untouched areas still reside? You're correct: Right there on the land of our ancestors, whose reverence for the Creator, in essence, made us the first conservationists.

When mainstream society began to realize the vast environmental destruction being caused by Phoenix and many other such urban monsters scattered throughout the United States, legislation was created to stem the unrelenting tide. One such measure is the Endangered Species Act, whose purpose as you know is to protect the legion of plants and animals that are threatened by extinction. It almost goes without saying that many of these species live on our reservation.

But what started as a well-intentioned piece of legislation, has resulted in the punishment of those who had the courage and wisdom to resist the temptation to plunder their land. And this blind application of the Endangered Species Act has been facilitated by a group of environmental extremists, the Ecological Services branch of the Fish and Wildlife Service, whose job it is to interpret and enforce the Act. Let me explain.

The town of Whiteriver and its surrounding area has grown to such a point that it now uses more water than its current water system (nine alluvial wells and a spring) can supply. To meet this demand for an adequate supply of public water, the Tribe and Indian Health Services have developed plans to build a water diversion and treatment plant to take water from the North Fork of the White River to provide for our water needs through the year 2022. One would assume that this is our unassailable right because this water originates on our ancestral lands and is necessary to the continued survival of our people. But whenever an Indian Tribe is up against the dominant society, which includes these environmental extremists and water interests, nothing is that simple.

In the East Fork of the White River, there presumably resides a minute and reclusive inhabitant called the loach minnow. Now mind you, I have lived here all my life. I have swam and fished in our rivers and streams and I have never heard of the loach minnow and have never seen one to this day. I doubt that I will ever see one. But It's the Ecological Services claim that the East Fork is one of five areas in Arizona and New Mexico that remain unspoiled enough to provide a perfect habitat for this creature. The loach minnow's entire three-year lifespan is spent under small pebbles and rocks in shallow, fast-running streams. Of course, there were an abundance of such habitats on the Salt, Gila, San Pedro and Verde Rivers until Phoenix and other urban and agricultural interests began their assault on the environment.

The handiwork of developers has reduced the loach minnow's population to a point where it is now considered a threatened species.

To obtain the necessary federal funds to finance the water treatment plant, a study pursuant to the Endangered Species Act had to be conducted. Enter the Ecological Services. Their findings and "reasonable and prudent alternatives" are nothing short of preposterous. Although we wish to take water from the North Fork of the White River, and the loach minnow supposedly resides in the East Fork, one could safely assume that our project would offer no threat to the loach minnow.

However, there have been some loach minnow sightings in the White River mainstream, and the folks at Ecological Services believe their continued existence is vital to those living in the East Fork. They fear that if the water plant reduces the flow in the White River mainstream and kills off the loach minnow living there, that this will threaten the population living in the East Fork. Does this sound rational? I think not.

But this is just the beginning. Wait until you hear their alternatives. They suggest that "reasonable" alternatives would be to construct the water treatment plan about 20 miles downstream on the White River mainstem, or even farther downstream on the Salt River, about two miles from the San Carlos Reservation border. The costs for the installation of such an extensive pipeline and pumping system would make this bureaucratic boondoggle impossible.

Another "reasonable and prudent" alternative they mention is the mining of ground water. This would be a good trick, because ground water has never been found on our reservation. The only wells that have been successful have been those tapping into alluvial sources.

The final alternative they list is the construction of the water plant at our proposed site, but only if we agree to shut it down when the North Fork flow drops below certain levels. When this occurs, we'll also be required to shut down the complete water supply system (the nine wells and the spring). The most likely time for this to happen would be during a drought, which would occur during the summer months-the time when water demands are greatest. In other words, Whiteriver would go bone dry. What's more, if we were to proceed with this project under these terms, we'd have to put down a \$90,000 bond which would be forfeited if we were ever found in violation. Without a doubt, the loud and clear message of these extremists is that a four-inch creature, whose existence on our land is questionable, and whose endangered status is even more tenuous, has a higher priority in the pecking order than our own Apache people.

They say that politics makes strange bedfellows. But the thought of these environmental "do gooders" jumping in bed with Phoenix developers, who have been pirating our water and degrading the environment for the past 100 years, is perhaps the strangest union in history.

When I put my ear to the ground, I can hear the developers and the bigwigs at the Salt River Project howling with glee all the way up here.

As I've said before, we have traditionally cared enough about our land to preserve it as a haven for all of the creatures that are natural to this area. An our modern-day accomplishment speak just as well. We have taken great pains to ensure that the Apache Trout have survived, and, although it means a reduction in our income, we have reduced our annual timber cut to make sure that our forests live in perpetuity.

Believe me, I have nothing against the loach minnow. I think it's tragic that they and other species have been killed off in such great numbers by the marauding mainstream society. I am proud that our sacred waters are thought to offer them refuge. But I believe it takes a twisted, if not sick mind to determine that the welfare of this small, anti-social creature takes precedence over our great Apache people.

I see the Endangered Species Act as dominant society's most modern method of performing genocide on the Apache people. First they came with their armies to kill us off. Then they came with their fire water and disease to finish off all who were left. When that failed, they hoarded us into boarding schools and welfared us to death to break our spirit. And now they come with perhaps their most clever scheme of all-taking away our lifeline, our water. But the Apache warrior spirit has sustained us during all past crises and it will see us though this latest attack on our honored way of life.

INDIAN GAMING

Since I have been Chairman of my Tribe, I have seen continuing attempts to destroy and eliminate the autonomy and sovereignty of our Tribe. The most recent example comes in the form of the Indian Gaming Regulatory Act. When the Indian Gaming Regulatory Act (IGRA) was passed in 1988, I was deeply concerned about the ambiguities in the law and the incursions that the Act made upon tribal sovereignty. I saw it as another example of special interest groups undercutting tribal court victories, specifically, the U.S. Supreme Court Cabazon Decision upholding the sovereign rights of tribes to engage in gambling in those states where gambling is not prohibited but only regulated. IGRA gave the state the opportunity to have input by requiring a tribal-state compact process. As for the White Mountain Apache Tribe, we immediately took steps to avail ourselves of the economic development and employment opportunities afforded by Indian gaming.

The supposed intent of the Act was to give Indians across the country the greatly needed opportunity to inject economic vitality into their tribes. But, as I feared, this apparent boon to Indian Tribes has a sticking point: the provision that tribes must negotiate a compact with the state in which they reside before they can offer most types of gaming.

Newspapers throughout the United States have documented, almost without exception, the refusal of states to negotiate these compacts in good faith. The State insists that they must oversee the certification of all casino employees. It seems odd that they demand to have total oversight in something related to money, when they leave it to the tribes to certify that certain professionals, such as teachers who work with children, have no record of child abuse.

The State has also refused to allow the tribes to offer casino games, such as blackjack, and will only allow 250 electronic machines per tribe, no matter what the size of tribal population, market conditions, or administrative capacity. The State wants to impose a regulation fee of \$1,000 per machine per year despite the lack of any proposed budget for these activities. Frustrated over the State's refusal to make a reasonable offer, several Arizona tribes, including the White Mountain Aapche Tribe, requested a joint conference with Governor fire Symington. In a typical divide-and-conquer strategy for dealing with Indians, the Governor refused such a meeting.

But the conspiracy of the state's efforts to stop Indian gaming doesn't stop here. The Lakota Times reports that several Las Vegas casinos, with a few exceptions, feeling that Indian gaming poses a threat to their bulging pockets, have organized to fight Indian gaming. This organization has already make contributions to out-of-state congressional candidates as well as the Bush-Quayle re-election campaign.

One of the most flagrant and irresponsible examples of the persecution of Indian gaming is the U.S. Attorney's in Arizona, who in her wisdom, conducted costly armed raids on tribal gaming operations because they were operating without compacts with the State of Arizona. Her priorities seem particularly twisted because there were no victims resulting from Indian gaming and she could have accomplished the same result through the use of a first class letter with a 29-cent stamp.

But the forms of her subtle racism don't end with this issue. Let me give you a more recent example. On the July 4th weekend an Arizona Department of Public Safety officer was tragically killed on our reservation in an auto accident while he was on duty. He was allegedly struck by a vehicle driven by an intoxicated Navajo man. Under the auspices of the U.S. Attorney, all of the necessary paperwork was processed in one day to

ensure that this Navajo man was speedily sent into the federal court system. The FBI even offered to send three agents to assist in the investigation, the type of help which is rarely, if ever, offered.

Meanwhile, during the same time period, an Apache man was allegedly murdered by another Apache man. On July 5, after several days, the suspected murderer was apprehended by Tribal police with no help from federal authorities. To this day, more than three months after the alleged crime, this man sits in custody on our reservation; the federal paperwork necessary for his prosecution in federal court has yet to be filed. This is the very same paperwork that was completed in one day after the unfortunate accident involving the highway patrolman. Make no mistake, the DPS officer was a good man, well respected in the community. Likewise, the Apache man who was murdered was held in equal high respect in his community.

Unfortunately this incident is no exception to the rule, it is the rule. Currently, we have ten unsolved murders on our reservation, and the U.S. Attorney has shown little or no interest in helping us solve these tragedies involving Apache Indians nor has the FBI offered additional agents to help solve these crimes. I feel certain that if any one of the victims in these cases were a white person, then the case would not be gathering cobwebs in some file cabinet and an accused subject would be safely incarcerated with all of the paperwork completed.

I hope the scenarios that I have described regarding our water rights, Indian gaming, and federal law enforcement on our reservation have given you some feeling for the insidious attacks we continue to endure as Indian people.

As White Mountain Apaches we understand too clearly that we are often hampered by the cruelty and harshness of the foreign entity who brought their government to our country. Today as in the past, we face a political atmosphere of severity and insensitivity toward the economic, social and legal problems that we Indian people face. The present administration seems resolved to erode the sovereignty of Indian Tribes and to dilute the government-to-government relationship that exists between the Tribes and the federal government.

Our ancestors fought bravely for survival against guns of the European invaders. Our existence today as a populous, progressive tribe continuing to maintain our cultural identity is testimony that our efforts have been successful. But now the mainstream's form of aggression is far more subtle but equally dangerous. That's why, as Tribal Chairman, I remain vigilant at working to protect our sovereign rights. Our survival depends upon it.

