



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

**(Opposing Off-Reservation and Non-Indian Gaming and Opposing a Proposed
Casino Resort Development by the Tohono O'odham Nation)**

WHEREAS, pursuant to Article IV, Section 1(a) of the Constitution of the White Mountain Apache Tribe, *inter alia*, the Tribal Council has the authority to represent the Tribe and act in all matters that concern the welfare of the Tribe; and

WHEREAS, Representative Andrew M. Tobin (Arizona District 1) has announced his intentions to introduce legislation that would allow slot machines to be operated out of existing horse and dog track racing venues throughout the State of Arizona, converting the race and dog tracks into "racinos" and potentially allowing for 1,500 slots per race track; and

WHEREAS, Passage of any law allowing for racinos would directly violate the voter approved Proposition 202 which provides for Indian-gaming exclusivity in the State of Arizona, triggering the "poison pill" provision of the State of Arizona-Tribal gaming compacts, resulting in the elimination of Indian gaming restrictions on the number and type of games and gaming facilities a Tribe could operate, and severely reducing the amount of revenue Tribes pay to the State and local governments for needed programs; and

WHEREAS, In January 2009, the Tohono O'odham Nation announced its plans to develop a 1.2 million square foot casino and resort project within the geographic boundaries of the City of Glendale, to include 150,000 square feet of gaming space, 1,089 gaming machines, 50 table games, 24 poker tables and a 1,000 seat bingo hall plus convention, hotel and retail space; and

WHEREAS, Development of the Tohono O'odham Nation casino resort, by virtue of its projected size and location within the City of Glendale, violates the spirit of Proposition 202 in that Tribes promised the People of the State of Arizona that Indian Gaming would be limited in size, scope and location and would operate exclusively on Indian reservation land; and

WHEREAS, Announcement of the Tohono O'odham Nation casino project has fueled support for off-reservation and non-Indian gaming horse and dog track racinos; and

WHEREAS, The prospect of racinos operating throughout the State of Arizona, along with the proposed development of the Tohono O'odham Nation casino resort, pose a direct and imminent threat to the economic viability of the White Mountain Apache Tribe's gaming operations as well as that of other Arizona Tribes, in particular the member Tribes of the Apache Rural Coalition, and would also negatively impact the State of Arizona and local communities who currently benefit from revenue sharing generated by Indian gaming; and

WHEREAS, On March 4, 2009, the Tribal Leadership of the Apache Rural Coalition met to discuss the threat of the proposed racinos and Tohono O'odham Nation casino resort project; and

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WHEREAS, The Apache Rural Coalition shared mutual alarm over these developments and, as a result, identified several action items in response, including sending a joint Apache Rural Coalition letter to the Arizona Republic editorial section (*draft letter is attached as Exhibit A*) and sponsoring a voter survey within Maricopa County to measure whether the public opinion, either in favor or opposition to the horse and dog tracks being converted into racinos, is influenced by the proposed Tohono O'odham Nation casino resort development; and

WHEREAS, The voter survey is estimated to cost approximately \$20,000.00; the cost to be borne equally amongst the Apache Rural Coalition Tribes who choose to participate in the study; and

WHEREAS, The Council finds that it is in the best interest of the White Mountain Apache Tribe to adopt unequivocal opposition to the development of any and all off-reservation and non-Indian gaming in the State of Arizona and equally opposes the proposed Tohono O'odham Nation casino project for the reasons stated herein.

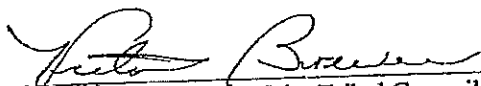
NOW THEREFORE BE IT RESOLVED, that the Tribal Council of the White Mountain Apache Tribe adopts unequivocally, the opposition to off-reservation and non-Indian gaming in the State of Arizona, presently proposed in the form of slot machines within horse and dog track race venues throughout the State.

BE IT FURTHER RESOLVED, that the Tribal Council of the White Mountain Apache Tribe opposes the proposed Tohono O'odham Nation casino project in that it violates the spirit of Proposition 202 thereby fueling support for off-reservation and non-Indian gaming.

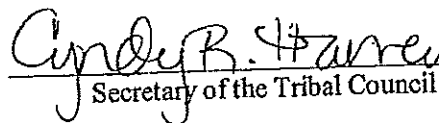
BE IT FURTHER RESOLVED, that the Tribal Council of the White Mountain Apache Tribe approves participation of the Tribe in a voter survey targeted to measure whether the public opinion of Maricopa County regarding off-reservation, non-Indian gaming is influenced by the proposed Tohono O'odham Nation casino resort development, and furthermore, approves to share an equal prorated amount of the total cost, estimated at \$20,000.00, amongst the Apache Rural Coalition Tribes, to be paid by the Hon-Dah Casino.

BE IT FINALLY RESOLVED, that the Tribal Council of the White Mountain Apache Tribe approves and adopts the Joint Apache Rural Coalition letter, in the form attached as *Exhibit A*, and authorizes the Chairman to execute and deliver the attached letter, in its final form, to the editorial section of the Arizona Republic newspaper.

The foregoing resolution was on March 9, 2009, duly adopted by a vote of for TEN and ZERO against by the Tribal Council of the White Mountain Apache Tribe, pursuant to the authority vested in it by Article IV, Section 1 (a), (b), (i), (k), (l) 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).



ACTING Chairman of the Tribal Council



Secretary of the Tribal Council