



Record of Apache opposition to the desecration of Mt. Graham by the University of Arizona and their astronomer-collaborators



The Apache *Guan* or Mountain Spirit Dancers have profound religious significance to the Apache. They reside at special mountains such as *Dzil Nchaa Si An* (Mt. Graham) and provide spiritual guidance, health, and direction in the Apache lifeway. [photo by Sandra Rambler, member, San Carlos Apache Tribe]

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CHRONOLOGICAL INDEX

Dec. 14, '89 UA meets San Carlos Tribal Council and is informed of their opposition to the project and of their intent to pass an opposition resolution. UA, Vatican, and German astronomers ignore Apache Council's pleadings and clear-cut summit forest 10 mos. later. [p. 1]

Feb. 6, '90 Council unanimously authorizes Ola Cassadore Davis to *"work in opposition to the...telescope(s) on top of Mt. Graham."* (9-0). [p. 2]

July 10, '90 Council (6-0) passes resolution declaring *"...any permanent modification of the present form of this mountain constitutes a display of profound disrespect for a cherished feature of the Apache's original homeland as well as a serious violation of Apache traditional religious beliefs...The San Carlos Apache Tribe states its firm and total opposition to the construction of a telescope on the top of Mt. Graham..."* UofA ignores Apache Tribe, clear-cuts summit scope site in Oct. '90. [p. 3]

Aug. 31, '90 Tribal Chairman Kitcheyan writes Forest Service, threatens lawsuit: *"Since time immemorial Mt. Graham has been a sacred mountain to the Apache people...Yet, the Tribe has never been contacted by your office to inquire about potential impacts of the project on the Apache religion, certainly not in the four years that I have served as Tribal Chair. Last week we did receive a visit from representatives of the University of Arizona. When we expressed our concern about the potential religious impacts, they offered to delay the project a total of one week...This is clearly an inadequate amount of time for such a complex undertaking and the Tribal Council considered it to be a demeaning and hollow offer."* [p. 4]

June 4, '91 Entire Tribal Council (9-0) individually signs protest letter to USFS (cc: to collaborators) of project's violations of NEPA, AIRFA, NHPA, NFMA: *"The Council demands: "Immediate permit revocation and immediate cessation of construction activity on Dzil Nchaa Si An ...As you know, Dzil Nchaa Si An is sacred to the Apache people. Since the early stages of telescope development, the University of Arizona and the Forest Service have known of its religious and cultural importance to our Tribe. The legal mandate for Forest Service compliance with protective cultural, archeological and religious statutes has never been revoked. The Forest Service has violated its duty to respect the religious freedom of Indian people."* [p. 5]

Aug. 19, '91 Apache elders, spiritual leaders, etc. file suit. German Max Planck/Vatican astronomers ignore Apache lawsuit and proceed to pour cement soon thereafter. [p. 6]

Dec. 10, '91 Pacheco visits reservation, offers implied bribes. Council reaffirms '90 resolution and support of Apache Survival Coalition (9-0). [p. 7,8]

Feb. 8, '92 Chairman Thompson asks pope to meet Apache. Pope agrees, but Vatican Secy. of State, Cardinal Sodano, cancels audience at the last minute after Apache reach Rome. [p. 9]

April 28, 1992 Chairman Thompson sends copies of July 10, 1990 and Dec. 10, 1991 Tribal resolutions to Pope John Paul II opposing Mt. Graham telescopes. [p. 9]

April 10-28, '92 15 San Carlos Apache Spiritual Leaders, Medicinepeople sign Petition opposing telescopes: *"We the undersigned spiritual leaders of the Apache people acknowledge the central sacred importance of Dzil Nchaa Si An (Mt. Graham) to the traditional religious practice of the Apache. We oppose the Mt. Graham project because it will interfere with the ability of the traditional Apache to practice their religion."* [p. 10]

June 24-26, '92 Three Council members sent on official delegation to D.C. They protest to Italian ambassador, German embassy, AZ Congressional Del., Catholic Press Assn. [p. 11]

Aug. 24, '92 Entire Council (9-0) signs protest letter to German Parliament [p. 12, 13]

Oct. 30, '92 Entire Tribal Council (9-0) signs protest to Vatican Sec. of State Sodano. [p. 14]

Sept. 24, '92 Council invites Bishop Moreno to San Carlos to explain Vatican participation. [p. 15]

Sept. 30, '92 Tucson Bishop Moreno refuses to meet with Tribe, says it's up to U.S. Courts. [p. 15]

May 21, '93 Council votes 9-0, to reaffirm opposition Resolutions of '90, '91. [p. 16]

Jan. 18, '93 *National Congress of American Indians* resolution unanimously supports Apache opposition resolutions and "...**legislation to remove the telescopes...**" [p. 17]

July 13, '93 Tribal Council votes (4-2) for "neutrality" on telescopes. [p. 18]

Dec. 14, '93 Chairman Talgo, who voted and signed numerous documents opposing telescopes, now becomes UA's "good" Indian. He sends letter to USFS reaffirming neutrality resolution. Losing re-election 11 mos. later, he becomes paid "construction engineer" on Mt. Graham, and paid UA Apache "consultant." UA trundles him around to newspapers, signs letters-to-the-editor for UA etc." [p. 18A]

Feb. 14, '94 San Carlos Apache Tribal Cultural Advisory Committee members sign petition stating their opposition to telescope project. [p. 19]

Oct. 24, '94 As elections approach, UA "good" Indian Chairman Talgo becomes UA "bad" Indian and beseeches Italian parliament to halt telescope desecration: "***Dzil Nchaa Si An... is the core of our traditional practices. This mountain is the spring of our life, the protector of our existence.***" [p. 20]

Oct. 26, '94 Short-lived 1993 "neutrality" resolution goes down in flames as six (a majority) of Council sign declaration to Italian Parliament specifically reaffirming the Council's previous opposition resolutions: "***We are firmly committed to these resolutions which are in force today. They represent the sentiments of a majority of the Tribal Council as well as the traditional spiritual leaders of our tribe and the traditional Apache people.***" [p. 21]

March 13, '95 Tribal Vice-chairman Marvin Mull thanks Italian parliament member Canesi for his efforts to have Italy abandon Mt. Graham. [p. 22]

June 13, '95 Council, (6-0), rescinds neutrality resolution, reaffirms opposition. [p. 23]

July 12, '95 San Carlos Tribe History Program Director notifies a footdragging USFS and AZ State Historic Preservation Office to undertake long overdue *Traditional Cultural Property* studies of Mt. Graham for eligibility for the National Register of Historic Places. [p. 24]

Sept. 25, '95 San Carlos Tribe states their opposition to UA's lobbying a 2nd rider. [p. 25]

Sept. 25, '95 Tribe protests German Mt. Graham involvement to Helmut Kohl. [p. 26]

Oct. 29, '95 *Nat'l Congress of Am. Indians* unanimous resolution opposing any Congressional rider to exempt telescopes from U.S. cultural or environmental protection laws. [17]

Nov. 8, '95 Ramon Riley, Dir., White Mtn. Apache Tribe Cultural Resources Director protests to the German Council of Astronomers: "***the observatory project has significantly harmed our already damaged culture in a profound and almost unforgivable way.***" [p. 27]

Nov. 15, '95 Vice-Chair. Mull asks Janet Reno to prosecute lawbreaking USFS officials who knew of Mt. Graham sacredness during NEPA and failed to report it, and illegally clear-cut Emerald Pk. [p. 28]

Nov. 15, '95 Tribe asks Sen. McCain for USFS to undertake long overdue cultural studies. [p. 29]

Dec. 5, 1995 UA's only pro-telescope Councilman consistently in their pocket, Wm. Belvado, sends letter with absurdly false statements to Congress. [29A].

Dec. 21, '95 Tribe asks President Clinton to veto Kolbe's telescope relocation rider. [p. 30]

Nov. 30, '95 Representatives of six (NM, AZ, OK) Apache tribes protest any rider exempting astronomers from U.S. environmental and cultural protection laws. [p. 31]

March 21, '96 Navajo Nation President Hale urges Clinton to oppose UofA Mt. Graham rider. [p. 32]

May 30, '95 Mull protests to Clinton on signing UofA rider. [p. 33]

Aug. 16, '96 Advisory Council on Historic Preservation notifies USFS of USFS failure to follow cultural laws regarding Apache religious beliefs on Mt. Graham. [p. 34]

Sept. 6, '96 White Mtn. Apache concur with Advisory Council on USFS' footdragging. [p. 35]

Jan. 8, '97 White Mtn. Apache Tribe, Ramon Riley, Cultural Resources Director, to OSU Pres. Gee: "***...the long term health of Apache people and our cultures depend in a very real way on the physical and visual integrity of our ancestral landscapes...no good can come from an observatory built on institutional arrogance and aggressive contempt for divergent values and perspectives.***" [36].

Dec. 3, '97 Raymond Stanley, San Carlos Chairman thanks President Clinton for vetoing \$10 million in NASA funds for Mt. Graham telescope. [p. 37]

Nov. 13, '97 Ramon Riley, Dir., White Mtn. Apache Cultural Center., thanks Clinton for veto. [p. 37]

Mar. 24, '99 Vice-Chairman Velasquez Sneezy plea to German Chancellor Schroeder and Italian President Scalfaro to halt funding for Mt. Graham telescopes. [37A]

July 20-23, '99 *National Congress of American Indians* unanimous resolution asks that ***“the Secretary of Agriculture and the FS must determine that the public interest requires termination of that [telescope] permit and the prompt removal of the telescopes...”*** [p. 38]

July 15, '99 White Mountain Apache Tribal Council unanimously resolved that *Dzil Nchaa Si An* as a whole was an Apache Sacred Site, ***“...having substantial and indivisible historical, cultural and religious importance to Apaches...”*** [p. 39]

June 5, '01 San Carlos Tribal Council (7-2) reaffirms '90, '91, '93, '94, '95 (see pp. 3, 7-8, 16, 21, 23, 40) opposition resolution declarations for sixth time. [p. 40]

Nov. 30, 2001 *National Congress of American Indians* unanimous resolution: ***“...urges any university...to look elsewhere...and to not join the U. of Arizona...which desecrates Dzil Nchaa Si'an and continues to harm Western Apache people, their culture and their religion.”*** [p. 40A].

Jan. 9, '02 White Mtn. Apache Tribal Chairman Dallas Massey to U. Minn. Pres. Yudof, U. Virginia Pres. Casteen, U. Minn. Bd. of Regents Chair Reed: ***“...this mountain should not be disturbed...Please take heed...If you are willing to understand the lessons from our culture and history then UM will avoid any and all association with the telescope project, thus avoiding additional damage to the Apache people, and Apache culture, and our sacred mountain.”*** [p. 40B]

Jan. 11, 2002 San Carlos Council members Myron Moses, Robert Olivar, Shirley Titla letters to of U. MN & U. VA reaffirming council's June 2001 telescope opposition resolution. [p. 40C]

Jan. 15, 2002 Indian Affairs Council, State of Minnesota resolution ***“strongly respectfully request and urge the U. of Minn. and any university or other entity...to not join the U. of Arizona and its collaborators in their Mount Graham telescope complex which desecrates Dzil Nchaa Si An and continues to harm Western Apache people, their culture and their religion...”*** [p. 40D]

References:

1986, *U. of Oklahoma Press*, Map showing the systematic, unilateral, territorial dismemberments of the Western Apache reservation boundaries. *Dzil Nchaa Si An* (Mt. Graham) as well as the rich Gila Valley in today's Graham County had long been documented as Apache farmland and homeland (see map p. 64). Reservation boundaries formerly included Mt. Graham and the Gila Valley. But by 1873, with the Apache forced at gunpoint to stay at reservation feeding stations, all of Mt. Graham and the Gila River Valley were unilaterally expropriated by executive decree for the benefit of developers, settlers, and squatters bent on fulfilling their manifest destiny. Currently the reservation boundary is 3 miles from the toe of Mt. Graham (see map, p. 41, from *Arizona Republic*). [p. 41]

Oct. 4, 1989 Ola Cassadore Davis protests telescopes, *Tucson Citizen*. [p. 42]

Nov. 14, 1991 *Keepers of the Treasures* opposition resolution on behalf of 60+ Indian Tribes [p. 43]

Nov. 27, 1991 Wash. D.C., 15 Indian and 11 environmental groups formally oppose telescopes. [p. 44]

April 9, 1992 Testimony of Dr. Keith Basso, *Apaches vs. USFS*: ***“As interpreted by the Apache, damage to Mount Graham would certainly result in damage to themselves, for damage to the mountain could only be seen as a display of profound disrespect. Such disrespect would precipitate a lasting disruption in the workings of the universe, and this in turn would bring serious harm to persons living within it. In short, permanent damage to Mount Graham would be construed by the Apache as an act of religious desecration, of wanton and gratuitous defilement, and its shattering repercussions would be numerous and profound.”***

For reasons that come straight from the core of the Apache's rich and venerable culture, the Apache believe that Mount Graham is essential for maintaining their traditional way of life and the intricate rhythms of their roundly sacred universe. The telescopes desecrate Mount Graham because they violate and impugn the mountain's "life" and all associated forms of life that have existed for centuries on the mountain.”

These forms of life possess inherent sacred properties, or "di yi", and unless proper forms of respect are shown, these powers may not be drawn upon by trained Apache personnel for beneficial social purposes. Construction of the telescopes is a blatant form of disrespect and so threatens the ability of the Apache to call upon the sacred powers, all of those that are associated with these forms of life, to perform their accustomed social purpose. In short, construction of the telescopes violates the natural order of the Apache universe and threatens to bring chaos into the world." [p. 45-48]

June 28, 1994 Apache Elders at Mt. Graham sacred run, *San Carlos Apache Moccasin*. [p. 49]

July 6, 1994 San Carlos elders thank sacred Mtn. runners, *Navajo-Hopi Observer*. [p. 50]

April 28, 1992 opposition resolution, City of Rome. [p. 51]

June 1, 1992 opposition resolution, City of Florence. [p. 52]

Aug. 10, 1992 UA Administration newsletter- *Lo Que Pasa*. Pope poses with UA-financed, UA-selected San Carlos group. They toured UA's Max Planck, Italian and Vatican astronomer/collaborators telling the Europeans how pleased the Apache people were to have telescopes on Mt. Graham. *Lo Que Pasa*'s photo caption falsely claimed that this group "represented the San Carlos Apache." In fact, the San Carlos govt., medicinepeople, and cultural and traditional leaders were on record with repeated opposition documentations. One of the members of that UA-arranged and financed delegation of "good" Indians, Wm. Belvado, became the sole tribal council member who consistently supported UA despite the outpouring of Apache opposition documentations (pp. 1, 2, 3, 4, 5, 7-8, 9, 10, 11, 12-13, 14, 15, 16, 19, 21, 22, 23, 24, 25, 26, 27, 28, 29, 30, 31, 33, 35, 36, 37, 40, 40B, 40C). [p. 53]

May 25, '92 Father Coyne, S.J., Director, Vatican Observatory declares Apache beliefs "*a kind of religiosity...which must be suppressed with all the force we can muster.*" [p. 54]

May 26, '92 "Apache delegation denied audience with pope" *Moccasin*, Globe, AZ [p. 55]

July 14, '92 *San Carlos Apache Moccasin*, Editorial, Editor, Dale Miles: "*If such institutions like the Catholic Church and the Max Planck Institute are going to listen to only one side...*" [p. 55]

April 5, '94 Mt. Graham opposition resolution, City Council of Pittsburgh: "*...the U. of Pittsburgh's involvement...tarnishes the intage of the Pittsburgh community.*" [p. 56]

March 27 '95 National Council of Churches, Racial Justice Working Gp. resolution. [p. 57]

Mar. 28, '95 Apache picket Italian/Vatican/UofA astronomers at San Carlos. [p. 58]

Aug. 29, '95 German astronomers visit SC reservation, act disrespectfully. *Moccasin* [p. 59]

Winter '96 Dr. Eliz. Brandt, *Cultural Survival*, [p. 60-68]: "*For the astronomers...[Mt. Graham]...is merely a convenient dead platform...For the Apache these alterations are intolerable violations, both symbolic and physical rents in the fabric of the cosmos...The telescopes "must go" or something unimaginable will happen.*"

Jan. 21, '98 "Have you got your permit to pray?" *Navajo-Hopi Observer*. [p. 69]

Feb. 4, '98 Nosie acquitted of trespassing." *Navajo-Hopi Observer*. [p. 69];

Aug. 13, '98 UA "Mt. Graham 'prayer permit' angers Apaches." *Ariz. Daily Star* [p. 70]

Aug. 15, '98 "UA requires prayer permits for Indians on Mt. Graham," *Ariz. Republic* [p. 70]

May '01 "Judge decides for UA and against Mt. Graham," *News from Indian Country*. [p. 71]

Aug. 1, '01 "Mt. Graham run ensures victory for sacred land, *Indian Country Today*. [p. 72]

Dec. 6, '01 *Apache Survival Coalition* plea to U. of Minn. Pres. Mark Yudof to desist. [p. 73]

Dec. 18, '01 *Apaches For Cultural Preservation* plea to Pres. Yudof to desist. [p. 74]

Dec. 26, 2001 Editorial, *San Carlos Apache Moccasin*, Sandra Rambler, to Pres. Yudof: "*What is it that makes a "center of higher learning" do things like that to defenseless people when there are other places for telescopes that don't cause suffering?"* [p. 75]

For info:

Apache Survival Coalition, P.O. Box 1237, San Carlos AZ 85550, e-mail: asc@corppernet.net

Apaches For Cultural Preservation, P.O. Box 249, San Carlos, AZ 85550, e-mail:

apaches4cultural@thriver.com Web page: personal.riverusers.com/~apaches4cultural/

Mt. Graham Coalition, Box 15451, Phoenix AZ 85060 Web page: mountgraham.org area:asc 1-02



THE UNIVERSITY OF ARIZONA

TUCSON, ARIZONA 857

OFFICE OF
COORDINATOR OF INDIAN PROGRAMS
ANTHROPOLOGY BUILDING

December 27, 1989

Mr. Buck Kitcheyan, Chairman
San Carlos Apache Reservatio
P.O. Box 0
San Carlos, Az. 85550

Dear Buck,

On behalf of Steward Observatory, University of Arizona, I want to thank you for allowing us to discuss plans for the development of the international observatory on Mt. Graham before the Tribal Council on December 14, 1989.

Our purpose in appearing before the San Carlos Council on the 14th of December was to:

1. to assure the Council that the University of Arizona has the deepest respect for Apache religious beliefs and practices,
2. that the University of Arizona is willing to meet with Apache religious representatives to determine if Mt. Graham construction plans interfere with Apache religious practices.

It was my impression that council members require more information on the construction of the Mt. Graham observatory before making a decision to support a resolution to oppose construction. We at the University of Arizona extend an invitation to the San Carlos Council to visit our campus in Tucson to learn more about the scientific purpose of the Mt. Graham Observatory, just as we are willing, if necessary, to meet with Apache religious elders to discuss their concerns. Upon your request, I will make appointments for council members to visit the Steward Observatory to view the workings of telescopes and what our scientists are discovering, to visit the laboratories where mirrors are cast and polished, and if time permits, to visit the observatory atop Mt. Lemmon.

Under another cover, I am sending materials published by the Mt. Graham Task Force, to give a bird's eye view of the purpose this facility.

Again, I thank you for your interest in the Mt. Graham Project, and for putting us on the council agenda. Please let me know of the council's interest in visiting our campus, and how we might respond to questions that Council members might have concerning Mt. Graham.

With warm regards,

Gordon V. Krutz

Gordon V. Krutz
Coordinator
Office of Indian Programs

The politically-muscled University of Arizona (UA) spent years pressuring the U.S. Forest Service and Fish and Wildlife Service on Mt. Graham. UA circumvented that impasse in a UA rider sneaked through in the final hours of the 1988 Congress without any hearings. UA became the first U.S. university to attempt a blanket exemption from U.S. cultural, religious and environmental protection laws. In 1989 UA (see letter on this page) found themselves facing a Tribal Council they had never consulted and thought they could ignore. UA attempts to put scopes on the San Francisco Peaks in the 70's were successfully opposed by the Hopi and Navajo. The Apache had for years impounded the packs of non-Indian hikers caught violating the sanctity of Arizona's second highest peak, Mt. Baldy. Despite UA "compensations" to some Council members over the past decade, UA has, thus far, failed in their attempts to co-opt the courageous, principled San Carlos and White Mountain Apache Tribal Councils.

GVK:MMH

cc: Dr. Jack Cole, Provost
Dr. Kenneth Foster, Int. Dir. Office of Indian Programs
Mr. Buddy Powell, Assoc. Dir. Steward Observatory
Mr. John Ratje, Dir. Operations, Steward Observatory

Feb. 6, 1990

SAN CARLOS APACHE TRIBE
SAN CARLOS APACHE INDIAN RESERVATION
SAN CARLOS, ARIZONA

R E S O L U T I O N

NO. 90-18

WHEREAS, the San Carlos Apache Tribe is a Federally recognized Indian Tribe organized pursuant to the provisions of the Indian Reorganization Act of June 18, 1934, (48 Stat, 984); and,

WHEREAS, Mrs. Olla Cassadore Davis had come before the Council previously asking for permission to circulate petition against the Mount Graham Development; and,


WHEREAS, the San Carlos Apache Indians are respected people and the Tribal Council wants to retain this respect from others,

NOW THEREFORE BE IT RESOLVED THAT:

The San Carlos Apache Tribal Council gives permission to Mrs. Olla Cassadore Davis to work in opposition to the construction of a telescope on the top of Mount Graham.

C E R T I F I C A T I O N

I, the undersigned, Secretary of the San Carlos Apache Tribal Council, hereby certify that the San Carlos Apache Tribal Council is composed of eleven (11) members, of whom all constituting a quorum, were present at a Regular Council Meeting hereto held on the 6th day of February 1990 and that the foregoing Resolution No. 90-18 was duly adopted by a vote of 9 in favor and 0 opposed, of the Tribal Council pursuant to the provisions of Article V, Section 1 (a), Amended Constitution and Bylaws of the SAN CARLOS APACHE TRIBE, Effective February 24, 1954.


Barbara A. Manuelito, Secretary
San Carlos Apache Tribal Council

July 10, 1990

R E S O L U T I O N

NO. 90-68

- WHEREAS, the San Carlos Apache Tribe is a Federally recognized Indian Tribe organized pursuant to the provisions of the Indian Reorganization Act of June 18, 1934, (48 Stat, 984); and,
- WHEREAS, for generations our elders have instructed us on the sacredness of Dził nchaa si an (Big Seated Mountain, aka Mt. Graham) and its vital importance for maintaining the integrity of our Apache cultural and tradition; and,
- WHEREAS, this mountain, Mt. Graham, is essential to the continued practice of physical and spiritual healing by Apache Medicinemen/women, and to their apprenticeship as competent traditional religious specialists; and,
- WHEREAS, this mountain, Mt. Graham, is the site of a sacred spring, a variety of sacred plants and animals all of which are necessary for performance of certain traditional religious Apache ceremonies; and,
- WHEREAS, this mountain, Mt. Graham, is the site of a substantial number of Apache burials; and,
- WHEREAS, any permanent modification of the present form of this mountain constitutes a display of profound disrespect for a cherished feature of the Apache's original homeland as well as a serious violation of Apache traditional religious beliefs; and,
- WHEREAS, the San Carlos Apache people were not fully informed or properly consulted concerning the proposed destruction of certain upper portions of this mountain; and,
- WHEREAS, the Constitution of the United States provides all citizens with the right to freely practice their religion and to make appropriate use of sacred sites and locations; and,
- WHEREAS, the American Indian Religious Freedom Act guarantees Indian people unimpeded access to such sacred sites and locations; and
- WHEREAS, the proposed destruction of this mountain will contribute directly to the destruction of fundamental aspects of traditional and spiritual life of the Apaches.

NOW THEREFORE BE IT RESOLVED THAT:

The San Carlos Apache Tribe states its firm and total opposition to the construction of a telescope on the top of Mt. Graham and the Tribe stands ready to defend its constitutional rights if this project is allowed to continue.

C E R T I F I C A T I O N

I, the undersigned, Secretary of the San Carlos Apache Tribal Council, hereby certify that the San Carlos Apache Tribal Council is composed of eleven (11) members, of eight (8) constituting a quorum, were present at a Regular Council Meeting hereto held on the 10th day of July 1990 and that the foregoing Resolution No. 90-68 was duly adopted by a vote of 6 in favor and 0 opposed, 1 abstain, of the Tribal Council pursuant to the provisions of Article V, Section 1 (a), Amended Constitution and Bylaws of the SAN CARLOS APACHE TRIBE, Effective February 24, 1954.

Barbara A. Manuelito
Barbara A. Manuelito, Secretary
San Carlos Apache Tribal Council

August 31, 1998

Mr. David P. Jolly
Regional Forester
Southwestern Region
U.S. Forest Service
Department of Agriculture
317 Gila Ave., S.W.
Albuquerque, NM 87102

Dear Mr. Jolly:

Since time immemorial, Mt. Graham has been a sacred mountain to the Apache people. The proposed construction of an astronomical observatory on Mt. Graham threatens to destroy Apache ancestral burial grounds, medicine plants used in sacred Apache ceremonies, and other religious sites. Under the Indian Religious Freedom Act, as implemented by regulation, the Forest Service is required to make a determination as to whether a proposed action will interfere with Indian religious sites and to seek input on actions that could be taken to mitigate such interference.

The San Carlos Apache Tribe is the Apache tribe that is geographically closest to Mt. Graham. Yet, the Tribe has never been contacted by your office to inquire about potential impacts of the project on the Apache religion, certainly not in the four years that I have served as Tribal Chairman. Last week we did receive a visit from representatives of the University of Arizona. When we expressed our concern about the potential religious impacts, these representatives offered to delay the project a total of one week in order to enable us to develop a plan for mitigation. This is clearly an inadequate amount of time for such a complex undertaking and the Tribal Council considered it to be a demeaning and hollow offer. I do not believe that the Forest Service or the owners of the observatory would wish to face a situation in which the construction project digs into an ancestral burial ground.

Pursuant to official action by the Tribal Council, I request that the Forest Service order that the start of construction be delayed until the Forest Service complies fully with the requirements of the Indian Religious Freedom Act. If I do not hear from you within 72 hours that you will take such action, the Tribe will take such legal action as is necessary to protect the graves of its ancestors and our irreplaceable religious sites.

Sincerely,

SAN CARLOS APACHE TRIBE



BUCK KITCHEYAN
Chairman



THE SAN CARLOS APACHE TRIBE

P.O. Box 0
San Carlos, Arizona 85350
(602) 778-2261



June 4, 1991

Mr. David Jolly
Regional Forester
Region Three
USDA Forest Service
517 Gold Avenue, SW
Albuquerque, New Mexico 87102

Mr. Jolly:

RE: Immediate permit revocation and immediate cessation of construction activity on Dzil nchaa Si an (Mt. Graham)

As you know, Dzil nchaa si an (Mt. Graham) is sacred to Apache people. Since the early stages of telescope development, the University of Arizona and the Forest Service have known of its religious and cultural importance to our Tribe. The legal mandate for Forest Service compliance with protective cultural, archeological and religious statutes has never been revoked. The Forest Service has completely failed to comply with its legal mandate to protect the cultural, archeological and historic resources affected by the telescope project. The Forest Service has violated its duty to respect the religious freedom of Indian people.

The Apache Survival Coalition and the San Carlos Apache Tribal Subcommittee on Preservation of Culture and Traditional Religion asked some experts, both in law and in Anthropology, to investigate our situation. They advise us that, on Dzil nchaa Si an (Mt. Graham), the Forest Service failed to comply with the National Environmental Policy Act (NEPA), before the University managed to exempt the telescopes from NEPA. They also advise us that the Forest Service has never been released from its ongoing obligation to comply with the National Historic Preservation Act, the American Indian Religious Freedom Act, and the National Forest Management Act, and the regulations which implement these statutes.

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On July 10, 1990, the San Carlos Tribal Council passed Resolution No. 90-68 in unanimous opposition to the telescope project. In the Resolution we said:

APACHE SURVIVAL
Coalition

"WHEREAS, for generations our elders have instructed us on the sacredness of Dzil nchaa Si an (Big Seated Mountain, aka Mt. Graham) and its vital importance for maintaining the integrity of our Apache culture and tradition; and...

WHEREAS, this mountain, Mt. Graham, is essential to the continued practice of physical and spiritual healing by Apache Medicinemen/women, and to their apprenticeship as competent traditional religious specialists; and...

WHEREAS, any permanent modification of the present form of this mountain constitutes a display of profound disrespect for a cherished feature of the Apache's original homeland as well as a serious violation of Apache traditional religious beliefs...

NOW THEREFORE BE IT RESOLVED THAT:

The San Carlos Apache Tribe states its firm and total opposition to the construction of a telescope on the top of Mt. Graham and the Tribe stands ready to defend its constitutional rights if this project is allowed to continue."

We know the Forest Service and all project participants received copies of our Resolution and subsequent press clippings. The response by the Forest Service, the Arizona Branch of Regents, the University of Arizona, the Vatican, and the Max Plank Institute was clear: the destructive construction activity continued despite our protests.

Attached please find a summary of information supplied to us by a Professor of Anthropology. Dr. Brandt's work confirms that there are massive amounts of ethnographic and scholarly material which demonstrate the Apache's traditional and contemporary use of Dzil nchaa si an (Mt. Graham). Much of that material has been readily available to the Forest Service or has been in the possession of the University of Arizona. The fact that this important information was disregarded during the public review of the proposed project is disturbing. The University of Arizona and the United States Department of Agriculture have proceeded illegally and in bad faith in their construction of the telescope facility on Dzil nchaa si an (Mt. Graham).

As one example of the unlawful nature of the situation, we direct your attention to the National Historic Preservation Act. It requires, among other things, that PRIOR to the issuance of the permit, the Forest Service conduct an assessment, request the views of the State Historic Preservation Office, seek information from the local Indian tribes, consult with the tribes as "interested parties", and allow the Advisory Council an opportunity to comment. (36 CFR 800 et. seq.)

To our knowledge, none of these requirements were met. We were not consulted nor were other "interested parties" consulted. The 1985 letter from a University of Arizona research associate to several tribal political bodies does not constitute an investigation or a consultation. It is inadequate as a means of conducting a survey. As Dr. Brandt points out, nothing was done with regard to the non-archaeological cultural resources of Dził nehaas si an (Mt. Graham).

We ask that you immediately cease all construction activities and that you meet with us or our designated representative. A complete cultural assessment study under the National Historic Preservation Act and regulations must be commenced immediately. No further work can be lawfully done until the study is complete and the effects of the undertaking are fully considered.

Our attorneys have advised us that in September of 1986, Region 3 of the Forest Service signed a settlement in a matter entitled "Save the Jemez". That settlement requires that you conduct surveys for any ground disturbing activity in the Region according to very specific guidelines. A preliminary review of the steps taken with regard to the telescope project clearly shows that you are not in compliance with the Region's requirements.

Section XIV (A) of the settlement states that "The Regional Forester or appropriate Forest Supervisor shall immediately suspend any undertakings in the National Forest in Region 3 which are not in compliance with this agreement and with all applicable requirements of the National Historic Preservation Act and implementing regulations". This letter is our official notice to both the Forest and the Region that the telescope project activities are not in compliance with the "Save the Jemez" settlement. Unless construction ceases immediately, we will take any necessary legal action to enforce the law, including asking the court that approved the settlement to review your lack of compliance.

We anxiously await your order to revoke the Board of Regents/University of Arizona construction permit and to stop all destructive activity on Dził nehaas si an (Mt. Graham). In addition to yourself, Mr. Jolly, and Coronado National Forest Supervisor Abbott, we have sent copies of this letter and of Dr. Brandt's attached summary to the Arizona Board of

Regents, Dr. Manuel Pacheco at the University of Arizona, Dr. Hans Zacher at the Max Plank Institute, Pope John Paul II at the Vatican, the Ohio State University Board of Trustees, Dr. B. Gordon Gee at Ohio State University, and Dr. Franco Pacini at the Arcetri Observatory, so that it will be very clear who would continue to deny us our religious and cultural rights.

By June 21, 1991, please contact San Carlos Apache Tribal Council Members, Wendler Nozie, Sr. or Ernest Victor, Jr. at our Tribal Council Headquarters; or Apache Survival Coalition Chairperson, Ola Cassadore Davis, at P.O. Box 1814; Tucson, AZ 85734.

Sincerely,

David Thompson
David Thompson
Acting Tribal Chairman

[Signature]
Harrison Tigo, Tribal Council
Bylas District

[Signature]
John Wesley, Tribal Council
Bylas District

[Signature]
Rogers, Tribal Council
Peridot District

[Signature]
Wendler Nozie, Sr., Tribal Council
Peridot District

[Signature]
Ernest Victor, Jr., Tribal Council
Gilson Wash District

[Signature]
David Thompson, Tribal Council
Gilson Wash District

[Signature]
Leo Natsyn, Tribal Council
Seven Mile Wash District

[Signature]
Bernette Hope, Sr., Tribal Council
Bylas District

- cc: Echer capin, Pres., AZ
- Board of Regents; Manuel Pacheco, Pres., U. of Arizona;
- Pope John Paul II; Dr. Hans Zacher, Pres., Max Planck Institute, Munich, Germany, c/o German Embassy Wash. D.C.;
- Hanilton Learford, Pres., Bd. of Trustees, Ohio State U.;
- Gordon Gee, Pres., Ohio State U.;
- Dr. Franco Pacini, Dir., Arcetri Astrophysical Observatory, c/o Italian Embassy Wash. D.C.

Moccasin

Vol. 7 No. 51

The Moccasins, San Carlos, Arizona

Tuesday, August 27, 1991



Apaches sue to stop Mt. Graham telescopes

The Apache Survival Coalition, an organization led by Apache medicine men and women and their supporters, has filed a lawsuit against the U.S. Forest Service, U.S. District Court in Phoenix. According to the papers filed this morning, the lawsuit has resulted from the actions and omissions of the United States Forest Service in planning and approving a telescope project on *Deil natcho* Graham, in the Pinaleno Mountains of south-eastern Arizona. The Action alleges that the Forest Service granted a Special Use Permit to the Arizona Board of Regents and the University of Arizona to construct three telescopes atop Mt. Graham...in violation of the United States Constitution and various federal statutes. The laws violated include the American Indian Religious Freedom Act, the First and Third Amendments of the Constitution, the National Environmental Policy Act, the National Historic Preservation Act, and the National Forest Management Act.

Partners, with the Regents and the University of Arizona, in the proposed project, include the Vatican, the German Max



Apache Survival Coalition Vice President Ernest Victor, Jr., Coalition President Oia Cassadore Davis (center) and Adella Swift are standing in front of a federal building in Phoenix. Behind Mrs. Swift to the right is Medicine Man Franklin Stanley.

Planck Institute, the Italian Arcetri Observatory, and Ohio State University. The University of Toronto intends to join the consortium shortly.

The lawsuit reads, "Mt. Graham is a sacred mountain which is central to religious and cul-

tural practices of the San Carlos Apache, an Indian Tribe whose members live around and in the vicinity of the Pinaleno Mountains. Currently, members of the San Carlos Apache engage in religious and cultural activities on and atop Mt. Graham in accordance with traditional rules, customs, and beliefs as they have for centuries."

"The Board of Regents, the Vatican, the Max Planck, and the others, all know of the importance of Mt. Graham to the Apache," says Apache Survival Coalition Vice Chairman and San Carlos Apache Tribal Court-clerk Ernest Victor, Jr. "They could build their telescopes somewhere else, yet they continue the destruction."

The importance of Mt. Graham for the Apache was first documented by the Spanish explorers and by the 1890's studies of researcher Dr. Granville Goodwin. Dr. Goodwin's works were donated to the University of Arizona in 1968. For more than 20 years, the University of Arizona has known of the importance of Mt. Graham for the Apache. The Goodwin papers are still located on the University of Arizona campus in the Arizona State Museum.

"The Great Spirit sends the Mountain Spirit to our people by way of *Dzil natcho sin*," according to Apache medicine man, Franklin Stanley. "He comes to teach the Apache man and woman to sing special spiritual words that help them acquire the power to become medicine men and women." The Mountain Spirit teaches medicine men and women how to heal the sick through song and prayer and to gather special waters, herbs and plants from Mt. Graham. "This is our religion, these are our traditions. We Apache must retain Mt. Graham as a sacred mountain in order to follow our religion," Mr. Stanley continues.

On July 10, 1990, the San Carlos Apache Tribal Council passed a resolution against development on Mt. Graham. "We have tried almost every thing," says San Carlos Apache Tribal Councilman and Apache Survival member, Wandster

Nosle, Sr. He continues, "We passed a Tribal Council Resolution. We have spoken to the Regents and to the University. Apache Survival Coalition Chairperson Oia Cassadore Davis has gone to Germany to meet with the Max Planck Institute. We even went to Washington, to speak with Members of Congress, especially with Senator John McCain of the Senate Select Committee on Indians and Representative Jay Roubicek of the House Select Committee on Indians. They all know of our concerns."

On June 4, 1991, nine members of the San Carlos Apache Tribal Council wrote a letter to Regional Forester David Jolly threatening a lawsuit if the Forest Service continued to violate the law. "The Forest Service response was to insult us with an offer of a meeting, while they allow the University, the Vatican and Max Planck continue the destruction. They have forced us into Court," says Mr. Victor.

Apache Survival Coalition Chairperson Oia Cassadore Davis adds, "Most of what was done on us has been taken from us. The telescopes will destroy what little we Apache have left. They have broken the laws that were promised to protect us. We come to the Court to stop the Mt. Graham telescopes which threaten our religion and threaten our cultural survival."

THE SAN CARLOS APACHE TRIBE

P.O. Box 0
San Carlos, Arizona 85550
(602) 475-2361

Saleigh Thompson
Interim Chairman



October 9, 1991

President Pacheco
University of Arizona
Tucson, Arizona

Dear President Pacheco:

The situation surrounding the Mt. Graham telescope project has become shrouded in controversy and conflict, and is becoming an international symbol of institutional and governmental intrigue, both sides feel wronged by the nature of the conflict, which in itself is destructive to the aims of our institutions.

Our traditional heritage has taught us the ways of honor and respect for all living things, and that we must confront those who oppose our path in an effort to avoid conflict.

We feel it is best to discuss this matter with you and your staff, by the way of this letter we extend an invitation to you and Steve Emerine to meet with our Tribal Council here in San Carlos on October 23, 1991 at 1:00 p.m. in the Tribal Council Chambers.

With Respect,

CONCURRENCE
Burnette Pope
Burnette Pope, Sr.
Interim Vice-Chairman

Ernest Victor
Ernest Victor, Jr., Council Member
San Carlos Apache Tribal Council

Wendzier Nostie
Wendzier Nostie, Sr.
Mt. Graham Sub-Committee

Wendzier Nostie Sr. - Moved
Ernest Victor Jr. - Seconded

Passed 9-0

Xc: Tribal Council

RESOLUTION

P.2
12/10/91

Burnette Pope, Sr.
Interim Vice-Chairman

WHEREAS, the San Carlos Apache tribe is a federally recognized Indian Tribe organized pursuant to the provisions of the Indian Reorganization Act of June 18, 1934, (48 Stat, 984); and

WHEREAS, Mt. Graham (Dz'il nchaaz si an) is a sacred mountain to the San Carlos Apache; and

WHEREAS, on July 10, 1990, the San Carlos Tribal Council unanimously passed Resolution NO. 90-68 to affirm the central sacred and cultural importance to the San Carlos Apache; and

WHEREAS, the Apache Survival Coalition has been working to protect the religious and cultural rights of the Apache by opposing the proposed telescope project on Mt. Graham (Dz'il nchaaz si an); and

NOW THEREFORE BE IT RESOLVED THAT: We the San Carlos Tribal Council, as elected representatives of the San Carlos Apache Tribe, reaffirm our July 10, 1990, Resolution No. 90-68, and fully support the efforts of the Apache Survival Coalition to protect the religious and cultural rights of the San Carlos Apache by opposing the proposed telescope project on Mt. Graham (Dz'il nchaaz si an).



San Carlos Apache Tribal Council members Ernest Victor (left) and Wendster Noak (right) listen as University of Arizona President Manuel Pacheco addresses the council Tuesday. Pacheco expressed a desire to establish a dialogue over the Mount Graham telescope project.

Tom Tingle / THE PHOENIX GAZETTE



Janie Ferreira listens to the discussion between the Tribal Council and University of Arizona President Manuel Pacheco.

THE PHOENIX GAZETTE

Mountain of trouble

UofA president opens dialogue, but Apaches say he can't hear

By David Hove
THE PHOENIX GAZETTE

University of Arizona President Manuel Pacheco offered an olive branch and a few carrots to a group of Apaches on Tuesday, hoping for an end to the Mount Graham telescope controversy. Addressing the San Carlos Apache Tribal Council for the first time, Pacheco called for talks to try to resolve Apache opposition to the UniA's \$200 million telescope project.

The Tribal Council has taken a stand against the project, and a group of Apaches has filed suit, because the Indians believe the mountain is sacred and will be destroyed by the planned seven-telescope project.

"My purpose in being here is to get to know the San Carlos Apaches," said Pacheco, who took over the president's job about five months ago.

See APACHE, Page B2



"This issue of Mount Graham is an issue I inherited. However, as I've looked into the history, I note there is a long history of cooperation between the university and the tribe. I hope that is going to continue regardless of what happens on any one particular issue."

Manuel Pacheco
University of Arizona
president

Pacheco then noted that the university could be of assistance to the tribe in improving its agricultural and economic base.

"I still hope we will have an opportunity to work together," he said.

Patricia Cunningham, attorney for the Apache Strategic Coalition, said she filed a lawsuit this summer against the U.S. Forest Service to block the project, and she was surprised at Pacheco's courtesy offering the university's help with agricultural and economic development.

"It sounded like a jab to me," she said. "That means the controversy doesn't go to. This is about

"This issue of Mount Graham is religious freedom, not economic development," he said. Pacheco, who hurried from the building to a waiting vehicle, history, I note there is a long history of cooperation between the university and the tribe.

"I hope that is going to continue regardless of what happens on any one particular issue."

Pacheco then noted that the university could be of assistance to the tribe in improving its agricultural and economic base.

"I still hope we will have an opportunity to work together," he said.

Some Apaches, who were glad Pacheco made the effort to address their concerns, expressed doubts that the gesture would lead to a resolution of the controversy.

"I respect him. I like him," Oia Chesler said. "But I don't think the Apache Strategic Coalition, said of Pacheco, "But I don't think he's ready to have a lunch with him."

Pacheco's message to the Apaches seemed to be that compromise would be needed to settle the issue. Although he noted the religious significance of the mountain to the Indians, he also stressed the importance of the telescope project to the UniA.

After making brief opening remarks, Pacheco spent most of his visit standing publicly as the university member Tribal Council chastised the university for ignoring the Apache claims.

"You have 10,000 people here trying to get you to stop," council member Ross Jim said. "Why haven't you listened?"

Pacheco responded, "We hope this dialogue will help clarify some of these misconceptions."

Jim, who appeared unhappy with Pacheco's answer, said, "I have no respect for you."

Pacheco replied, "The story to hear that."

Council member Wendler Noak told Pacheco, "Why don't you start a dialogue. It's time you start to listen."

PRO Mountain of trouble

WEDNESDAY, DECEMBER 14, 1993

The Apaches have refused to compromise on the matter.

The coalition, supported by three resolutions passed by the Tribal Council, has demanded that the UniA stop all work on the mountain and relocate the telescope project.

The UniA has permission to build the first three of seven planned telescopes on Mount Graham.

The coalition, supported by three resolutions passed by the Tribal Council, has demanded that the UniA stop all work on the mountain and relocate the telescope project.

The UniA has claimed that it attempted to research the mountain and conducted three years of construction and found the site of construction was found to be unsuitable for the project.

The Apaches told Pacheco they never were contacted.

In addition, 67-year-old ethnologist said notes found in a museum on the UniA campus appear to confirm that the Apaches long have considered the mountain sacred.

Pacheco told the Apaches that no one consulted the notes, which are written in English and Spanish, because access to them is limited and because it was believed the notes were stolen by Apaches and were difficult to read.

THE SAN CARLOS APACHE TRIBE

PO Box 0
San Carlos, Arizona 85560
402 475-2251



Burgala Hopa, Jr.
Liamin Vasa-Chachin

PPR 38 '92 15:51 SKYTRAK 600

P.A.

THE SAN CARLOS APACHE TRIBE

PO Box 0
San Carlos, Arizona 85560
402 475-2251



Burgala Hopa, Jr.
Liamin Vasa-Chachin

Pope John Paul II
00120 Vatican City State
Rome, Italy

February 8, 1992

Your Holiness:

Richard Thompson
Tribe Chairman

The San Carlos Apache Tribal Council has twice passed unanimous resolutions opposing development of your proposed telescopic project by Mr. Graham. Development of your project threatens our cultural survival. Development of your project will interfere with the religious practices of the traditional Apache. As a major U.S. Native American organizations have signed resolutions opposing your proposed telescopic project.

Six San Carlos Apache Tribal Council members will be in Europe during the latter part of March 1992. We would like to arrange a meeting at that time between yourself, our Tribal representatives, leaders of the Apache Survival Coalition, and the Coalition to Save Mt. Graham. Our representatives will be Mendelsohn Hestley Sr., Mr. David Thompson and Mr. Russ Dia.

The Apache Survival Coalition represents a group of our Tribal Elders and Medicine Men who oppose your project because it will interfere with the practice of their traditional religion. The Apache Survival Coalition is currently fighting in court to have the violations of their religious rights and violations of the U.S. Constitution by your project. The Apache Survival Coalition will be represented by Apache Survival Coalition Chairperson Jim Cassadore Davis, Mr. Mike Davis, and Mr. Vansant Randall.

The Coalition to Save Mt. Graham is a coalition that includes every major national and local environmental group. The Coalition to Save Mt. Graham opposes your project because it will destroy the unique ecological values found on the summit of Mt. Graham. Your project has been possible only because of the aggressive protection of exemptions from every major U.S. environmental law. The Coalition to Save Mt. Graham will be represented by Dr. Robin Silver and Dr. Patsy Marshall. Dr. Robin Silver, a physician from St. Joseph's Hospital in Phoenix, is a specialist for Narisopa Audubon Society. Dr. Patsy Marshall, a professional ecologist, is a speaker for scientists for the Preservation of Professionalists concerned about the devastating ecological effects of your project.

Please confirm the time that you will be able to meet with us. Please confirm your appointment time with Mr. Ernest Vister, Jr. at San Carlos Apache Tribal Council Headquarters in San Carlos. Telephone number (602) 475-8361.

Sincerely,

Richard Thompson
Richard J. Thompson,
Tribal Chairman
San Carlos Apache Tribe

Pope John Paul II
00120 Vatican City State
Rome, Italy

April 28, 1992

Dear Pope John Paul II:

The San Carlos Apache Tribal Council has twice passed unanimous resolutions on July 10, 1990 and on December 19, 1991 to oppose the construction of telescopes on *Old* *Peak* *of* *an* (Mt. Graham), Mt. Graham is a sacred mountain to the traditional San Carlos Apache. Copies of our resolutions are enclosed for your convenience.

Please take careful note of the following petition of acknowledgment, traditional spiritual leaders of the San Carlos Apache Tribe. Thank you.

Sincerely,

Richard Thompson
Richard J. Thompson,
Tribal Chairman

Enclosures

April 10, 1992

PETITION

We the undersigned spiritual leaders of the Apache people acknowledge the central sacred importance of *dzil ndhae si an* (Mt. Graham) to the traditional religious practice of the Apache. We oppose the Mt. Graham telescope project because it will interfere with the ability of the traditional Apache to practice their religion.

| Name | Address | Town | Zip code |
|---------------------|---------|-----------------------|----------|
| Franklin Stanley | | Peridot, AZ | 85542 |
| Wald Kertus | | San Carlos Arizona | 85550 |
| William Fogar | | San Carlos Ariz | 85550 |
| Berry Hammonds | | San Carlos | 85550 |
| Houston Hinton | | Bylas AZ | 85530 |
| George Starke | | Bylas Ariz. | 85530 |
| Brenda Kertus | | San Carlos AZ | 85550 |
| Dorwyn Wesley | | Peridot, AZ | 85542 |
| Larry Mallin Jr. | | Peridot AZ | 85542 |
| Rickas Dewey | | San Carlos Ariz. | 85550 |
| Daniel Dewey | | San Carlos Ariz. | 85550 |
| Norton Edwards | | Peridot AZ | 85542 |
| Eladys Pike | | Bylas Ariz | 85530 |
| Alice Wesley | | Bylas Ariz | 85530 |
| Chesley Wilson, Sr. | | Theson, AZ | 85711 |

Signed by
April 10-11-1992
Ch. C. Dawin

Signed 4-29-92
Ch. C. Dawin

Signed 4-28-92
Ch. C. Dawin

Council members meet with Italian ambassador in D.C.

While Tribal Council members, Burnette Rope (also acting vice chairman), Ernest Victor Jr., and David Thompson met in Washington D.C. with representatives of the German and Italian governments to reaffirm their stand that Mt. Graham is sacred, another group of San Carlos tribal members were returning from Europe where they spoke to telescope backers and said that Mt. Graham is not sacred to the Apache people.

Despite the fact that on May 30, 1992 a federal court judge dismissed the lawsuit filed by the Apache Survival Coalition that would have stopped construction of an observatory on top of the eastern Arizona Mountain, the opponents of the project continue to fight for the mountain. The coalition say they will take their case to the U.S. Circuit Court of Appeals in San Francisco.

The visit to Washington D.C. on June 24-26, was one in which the three council members met scores of domestic and foreign officials, and had numerous appointments and meetings with a wide range of individuals and organizations. All of this was to battle what is considered desecration of *daal nchaan si an* (Mt. Graham) by the University of Arizona, Vatican, German and Italian backed scope project.

Lawyers for the University of Arizona (U.A) now argue in court that the scope project is exempt from all U.S. cultural, religious and environmental protection laws as a result of a congressional rider inserted in the final hours of 1988 congress. The opposing tribal people say that the rider was passed by tele-

scope backers who didn't let congress know the full religious and environmental issues.

Acting vice-chairman Burnette Rope was a fine example of the legendary stamina of the Apache people. He arrived in Washington at 8:30 a.m. and by 9:00 a.m. started the first of a series of meetings that lasted for the next three days. On the first day he met with five U.S. Congressmen and numerous aides and staff, at a reception that evening at the office of the National Audubon Society's Washington office, Rope met Native American, German and environmental leaders. On Thursday and Friday Ernest Victor and David Thompson joined Rope in the whirl of congressional and embassy appointments which included meeting all of Arizona's representatives: McCain, DeCaulini, Kolbe, Kyl, Pastor, Rhodes and their staffs.

On Friday, June 26, 1992, an historic country-to-country meeting between the Apache people and the Republic of Italy took place at the Italian Embassy and was officiated by Italy's Ambassador to the United States, the honorable Boris Biancheri. (As far as can be discerned, this is the first meeting between the Apache people and the dignitary of a foreign nation.) The Apache representatives protested the proposed "Columbus" telescope now being built on what is considered a sacred mountain. The Apaches pointed out to Ambassador Biancheri that three tribal council resolutions and a petition signed by 15 tribal medicine men and women all stated opposition to the scope project. Also mentioned to Mr. Biancheri was the fact

that the city councils of Rome and Florence, Italy had recently voted resolutions opposing the telescope project. These were the result of a trip this past May of an Apache elder, medicine man and medicine woman.

Next came the meeting at the German Embassy. This was a good meeting and the German officials said they wanted to cooperate with the Apaches as much as possible. Still, there was no definite plan or move to halt the backing of the German based Max Planck Institute in the project.

The Vatican Embassy in Washington point blank refused to meet with the Apache Tribal delegation. This was even after repeated requests were made to the embassy. The Vatican's refusal to see one group and their willingness to talk with another that supports them has raised many questions on fairness and sincerity.

Friday afternoon the council members held a news conference at the Washington Press Club. After that the Apaches met with the Catholic Press Association (CPA). It was pointed out to the CPA that last May the Vatican's Secretary of State cancelled an appointment at the last minute between the Pope and an Apache delegation visiting Italy.

The council members then referred to a statement where Vatican representatives said they wanted to learn about the "concerns of authentic Apaches". The council members said the Vatican can't find out these concerns unless they meet with them. As Victor said, "How can they learn about our concerns if they won't let us speak to them?"



A Meeting of Nations

Pictured here are (left to right) Gilson Wash councilman Ernest Victor Jr., Italian ambassador to the United States, Mr. Boris Biancheri, Burnette Rope of Bylas, acting vice chairman, and councilman David Thompson, also from Gilson Wash. The Apache representatives met with the ambassador to discuss the Mt. Graham telescope project.

THE SAN CARLOS APACHE TRIBE

P.O. Box 0
San Carlos, Arizona 85350
1002 472-2061

Rajala Thompson
Heleen Chairman



Bureau Pope, Sr.
Inchee Vice-Chairman

August 24, 1992

Ms. Julia Hüller
Milghed des Deutschen Bundesstaates
5300 Bonn 1
Bundeshaus
Germany

Thank you for your letter of inquiry regarding the San Carlos Apache Tribal Council and our struggle for Traditional Apache Cultural Survival. The San Carlos Apache Tribe, is the legally elected government of the San Carlos Apache Tribe. San Carlos Apache Tribal Council represents a total of approximately 15,000 Apache people divided into four districts. There are 9 elected Tribal Council members, a Chairman and Vice-Chairman, which govern the Tribe. Mr. Raleigh Thompson is the appointed official acting Tribal Chairman, Mr. Burnette Rope, Sr. is the appointed official acting Vice-Chairman.

Tribal Council Resolutions are voted on by all Council members from all four districts. The San Carlos Apache Tribe, Council legally represents the entire San Carlos Apache Tribe, passed unanimous Resolutions supporting our traditional members and opposing the telescopes on Mt. Graham on July 10, 1990 and December 10, 1992. These unanimous Resolutions officially and in behalf of the entire Tribe. These Resolutions officially and legally represent the position of the overall San Carlos Apache Tribe. These Resolutions are not "representing one small district of San Carlos" as claimed by the "Peoples Rights Coalition".

Mt. Graham was a central part of our ancestral home grounds. In fact, until 1875, Mt. Graham was part of our Reservation in 1873, however, the settlers in neighboring Safford asked for and received a Presidential Executive Order that took Mt. Graham and the surrounding area from the Apache people. We are currently reviewing the legality of this action.

Though there has not been an official survey on the Reservation concerning Mt. Graham, the Tribal Council recognizes that Mt. Graham is sacred to the majority of traditional San Carlos Apache people. The Tribal Council also recognizes that the majority of San Carlos Apache people support the Apache Survival Coalition and its opposition to the telescopes. The Tribal Council has recognized these facts with unanimous Resolutions of the representative governments of the San Carlos Apaches. These facts are further supported by a petition signed by nearly all of our traditional spiritual leaders. The petition of our traditional spiritual leaders. The petition of our spiritual leaders states:

We the undersigned spiritual leaders of the Apache people acknowledge the central sacred importance of Gzil nehssa zi on (Mt. Graham) to the traditional Apache to practice their religion...

The Apache Survival Coalition was formed to preserve traditional Apache practices, as well as to oppose the Mt. Graham telescopes. The Apache Survival Coalition came before the San Carlos Apache Tribal Council to present and plan their European trip. The San Carlos Apache Tribal Council offered our full support and blessings.

The "Peoples Rights Coalition" is a small group of relatives and supporters of ousted former Tribal Chairman, Buck Kitcheyan. The former Chairman Kitcheyan was removed from office for embezzling funds from the Tribe. The "Peoples Rights Coalition", whom claim to represent their district, are not elected officials, nor representatives. "The Peoples Rights Coalition" do not represent the San Carlos Apache Tribal Government in any official capacity. In Europe, just recently, "The Peoples Rights Coalition" were representatives for the Safford Chamber of Commerce and the University of Arizona. "The Peoples Rights Coalition" is a politically motivated group of people who will do and say anything that will go against the San Carlos Apache Tribal Government.

The San Carlos Tribal Council is particularly troubled by the false information concerning the San Carlos Apache Tribal Council being spread by Dr. Manuel Pacheco, President of the University of Arizona. In correspondence, dated May 27, 1992, Dr. Pacheco writes:

"The University moved from planning to actual construction only with the explicit assurance of elected tribal leadership that the project posed no concerns for their people. It was only in Summer, 1991 after political issues unrelated to Mt. Graham had led to the election of a new tribal council, that different views were expressed"

There never was an election of new Tribal Council members in the summer of 1991, in fact, the unanimous Resolution passed on July 10, 1990, was re-affirmed in correspondence dated June 4, 1991, and again by unanimous resolution, dated December 10, 1991. Dr. Pacheco was physically present during our unanimous passage of the December 10, 1991 resolution. That resolution states:

WHEREAS, the San Carlos Apache Tribe is a federally recognized Indian Tribe organized pursuant to the provisions of the Indian Reorganization Act of June 16, 1934 (48 Stat 984), and

WHEREAS, Mt. Graham (Dzil nchaah si an) is a sacred mountain to the San Carlos Apache; and WHEREAS, on July 10, 1990, the San Carlos Tribal Council unanimously passed Resolution NO. 90-68 to affirm the central sacred and cultural importance to the San Carlos Apache and WHEREAS, the Apache Survival Coalition has been working to protect the religious and cultural rights of the Apache by opposing the proposed telescope project on Mt. Graham (Dzil nchaah si an); and NOW THEREFORE BE IT RESOLVED THAT, We the San Carlos Tribal Council, as elected representatives of the San Carlos Apache Tribe, reaffirm our July 10, 1990, Resolution No. 90-68, and fully support the efforts to the Apache Survival Coalition to protect the religious, and cultural rights of the San Carlos Apache by opposing the proposed telescope project on Mt. Graham (Dzil nchaah si an)...

As legally elected, unified and unanimous Tribal leadership, how much clearer can we continue to be?

We are also troubled by the University of Arizona's claims that the San Carlos Apache "in particular", were kept fully informed as matters proceeded". This is simply not true. Mt. Graham has held central sacred importance to the Apache for hundreds of years. The central sacred nature of Mt. Graham for the traditional Apache has been extensively documented by White anthropologist since the 1930's. For more than 20 years, most of these records have been located on the University of Arizona campus. No traditional Apache people were never contacted by the University of Arizona or by the Forest Service before beginning their destructive Mt. Graham activities.

We are very grateful for your interest in the struggle for Apache cultural survival. By participating in the Mt. Graham telescope project, however, the German Max Planck Institute continues to directly interfere with the ability of the traditional Apache to practice their religion. This is especially serious given the fact that the Max Planck Institute's astronomical goals could be achieved using less destructive alternative location off Mt. Graham. Does the Max Planck Institute not have its own experts knowledgeable enough to inform your Government of such a serious mistake? Please remember the Mt. Graham project has been possible only as a result of the University's and the astronomer's skillful and furnished attempts at exempting themselves from the cultural and environmental laws that were intended to prevent such tragedies.

The San Carlos Apache Tribal Government would like to have a close relationship with the German Government. We would hope that the German Government will continue to become more supportive of our efforts for the survival of crucial Apache traditions. Moving the Max Planck Institute's telescope from the sacred mountain of the traditional Apache is certainly a necessary step.

Sincerely,
Raleigh Thompson
 Raleigh Thompson
 Interim Chairman

SAN CARLOS TRIBAL COUNCIL

Victor
 Victor
 Wadaler Ndsie, Sr.

John Wesley
 John Wesley

Burnetts Rope, Sr.
 Burnetts Rope, Sr.

David Thompson
 David Thompson

Ross Dia
 Ross Dia

Harrison Talgo
 Harrison Talgo

Leo Matsuy
 Leo Matsuy

THE SAN CARLOS APACHE TRIBE

P.O. Box 0
San Carlos, Arizona 85350
(602) 415-2051

Pauline Thompson
Vice-Chairman



Bernie Rogers, Sr.
Vice-Chairman

October 30, 1992

Cardinal Angelo Sodano
Secretary of State
Vatican City State
Rome, Italy

Dear Cardinal Sodano:

Please review our letter to Bishop Manuel Moreno of the Catholic Diocese of Tucson, dated September 24, 1992, and Bishop Moreno's response. We are deeply disappointed and greatly troubled that Bishop Manuel Moreno has refused to meet with the Tribal Council, since the matter is in the courts, and since "it would be hard to hear from the Vatican representatives themselves"

advising us that the Church will continue to avoid halting such a blatant violation of the religious freedom of the traditional Apache as quite historically insulting and tragic. Such actions by the Church are contrary any moral or ethical standard. That the Church now chooses to settle problems concerning the morality and ethics of its own behavior in the U.S. court system, instead of within, speaks very poorly of the moral and ethical state of the Church itself.

The Church has not allowed other decisions of ethics and morality, like African-American discrimination, child molesting by Catholic priests, or abortion, to likewise be decided solely by court action. Why does the Church choose to continue to discriminate against the traditional Apache?

Please refer to an October 8, 1992, article from the Lakota Times where a similar situation is summarized superbly. In "Priests face abuse charges" by Avis Little Eagle, Rev. Charles Fiore, a Catholic priest in Madison, Wisconsin, and in investigator of priests who sexually abuse children, says: "Bishops have a tendency towards dealing which violate civil law by getting advice from lawyers... Lawyers give good legal advice but they are not theologians. They are not priests. So the bishops come out sounding like lawyers. The victims' lawyers who are going after the church come out sounding like bishops by saying (his is immoral...)"

We are deeply disappointed and grossly troubled that no Vatican

representative, except for Father George Coyne, Director of the Vatican Observatory, is available to meet with the San Carlos Apache Tribal Council. For Father Coyne to serve as the Vatican representative is not logical when he is so personally responsible for the problem itself. In fact, such representation also insults the foundations and the reputation of the Catholic Church. Father Coyne has not only joined a lawsuit to suppress the religious rights of our traditional Apache membership, but has refused to respect our resolutions by personally implying that our Tribal Council members are not "authentic" Apaches. In addition, he has recently called the religious beliefs the traditional Apache "a kind of...religiously which must be suppressed with all the force we (the Catholic Church) can muster."

Please assign a local representative for the Vatican, other than Father Coyne or any of the other Jesuit astronomers, to meet with the San Carlos Tribal Council so that we can resolve this historically, as soon as possible.

Sincerely,

Pauline Thompson
Pauline Thompson
SAN CARLOS CHAIRMAN

Wendell Nostr, Sr.
Wendell Nostr, Sr.

Bernie Rogers, Sr.
Bernie Rogers, Sr.

David Thompson
David Thompson

Road Ste
Road Ste

Ernest Victor Jr.
Ernest Victor Jr.

John...
John...

Paterson Talgo
Paterson Talgo

Leo Nacsyn
Leo Nacsyn

cc: Pope John Paul II
Bishop Manuel Moreno
Bishop Charles Chaput

THE SAN CARLOS APACHE TRIBE

P.O. Box 0
San Carlos, Arizona 85302
(602) 475-2803



Stephen T. Papp, Jr.
Vice-Chief



DIocese OF TUCCSON

P.O. Box 31 • Tucson, Arizona 85702-0031
602-792-3410 FAX 602-792-9291

OFFICE OF THE BISHOP

September 24, 1992

September 30, 1992

Bishop Paul J. Horan
Catholic Diocese of Tucson
192 South George Avenue
Tucson, Arizona 85702

Dear Bishop Horan:

Please accept this letter as a formal invitation to appear before our Tribal Council.

Bill Nelson, of our Mt. Graham area, is a devoted mountain man, the traditional Apache. As you know, nearly every traditional Apache Spiritual leader, as well as the San Carlos Apache Tribal Council, has acknowledged the fact that the proposed anthropological project has already and continues to negatively affect the ability of the traditional Apache to practice their religion. The San Carlos Apache Tribal Council has twice passed unanimous resolutions and the traditional Apache leaders have signed petitions to attest to these facts.

Indian people continue to remember the word of His Holiness, Pope John Paul II, in Phoenix, on September 14, 1987. His Holiness told us:

"I have listened to your concerns and hopes. I was able to see you as two noble descendants of this land, whose ways were marked by great respect for the natural resources of land and river, of forest and plain and desert. Here your forefathers cherished and taught to pass on to each new generation their customs and traditions, their history and way of life."

"I encourage you, as a native people belonging to the different tribes and nations in the West, South, West and North, to preserve and keep alive your cultures, your languages, the values and customs which have served you well in the past and which provide a solid foundation for the future."

We would appreciate learnings of the Church's reasons for the continued promotion and participation of activities that continue to affect our traditional members as tragically. The San Carlos Apache Tribal Council meets on the first Tuesday of every month. If this is not convenient for you please let us know and we can arrange a special meeting or liaison to your explanation.

Sincerely,
Ernest Victor, Jr.
Councilmember

Mr. Ernest Victor, Jr.
Councilmember
The San Carlos Apache Tribe
P. O. Box 0
San Carlos, AZ 85350

Dear Mr. Victor,

I am grateful for your invitation to attend your Tribal Council Meeting to listen to the concerns it has for the Mt. Graham Astrophysical project.

However, I see no purpose for my attending the meeting since the matter is before the courts. I have stated that I would abide by the Courts' decision. They should be deciding and judging the validity of the claims and rights that are presented.

You say you would appreciate knowing the Church's reasons for continued participation in this project. It would be best to hear from the Vatican representatives themselves, so I am forwarding your letter to them for their response to your invitation. Also, I have sent your resolution and signed petitions to the Vatican. These are in their hands.

I could not add anything to this with my presence at your meeting.

Sincerely yours in Christ,

Most Rev. Manuel D. Moreno, D.D.
Bishop of Tucson

cc: Vatican Observatory Research Group

SAN CARLOS APACHE TRIBE
SAN CARLOS INDIAN RESERVATION

SAN CARLOS, ARIZONA

May 21, 1993

R E S O L U T I O N

NO. MA-93-80

WHEREAS, The San Carlos Apache Tribe is a Federally recognized Indian Tribe organized pursuant to the provisions of Section 16 of the Indian Reorganization Act of June 18, 1934, (48 Stat., 984); and


WHEREAS, Mt. Graham (Ozil nohaa si an) is a sacred mountain to the San Carlos Apache; and

WHEREAS, On July 10, 1990, the San Carlos Tribal Council unanimously passed Resolution No. 90-68 to affirm the central sacred and cultural important to the San Carlos Apache.

NOW, THEREFORE, BE IT RESOLVED that we, the present San Carlos Apache Tribal Council, as elected representatives of the San Carlos Apache Tribe reaffirm our July 10, 1990 Resolution No. 90-68 and December 10, 1991 Resolution No. DC-91-200.

C E R T I F I C A T I O N

I, the undersigned Secretary of the San Carlos Apache Tribal Council, hereby certify that the San Carlos Apache Tribal Council is presently composed of eleven (11) members, of whom ten (10) constituting a quorum, were present at a special council meeting hereto held on the 21st day of May, 1993, and that the foregoing Resolution NO. MA-93-80 was duly adopted by a vote of For: 9 ; Opposed: 0 ; Abstained: 1 ; Absent: 1 ; Vacancy: 0, of the Tribal Council pursuant to the provisions of Article V, Section 1 (a), Amended Constitution and Bylaws of the SAN CARLOS APACHE TRIBE, effective February 24, 1954.


Gail Bylas, Acting Tribal Secretary
SAN CARLOS APACHE TRIBAL COUNCIL

SAN CARLOS APACHE TRIBE
SAN CARLOS APACHE INDIAN RESERVATION
SAN CARLOS, ARIZONA

July 13, 1993

R E S O L U T I O N

NO. JY-93-127

- WHEREAS, The San Carlos Apache Tribe is a federally recognized Indian Tribe organized pursuant to the provisions of Section 16 of the Indian Reorganization Act of June 18, 1934, (48 Stat., 984); and
- WHEREAS, The University of Arizona has continued to work with the Tribe and has provided various valuable service over the past 40 years; and
- WHEREAS, The San Carlos Tribal Council members visited the Mount Graham International Observatory telescope sites located on Mount Graham, Arizona to evaluate for themselves the results of this activity; and
- WHEREAS, The Mount Graham International Observatory is not located within the boundaries of the San Carlos Apache Indian Reservation; and
- WHEREAS, The San Carlos Apache Tribal Council recognizes the economic benefits of the Mount Graham International Observatory to the Tribe and these neighboring towns and they wish to work in harmony with people from Graham County, Arizona for the mutual economic benefit of all.

NOW, THEREFORE, BE IT RESOLVED that although the San Carlos Apache Tribal Council respects the rights of all tribal members and supports Indian religious rights, because this dispute has created animosity and disputes between us and our friends to the detriment of all, and that the Tribal Council wishes to remain neutral regarding the Observatory, we hereby rescind Resolution No. JY-93-80.


BE IT FURTHER RESOLVED that we ask the University of Arizona to work with the Tribal Council to resolve conflicts regarding Indian issues including Indian Religious Freedom and to keep the Tribal Council informed regarding the progress of the project.

BE IT FURTHER RESOLVED that the Tribal Council requests that the University assist the Tribe in setting aside a religious sanctuary on the mountain for the exclusive use of by the San Carlos Apaches and their guests.

BE IT FINALLY RESOLVED that the University work in concert with the Tribe to address our economic, educational, and social issues by providing technical assistance, resources, and educational opportunities.

C E R T I F I C A T I O N

I, the undersigned Secretary of the San Carlos Apache Tribal Council, hereby certify that the San Carlos Apache Tribal Council is presently composed of eleven (11) members, of whom eight (8) constituting a quorum, were present at a Regular Council Meeting hereto held on the 13th day of July, 1993, and that the foregoing Resolution No. JY-93-127 was duly adopted by a vote of Yea: 4 ; Opposed: 2 ; Abstained: 1 ; Absent: 3, of the Tribal Council pursuant to the provisions of Article V, Section 1 (a), Amended Constitution and Bylaws of the SAN CARLOS APACHE TRIBE, effective February 24, 1984.


Opbelle Jones, Tribal Secretary
SAN CARLOS APACHE TRIBAL COUNCIL

Chairman Talgo, who voted and signed multiple resolutions and documents opposing the telescopes since 1990 (see pp. 2, 3, 4, 5, 7, 13, 14, 16), now reverses himself and becomes a UA "good" Indian. He writes this pro-scope letter to USFS in an attempt to bolster UA's lagging PR campaign in Italy. Cities there, including Rome and Florence, passed strong resolutions opposing this desecration (pp. 51, 52). Talgo loses re-election 11 mos. after this letter and becomes a UA-paid "construction engineer" on Mt. Graham and a well compensated UA public relations "consultant." UA trots Talgo around to various newspapers and media events. Talgo signs pro-scope letters-to-the-editors for UA to Ohio, Germany etc. UA also made him a Director of the Large Binocular Telescope Corporation. He was re-elected to Council in 1996 but defeated again in the '00 election. Despite his efforts as UA "good" Indian, the Tribal Council has retained continuous opposition to the telescopes from 1989 through 2001 with the exception of a "neutrality" resolution which lasted briefly, from July '93 to Oct '94 (pp. 18, 21). The Medicinepeople and Elders have remained unchanged in their opposition.

December 14, 1993

Mr. Jack Ward Thomas
Chief, Forest Service
U.S. Department of Agriculture
P.O. Box 96090
Washington, D.C. 20026

Dear Mr. Thomas:

We have been informed that you are meeting with a delegation from the Apache Survival Coalition on Thursday, December 14, 1993. We wish to inform you that this organization is not sanctioned under the San Carlos Apache Tribe and their concerns are not to be interpreted as the official position of the San Carlos Apache Tribe.

On July 13, 1993, the San Carlos Apache Tribal Council took formal action regarding the Mount Graham controversy and passed a resolution setting forth their position. A copy of which is enclosed for your information.

As Tribal Chairman of the San Carlos Apache Tribe, I reaffirm the Council's position and would like to recognize the official action taken by the Tribal Council in this matter. It is our hope that we can work constructively and positively in future endeavors involving the Forest Service.

Your cooperation is appreciated. Should you have any questions please feel free to call me at 602-475-2361.

Sincerely,

SAN CARLOS APACHE TRIBE Harrison Talgo, Sr.
Chairman

14 Dicembre 1993

ENDURCOPE

TRIBU' APACHE SAN CARLOS

Sig. Jack Ward Thomas
Direttore Servizio Forestale
Dipartimento di Agricoltura
Casella Postale 96090
Washington D.C. 20026

Caro Signor Thomas,

sono stato informato che Lei incontrerà una delegazione della Coalizione per la Sopravvivenza degli Apache giovedì 16 dicembre 1993.

Desidero informarla che questa organizzazione non è prevista nella Tribù Apache San Carlos e che le loro opinioni non debbono essere interpretate come la posizione ufficiale della Tribù Apache San Carlos.

Il 13 luglio 1993 il Consiglio Tribale ha assunto una posizione formale per quanto riguarda la controversia Mount Graham e ha approvato una risoluzione che chiarisce tale posizione. Una copia è allegata per Sua informazione. Come Capo della Tribù Apache San Carlos riaffermo la posizione del Consiglio e vorrei che Lei prendesse atto del punto di vista ufficiale del Consiglio Tribale su questa vicenda. Da parte nostra abbiamo la speranza di poter lavorare costruttivamente e con spirito positivo nelle future iniziative che coinvolgono il Servizio Forestale.

La Sua collaborazione è apprezzata. Se Lei avesse ancora domande, mi telefoni liberamente al 602-4752361.

Sinceramente,

Morrison Talgo, Sr.
Chairman

U.S. Forest Service
P.O. Box 96090
Washington, D.C. 20026



U.S. Forest Service
Chief, Forest Service

U.S. Forest Service
Chief, Forest Service

December 14, 1993

Mr. Jack Ward Thomas
Chief, Forest Service
U. S. Department of Agriculture
P. O. Box 96090
Washington, D.C. 20026-96090

Dear Mr. Thomas:

We have been informed that you are meeting with a delegation from the Apache Survival Coalition on Thursday, December 14, 1993. We wish to inform you that this organization is not sanctioned under the San Carlos Apache Tribe and their concerns are not to be interpreted as the official position of the San Carlos Apache Tribe.

On July 13, 1993, the San Carlos Apache Tribal Council took formal action regarding the Mount Graham controversy and passed a resolution setting forth their position. A copy of which is enclosed for your information.

As Tribal Chairman of the San Carlos Apache Tribe, I reaffirm the Council's position and would like you to recognize the official action taken by the Tribal Council in this matter. It is our hope that we can work constructively and positively in future endeavors involving the Forest Service.

Your cooperation is appreciated. Should you have any questions, please feel free to call me at 602-475-2361.

Sincerely,

SAN CARLOS APACHE TRIBE

Harrison Talgo, Sr.
Chairman

PETITION

Feb. 14, 1994

We the members of the San Carlos Apache Tribe Cultural Advisory Committee hereby acknowledge the central sacred significance of *Dzll Nchaa Si An* (Mount Graham) to the traditional religious practice of the Apache. We oppose the Mount Graham Telescope project because it will interfere with the ability of traditional Apaches to practice their cultural religion.

Caroline Coday P.O. Box 44 San Carlos AZ 85550 2-14-94
April Thomas P.O. Box 482, San Carlos, Az. 85550-2-15-94
Hattie Thomas P.O. Box 482 San Carlos Ariz 2-15-94
Ernest Cutton Pridot Ariz. 85552 2-15-94
George Stone Bylas Ariz. # 62.
Rachel Nash Pridot Arizona 85542.
Mrs Dewey San Carlos Ariz

THE SAN CARLOS APACHE TRIBE

San Carlos Avenue
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(602) 475-2351
Fax (602) 475-2567

Harrison Talgo, Sr.
Tribal Chairman



Raymond Stanley
Tribal Vice-Chairman

October 24, 1994

Honorable Riccardo Canesi, Member
Italian Parliament
Rome, Italy

Dear Honorable Canesi:

This is to express to you our heartfelt gratitude for your work on behalf of our culture, our religion, our traditional elders, spiritual leaders and our Apache people.

As you know, Dzil Nchaa Sian, which means Mount Graham in our language, is the core of our traditional practices. This mountain is the spring of our life, the protector of our existence. Since before the Vatican and German telescopes were built on it, we have voiced our pleas to respect its sacredness to no avail. Now your government wants to build on it the largest telescope yet. Although our Tribal Council remains neutral on this issue, we respect our spiritual leaders. The source of our spirit has already been desecrated and it is further threatened by this third telescope. We cannot say enough to help you understand how vital Dzil Nchaa Si An is to us.

Please let us know what we can do to support your endeavors in having us heard by the other members of Italian Parliament. Thank you once again, for your assistance. We send you our prayers and our warmest wishes.

Sincerely,

SAN CARLOS APACHE TRIBE

A handwritten signature in black ink, appearing to read "Harrison Talgo, Sr.", written over the typed name below.

Harrison Talgo, Sr.
Chairman

THE SAN CARLOS APACHE TRIBE

San Carlos Avenue
P.O. Box 0
San Carlos, Arizona 85550
(602) 475-2381
Fax (602) 475-2567



Harrison Talgo, Sr.
Tribal Chairman

Raymond Stanley
Tribal Vice-Chairman

October 26, 1994

Honorable Riccardo Canesi
Italian Parliament, Rome, Italy

Dear Honorable Canesi,

As members of the San Carlos Apache Tribal Council, we would like to take this opportunity to thank you for all of your efforts on behalf of our cause. You have demonstrated a strong willingness to help our people who are not able to defend themselves in person against those who challenge our spiritual heritage from nations outside of the United States.

The Tribal Council has passed three resolutions opposing the Mount Graham International Observatory project. We are firmly committed to these resolutions which are in force today. They represent the sentiments of a majority of the Tribal Council as well as the traditional spiritual leaders of our tribe, and the traditional Apache people. Mount Graham is and always will be our most sacred mountain.

Thank you again for your gracious assistance. In the spirit of Geronimo, we are united in our solidarity against the Mount Graham International Observatory. May the Great Spirit guide you and give you strength.

Sincerely,

Eugene Duncan, Councilman

Rupert Alden, Councilman

Ross [Signature], Councilman

David Thompson, Councilman

Leo Natsyn, Councilman

Ned Anderson

Ned Anderson, Councilman

John Wesley, Councilman

William Belvado, Councilman

Leroy Kitcheyan, Councilman

THE SAN CARLOS APACHE TRIBE

San Carlos Avenue
P.O. Box 0
San Carlos, Arizona 85301
(602) 478-3381
Fax (602) 478-2107

Raymond Starkey
Tribal Chairman

Marvin Mull Jr.
Tribal Vice-Chairman



March 13, 1995

Honorable Riccardo Canesi
Italian Parliament, Rome, Italy

Dear Honorable Canesi:

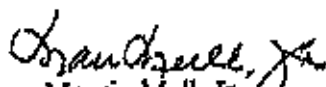
As a member of the San Carlos Apache Tribal Council, I would like to take this opportunity to thank you for all of your efforts on behalf of our cause. You have demonstrated a strong willingness to help my people who are not able to defend themselves in person against those who challenge our spiritual heritage from nations outside of the United States.

The Tribal Council has passed three resolutions opposing the Mount Graham International Observatory projects. I am firmly committed to these resolutions which are in force today. They represent the sentiments of a majority of the Tribal Council as well as the traditional spiritual leaders of our tribe, and the traditional Apache people. Mount Graham is and always will be our most sacred mountain.

Thank you again for your gracious assistance. In the spirit of Geronimo, we are united in our soldierly against the Mount Graham International Observatory. May the Great Spirit guide you and give you strength.

Sincerely,

SAN CARLOS APACHE TRIBE


Marvin Mull, Jr.
Vice-Chairman

San Carlos Apache Moccasin, Globe, Arizona

Tuesday, June 20, 1995

S.C. Tribal Council passes resolution against Mt. Graham telescopes

On June 13, the San Carlos Apache Tribal Council passed a resolution to reaffirm its total opposition to the construction of telescopes on *dzil nchaa si an*. The council voted five to one to rescind a previous resolution (93-130) which implied neutrality, and to state its "continuing opposition to the MGIO telescope project" by reaffirming Resolutions 90-68 and 93-80.

"I'm proud of our new tribal administration," said Ola Casadore-Davis, who presented the resolution at the meeting. "This resolution will help protect *dzil nchaa si an*, our traditional religious mountain. The University of Arizona (UofA), with Italy, Germany and the Vatican, has tried to deny us our religious freedom, but this resolution brings unity to the tribe against the telescopes."

The UofA has been leading a campaign against the traditional Apache, in Italy and Germany, in order to get money for the Columbus telescope. The issue of "neutrality" is being used to persuade the Italian and German governments to fund the telescope project.

RESOLUTION NO. 90-68

Whereas, the San Carlos Apache Tribe is a Federally recognized Indian Tribe organized pursuant to the provisions of the Indian Reorganization Act of June 18, 1934, (48 Stat, 984);

and,

Whereas, for generations our elders have instructed us on the sacredness of *Dzil nchaa si an* (Big Seated Mountain, aka Mt. Graham) and its vital importance for maintaining the integrity of our Apache cultural and tradition; and,

Whereas, this mountain, Mt. Graham, is essential to the continued practice of physical and spiritual healing by Apache Medicinemen/women, and to their apprenticeship as competent traditional religious specialists; and,

Whereas, this mountain, Mt. Graham, is the site of a substantial number of Apache burials; and,

Whereas, any permanent modification of the present form of this mountain constitutes a display of profound disrespect for a cherished feature of the Apache's original homeland as well as a serious violation of Apache traditional religious beliefs; and,

Whereas, the San Carlos Apache people were not fully informed or properly consulted concerning the proposed destruction of certain upper portions of this mountain; and,

Whereas, the Constitution of the United States provides all citizens with the right to freely practice their religion and to make appropriate use of sacred sites and locations; and,

Whereas, the American In-

dian Religious Freedom Act guarantees Indian people unimpeded access to such sacred sites and locations; and,

Whereas, the proposed destruction of this mountain will contribute directly to the destruction of fundamental aspects of traditional and spiritual life of the Apaches.

Now therefore be it resolved that: The San Carlos Apache Tribe states its firm and total opposition to the construction of a telescope on the top of Mt. Graham and the Tribe stands ready to defend its constitutional rights if this project is allowed to continue.

Certification: I, the undersigned, Secretary of the San Carlos Apache Tribal Council, hereby certify that the San Carlos Apache Tribal Council is composed of eleven (11) members, of eight (8) constituting a quorum, were present at a Regular Council Meeting hereto held on the 10th day of July 1990 and that the foregoing Resolution No. 90-68 was duly adopted by a vote of six in favor and zero opposed, one abstain, of the Tribal Council pursuant to the provisions of Article V, Section 1 (a), Amended Constitution and Bylaws of the San Carlos Apache Tribe, Effective February 24, 1934.

(s) Barbara A. Manuelito,
Secretary, San Carlos
Apache Tribal Council

THE SAN CARLOS APACHE TRIBE

San Carlos Avenue
P.O. Box 0
San Carlos, Arizona 85550
(520) 476-2361
Fax (520) 476-2587



Raymond Stanley
Chairman

Marvin Mul Jr.
Vice-Chairman

July 12, 1995

Charles W. Cartwright, Jr.
Regional Forester, Southwest Region
U.S. Dept. of Agriculture-Forest Service
517 Gold Ave. SW
Albuquerque, NM 87102

RE: Mount Graham

Dear Mr. Cartwright:

Pursuant to 36 CFR 800.11 (b) (2) (ii), the San Carlos Apache Tribe by this letter brings to your attention the discovery of information (see attached Tribal Council Resolution) that the San Carlos Apache Tribe considers the landform Dziił Nchaa Si'an (known as Mount Graham) to be a Traditional Cultural Property and Sacred Site, eligible in its entirety for inclusion to the National Register of Historic Places. Please have an ethnographic study conducted in consultation with the Tribe, which takes into account this new information. We also look to see this information included in the cultural resource section of the new environmental impact statement that must be prepared for the proposed telescope project on Mount Graham.

If you have any questions, call Chad Smith or me at (520) 475-2293.

Sincerely,

A handwritten signature in dark ink, appearing to read "Dale C. Miles". The signature is fluid and cursive, written over the typed name.

Dale C. Miles
History Program Director
P.O. Box 0,
San Carlos, AZ 85550

xc: file
desk
Chairman
Oia'Caasadoré
AZSEPO-Bob Gasser

THE SAN CARLOS APACHE TRIBE

San Carlos Avenue
P.O. Box 1000
San Carlos, Arizona 85340
(520) 475-2361
Fax (520) 475-2567

Raymond Stanley
Tribal Chairman

Marvin Mull Jr.
Tribal Vice-Chairman



September 25, 1995

RE: Update of Tribe's Position on Dził Naha Si An (Mount Graham)

TO WHOM IT MAY CONCERN:

On June 13, 1995, the San Carlos Apache Tribal Council passed a resolution to reaffirm their position on its support of the Native American Free Exercise of Religion Act and wholeheartedly opposed the construction of the Mount Graham International Observatory telescope project.

During the January 18-19, 1993, National Congress of American Indians Annual Convention (NCAI) unanimously passed a resolution in opposition of the construction of telescoped on Mount Graham. NCAI is the largest intertribal organization nationwide which represents over 500 tribes and advocates for national, regional and local tribal concerns.

The National Council of Churches (NCC) through a resolution passed on March 27, 1995, opposed any construction or new developments on Mount Graham. NCC comprises of over 300 religious denominations in the Country.

It is our understanding the University of Arizona lobbyists are proposing to introduce new legislation which will exempt the University of Arizona for the second time in their attempt to build the Large Binocular Telescope on Mount Graham. In July of 1995, the Ninth Circuit Court of Appeals ruled against the University of Arizona for violation of Endangered Species Act.

WE ARE, THEREFORE, REQUESTING THAT YOU, AS OUR LEGISLATORS AND WORKING BODY OF THE UNITED STATES GOVERNMENT, OPPOSE ANY RIDERS OR EXEMPTIONS OF THE 1988 ARIZONA - IDAHO CONSERVATION ACT P.L. 100-696 ON BEHALF OF THE UNIVERSITY OF ARIZONA'S PROPOSED TELESCOPE ON MOUNT GRAHAM.

Sincerely yours,

Marvin Mull Jr.
Marvin Mull, Jr.
Tribal Vice-Chairman

THE SAN CARLOS APACHE TRIBE

San Carlos Avenue
P.O. Box 0
San Carlos, Arizona 85550
(520) 475-2361
Fax (520) 475-2567

Raymond Stanley
Tribal Chairman



Marvin Mull Jr.
Tribal Vice-Chairman

September 25, 1995

Chancellor Helmut Kohl
Bundeshaus
53106 Bonn, Germany

The San Carlos Apache people would like to hereby request that the German Government, the German people and the State Governments of Germany please show respect for our Apache customs, traditions and beliefs by declining to participate in any telescope projects on Dzil Nohaa Si An, Mount Graham.

Our tribal council has recently and on several occasions passed resolutions against this project as a "display of profound disrespect". The San Carlos Apache Tribe supports the Native American, Free Exercise of Religion Act and respects the beliefs of all of its tribal members.

Respectfully submitted,

SAN CARLOS APACHE TRIBE

Marvin Mull, Jr.
Marvin Mull, Jr.
Tribal Vice-Chairman


White Mountain Apache
(602) 338-4625 • Fax (602) 338-1716




Cultural Center
P.O. Box 507 • Fort Apache, AZ 85926

Dr. Rolf Peter Kudritzki, Chairman
Council of German Observatories
Scheinerstrasse 1
81679 Munich, GERMANY

Nov. 8, 1995

Dear Dr. Kudritzki:

I have followed with interest and some dismay your apparent conclusions from the meetings between you, Gunter Hassinger, and the White Mountain and San Carlos Apache people. There appears to be some confusion regarding the cultural significance of Mt. Graham and how information about this significance is guarded and transmitted. In particular, it seems that the remarks I made at the meeting with Drs. Hassinger and Kudritzki have been ignored or misinterpreted.

With regard to my status, I was born to a traditional family on the Fort Apache Reservation and have always lived here. I currently serve the White Mountain Apache Tribe as the Cultural Resources Director, in which capacity I act as a liaison to the community of Apache cultural and spiritual leaders. Although it is my professional responsibility to protect Apache history, language, and culture, both on and off the Fort Apache Reservation, I am writing this letter as an individual Tribal member and as a practitioner of traditional Apache religion.

In this capacity I want you to understand that I oppose the Mt. Graham Observatory and that the opposition to this project is both broad and deep in the community of traditional Apache people of the White Mountain Apache Tribe. I hope that the repetition here of some of the remarks I made at the meeting held at Sunrise Lodge on 16 August 1995 will clarify why so few clear statements about the sacred significance of Mt. Graham have come from Apache people:

"Elders will not give you answers until they know and trust you--until they see you are coming from the heart. You have to work within the patience of the elders and not expect answers immediately. Everything you do must have respect. My mother told me that Mt. Graham is one of the sacred mountains, one of the 4 chief mountains....Because of herbs ... Crown Dancers, and other power, these mountains teach us.... They and the stars guide us.

"People have been praying to the mountains north and south and using these places since time immemorial. We have been denied access to these places in the name of money. Those are our mountains. They are all-important to us. To me, what I have heard ever since I can remember, is that these are the sacred places. . . We go to the mountains because they bring us closer to God. I worry that much reliance is being placed on asking direct questions and expecting elders to confront sensitive matters, when this is not our way."

In the interest of avoiding any lingering confusion, you will forgive me for being blunt: Mt. Graham is sacred to the Apache people and the observatory project has significantly harmed our already damaged culture in a profound and almost unforgivable way. Please write to me to share your thoughts on this important matter and join me in protecting the Apache's ancient and threatened culture and religion by withdrawing support for the Mt. Graham Observatory project immediately!

Most Sincerely Yours, in the Brotherhood of Man,


Ramon Riley, Cultural Resources Director

cc: Ola Cassadore-Davis, Wendler Nasic, Sr.

THE SAN CARLOS APACHE TRIBE

San Carlos, Arizona 85560
P.O. Box 0
San Carlos Avenue
Phone (520) 475-8381
Fax (520) 475-2387



Marvin Mull, Jr.
Tribal Vice-Chairman

Tippecomic admitted that his "office made no effort to solicit the views of San Carlos Apaches, beyond writing a letter to the tribal council to announce the proposed development." During the planning phase of the proposed Mt. Graham telescope project, Mr. Tippecomic "... says he knew many traditional Apaches considered Mount Graham to be sacred, but would be reluctant to describe their feelings to non-Indians." Mr. Tippecomic is currently the U.S. Forest Service Tribal Government Program Manager.

On December 1, 1993, in correspondence from Coronado National Forest Supervisor James R. Asholt, the U.S. Forest Service wrote to the San Carlos Apache Tribe:

"RE: Mt. Graham International Observatory... The University of Arizona has submitted a proposal for the final location for the Large Binocular Telescope... A map of the location is enclosed... The selected location is on Emerald Peak... I am writing you to inform you of the University's selected location and to suggest that we meet to discuss any concerns that the Tribe may have."

On December 7, 1993, before we even had the opportunity to respond, the U.S. Forest Service orchestrated the destruction of an important part of the summit of Mt. Graham. On December 7, 1993, more than 500 ancient trees were illegally destroyed as an area sacred to the traditional Apache was clear-cut.

The fact that these actions were illegal has been confirmed in U.S. District Court and has been upheld in the Appellate Court. The U.S. Forest Service actions in question were obviously deliberately planned so as to impede our rights under the National Environmental Policy Act, the National Historical Preservation Act, the American Religious Freedom Act, and the Constitution.

Please investigate these actions by U.S. Forest Service officials. We await the results of your investigation.

Sincerely,

SAN CARLOS APACHE TRIBE

Marvin Mull, Jr.
Marvin Mull, Jr.
Tribal Vice-Chairman

Raymond Stoney
Tribal Chairman

November 15, 1995

Hon. J. Lee Reno
Attorney General
U.S. Department of Justice
10th & Constitution, N.W.
Washington, DC 20530

Dear Attorney General Reno:

RE: Probable violation by U.S. Forest Service Officials of (1) 18 U.S.C. 377: Conspiracy to commit offense or to defraud United States and of (2) 18 U.S.C. 1001: Prohibition against fraud or false statements in a Government matter.

Mt. Graham (Dzil nehaa si aai) is sacred to our traditional Tribal Members. On April 10, 1992, nearly every one of our spiritual leaders signed a petition stating:

"We the undersigned spiritual leaders of the Apache people acknowledge the central sacred importance of *dzil nehaa si aai* (Mt. Graham) to the traditional religious practice of the Apache. We oppose the Mt. Graham telescope project because it will interfere with the ability of the traditional Apache to practice their religion."

U.S. Forest Service officials have known of the central sacred importance of Mt. Graham to the traditional Apache since before any astronomical development was planned. After all, Mt. Graham was a central part of our ancestral homeland and was even initially part of our Reservation.

On June 16, 1993, in print, former Coronado National Forest Supervisor Robert

THE SAN CARLOS APACHE TRIBE

San Carlos Avenue
P.O. Box 0
San Carlos, Arizona 85650
(520) 475-2361
Fax (520) 475-2567

Raymond Stanley
Tribal Chairman



Marvin Mull Jr.
Tribal Vice-Chairman

November 15, 1995

Senator John McCain
U.S. Senate
Washington, D.C. 20510

Dear Senator McCain:

We wish to assure you that the San Carlos Apache Tribal Council on June 13, 1995 again passed a resolution opposing the Mt. Graham telescope project, as we did in 1990, 1991, 1992, and 1993.


We appreciate your recent letter in the Sept. 26, 1995 *Washington Post* concerning the honoring of trust responsibilities and the thoughtful quotes of yours from Senator Sam Houston.

On July 12, 1995 our tribe wrote to the Forest Service: "... the San Carlos Apache Tribe considers the landform *Dzil Nehaa Si An* (Mt. Graham) to be a Traditional Cultural Property and Sacred Site... We ask that this long overdue consultation be included in the cultural resource section of the new environmental impact statement that must be prepared for the proposed telescope project."

Senator we know you are deeply concerned that the same laws which protect the beliefs of all Americans nationwide apply equally to us Apache people as well.

Sincerely,

SAN CARLOS APACHE TRIBE


Marvin Mull, Jr.
Tribal Vice-Chairman

Enclosed: SCATC Resolution JN-95-88; *Wash. Post*, Op-Ed by John McCain
Sept. 1995; Letter, D.Miles, Tribal History Director to C. Cartwright,
Reg. Forester, USFS

THE SAN CARLOS APACHE TRIBE

San Carlos Av
P O Box C
San Carlos, ARIZ
(520) 475-20
Fax (520) 475-

Raymond Stanley
Tribal Chairman



UA's only pro-telescope Councilman consistently in their pocket, Wm. Belvado, writes Congress: "It is not, and never has been, an issue [the telescopes] of concern for the San Carlos Apache people." His statement is refuted by the many opposition documents of the Council, Tribal officials, Medicinepeople and Elders (see pp. 1 through 16, and pp. 19, 20, 21, 22, 23, 24, 25, 26, 28, and 29.) Belvado also misled Congress by saying: "...the Tribe has never been party to...letters of complaint to the Government regarding the Mt. Graham telescopes." In fact, documents on pp. 4, 5-5A, 24, 28, and 29 (three Tribal letters to USFS, one to Pres. Clinton, one to Janet Reno) all show his statement is not true.

December 5, 1995

The Honorable Sidney Yates
2109 Rayburn House Office Bldg.
Washington, D.C. 20515

Dear Congressman Yates,

I am writing to you as a member of the San Carlos Apache Tribe and as an individual who has followed for many years the issues relating to Mt. Graham International Observatory on Mt. Graham. I believe it is necessary to speak out regarding recent statements which have been made by opponents of the Large Binocular Telescope Project.

First, none of the telescopes are located on the San Carlos Apache Reservation. It is not, and never has been, an issue of concern for the San Carlos Apache people. It is understandable that you might get the impression that the Tribe has been actively involved with the telescopes. Issues such as education and employment that directly effect the Tribe have always taken precedence over such things.

Second, it must be stated that groups, such as the San Carlos Apache Survival Coalition, do not represent the San Carlos Apache Tribe. Further, the Tribe has never been party to or sanctioned any litigation or letters of complaint to the Government regarding the Mt. Graham telescopes.

I hope you will keep these points as Congress discusses the future of the telescope project. Thank you for your attention on this matter.

Sincerely,

William Belvado
Member, San Carlos Apache Tribal Council

cc: Congressman Jim Kolbe

THE SAN CARLOS APACHE TRIBE

San Carlos Avenue
P.O. Box 0
San Carlos, Arizona 85501
(520) 475-2361
Fax (520) 475-2367

Raymond Starkey
Chairman



Marvin Mall Jr.
Vice-Chairman

December 21, 1995

President Bill Clinton
The White House
Washington, D.C. 20500

RE: Mt. Graham Rider on Interior Appropriations bill (H.R. 1977)

Dear President Clinton:

Mt. Graham (Dzil nchaa si an) is sacred to our traditional Tribal members. Nearly every traditional spiritual leader has signed a petition stating:

"We the undersigned spiritual leaders of the Apache people acknowledge the central sacred importance of *dzil nchaa si an* (Mt. Graham) to the traditional religious practice of the Apache. We oppose the Mt. Graham telescope project because it will interfere with the ability of the traditional Apache to practice their religion."

Apaches know that you are deeply concerned with Native American religious rights. The Mt. Graham telescopes violate our religious rights.

The San Carlos Apache Tribe has voted four times to oppose the Mt. Graham telescopes. The San Carlos Apache Tribe has opposed the Mt. Graham telescopes since the earliest planning stages of the project. The U.S. Forest Service Supervisor responsible for Mt. Graham at the time of the early planning has admitted this fact publicly.

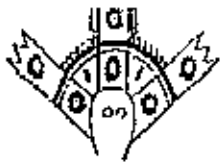
The Mt. Graham Rider on the Interior Appropriations bill perpetuates interference with ability of our traditional Tribal members to practice our religion. Please do not allow a Mt. Graham Rider to remain on any bill that you sign. Thank you.

Sincerely,

SAN CARLOS APACHE TRIBE

Marvin Mall Jr.
Marvin Mall, Jr.
Tribal Vice-Chairman

30.



APACHE SURVIVAL COALITION

P.O. BOX 1237, SAN CARLOS, ARIZONA 85301 U.S.A. TEL/FAX 602 475 2543
P.O. BOX 11814, TUCSON, ARIZONA 85711 U.S.A. TEL/FAX 602 294 1863



United States House of Representatives
House Appropriations Committee
Washington D.C. 20515

Nov. 30, 1995

Dear Congressmen and Congresswomen:

We, the undersigned, are representatives of the signatory Apache tribes. All of these tribes have adopted the Inter-Apache Policy on the Protection of Apache Cultures. We request that you stop the inclusion of any amendment to the Interior Appropriations Bill that by-passes federal laws and the tribal and human rights of our tribes. Specifically, we oppose any amendment that exempts the Mt. Graham International Observatory project from laws that protect our cultural domain. Mt. Graham (Dzil nchaa si an) is a holy place, a sacred mountain to the San Carlos and White Mountain Apache people.

The Ninth Circuit Court has ruled that this project should receive lawful review, including the National Historic Preservation Act and the American Indian Religious Freedom Act. The San Carlos Tribal Council and all known San Carlos medicine practitioners have opposed this project -- including four resolutions by the tribal government. Please do not approve any amendment about Mt. Graham to any bill in a conference committee or on the House floor with no hearings, no review by our governments or elders, and no contact and comment from our people. Thank you.

Done the 30 of November, 1995. --D. Lee J. J.

Jeanette Gossain
San Carlos Apache Tribe

Jonathan Wells
Hicarilla Apache Tribe

Ramon Riley
White Mountain Apache Tribe

Roberta Quinteros
Camp Verde Yavapai Apache Tribe

Houston Ben Ben
Apache Tribe of Oklahoma

David Michael Darrow
Ft. Sill Apache Tribe



THE
NAVAJO
NATION

P.O. BOX 9000 • WINDOW ROCK, ARIZONA 86515 • (520) 871-6000

ALBERT A. HALE
PRESIDENT

March 21, 1996

THOMAS E. ARCTITT
VICE PRESIDENT

SENT BY: THE NAVAJO NATION : 5-22-96 : 12:37PM : President's Office

18 2/ 4

Office of the President/NAVAJO NATION

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D 11

NEWS RELEASE

March 22, 1996

Contact: Annette Brown
Office of the President/Vice-President - THE NAVAJO NATION
(520) 871-7919

NAVAJO NATION PRESIDENT ALBERT HALE SUPPORTS APACHES OPPOSITION
OF SCOPES ATOP MOUNT GRAHAM

WINDOW ROCK, Ariz. - After a meeting with some Apaches, Navajo Nation President Albert Hale signed a letter pleading with the US President Bill Clinton to halt the construction of telescopes atop Arizona's Mount Graham. Known as Dził Nchaa Si An to the Apaches, it has served for centuries as the central source of spiritual guidance and sacred geography.

Despite repeated protests and declarations of the San Carlos Apache Tribal Council, Apache elders and spiritual leaders, the University of Arizona, on behalf of Max Planck and Italian Astronomers, became the first US university to enter court opposing the religious beliefs of a Native American people, and the first university in peacetime to obtain an exemption from all cultural, religious and environmental protection laws.

A rider was granted in 1988 to the Arizona-Idaho Conservation Act which granted the University of Arizona cultural and environmental exemptions to build telescopes on top of the Apache sacred mountain. The Ninth Circuit Court ruled in 1995 the University of Arizona from any further construction or destruction on Dził Nchaa Si An until proper federally mandated laws and regulations were followed. Another rider was granted in the fast congressional hearings where almost every Republican voted for it and almost every Democrat voted against it.

Hale said, "Today, your April 1994 promise is tested with the controversy over Dził Nchaa Si An. The religious and ceremonial uses and importance of Dził Nchaa Si An (Mt. Graham) for the Western Apache People is well known."

"Many native people fought and died for the country to protect the free exercise of religion. Navajo and Apache Code Talkers contributed significantly to World War II. Surely, the freedom of exercise of religion for which Navajos and other Native Americans fought and sacrificed also protects Native American Religious practices," Hale added.

The Honorable William J. Clinton
President of the United States
The White House
1600 Pennsylvania Avenue, N.W.
Washington, D.C. 20204

RE: Dził Nchaa Si An (Mount Graham)

Dear President Clinton:

There is presently a controversy over the construction of telescopes atop Arizona's Mount Graham. This mountain is known to the Apache People as Dził Nchaa Si An and is the central source of spiritual guidance and religious practices.

On April 29, 1994, you met with Indian Nation Leaders and made the following statement:

"I promise to continue my efforts to protect your right to fully exercise your religion as you wish... for many of you, traditional religions and ceremonies are the essence of your culture and existence. Last year, I was very pleased to sign into law a bill that restored certain constitutional protections for those who want to express their faith, (religious freedom restoration Act of 1993)..."

Today, your promise is tested with the controversy over Dził Nchaa Si An. The religious and ceremonial uses and the importance of Dził Nchaa Si An (Mount Graham) for the Apache People is well known. The actions that you take regarding Dził Nchaa Si An will fulfill or not fulfill this promise.

Many native people fought and died for this country to protect the free exercise of religion. Navajo and Apache Code Talkers contributed significantly to World War II. The first casualty of the Persian Gulf War was an Apache. Surely, the freedom to exercise of religion for which Navajos and other Native Americans fought and sacrificed also protects Native American Religious practices.

I, therefore, urge you to do any and all things necessary to protect and preserve the Apache sacred mountain, Dził Nchaa Si An. Should you have any questions, please call.

Sincerely,

THE NAVAJO NATION

Albert A. Hale, President

THE SAN CARLOS APACHE TRIBE

San Carlos Avenue
P.O. Box 0
San Carlos, Arizona 85500
(520) 473-2381
Fax (520) 473-2507

Raymond Blanky
Chairman



Marvin Mull Jr.
Vice-Chairman

May 30, 1996

Dear President Clinton:

We, the Tribal Council of the San Carlos Apache, protest your signing of the Mt. Graham rider on the Omnibus Appropriations Bill. It is an insult to our people and traditions.

First, Alice Rivlin, head of the Office of Management and Budget, wrote two letters stating very clearly that you would veto any bill that supported the Mt. Graham rider. You have broken your promise to us.

Second, you promised all Native American people you would respect their religious and cultural traditions. If this telescope required the demolition of St. Patrick's Cathedral, would you have approved of the rider? To traditional Apache people, Mt. Graham is as sacred as your religion's church's. By signing this rider, you have demonstrated a bias against Native Americans.

Third, and most important, we simply asked that the Apache be treated as any other American Citizen. We asked that the Forest Service give us the opportunity to express ourselves under the American Indian Religious Freedom Act and the National Environmental Protection Act. According to some lawyers your signature appears to deny us participation in the American political process -- a right that all citizens (including Apaches) should enjoy.

You still can demonstrate your concern for the San Carlos Apache, human rights, equal enjoyment of the law by all citizens, including Native American peoples. The San Carlos Tribal Council with the approval of its spiritual leaders has formally requested that Dzil uchaa si an (the Mt. Graham peaks) be declared a traditional cultural property. We request that your administration demand full review of this request by the proper agencies and full review of the telescope site proposed in the rider under all applicable federal laws.

Thank you,

SAN CARLOS APACHE TRIBE

A handwritten signature in cursive script that reads "Marvin Mull, Jr.".

Marvin Mull, Jr.
San Carlos Apache Tribe

Advisory Council On Historic Preservation

The Old Post Office Building
1100 Pennsylvania Avenue, NW, #808
Washington, DC 20004

August 16, 1996

John McGee,
Forest Supervisor
Coronado National Forest
300 West Congress
Tucson, AZ 85701

RE: *Section 106 compliance for modification of the University of Arizona's Mount Graham International Observatory, Large Binocular Telescope (LBT) Project.*

Dear Mr. McGee:

The Council recently received a public request, pursuant to 36 CFR 800.6(e) to review of the Coronado National Forest's consideration of historic properties under Section 106 of the National Historic Preservation Act (NHPA) for the above referenced undertaking. In previous correspondence, we informed you that the Apache Survival Coalition is seeking a determination of National Register eligibility for Mt. Graham (Dzil Nchaa Si An), and of the Forest Service's responsibility under Section 110(a)(2) of the NHPA to identify and nominate to the National Register historic properties located on lands you administer. This more recent request, from Mr. Michael V. Nixon, attorney representing the Apache Survival Coalition, has asked that we inform the Forest Service of its legal responsibilities under Section 106 regarding the proposed relocation of the LBT.

In reviewing our files, and new information provided to us by Mr. Nixon, we have come to the conclusion that the modification of the LBT project is an undertaking as defined at 36 CFR 800.2(c). Our regulations define undertakings to "include new and continuing projects, activities, or programs and any of their elements not previously considered under Section 106" (*emphasis added*). The modification to the MGIO LBT, approved by the Forest Supervisor on December 6, 1993 clearly meets this definition.

In previous correspondence, dated January 10, 1994, Forest Supervisor James Abbott informed us that the Arizona-Idaho Conservation Act (AICA), passed by Congress in 1988, directed the Forest Service to issue a permit for the construction of three telescopes; concluding that the Forest Service could not deny or withdraw the permit for the astrophysical facility. Mr. Abbott's letter included a Tribal Resolution from the San Carlos Apache Tribe, in which the Tribe took a neutral position on the proposed Observatory. More recently, the Kolbe rider to the AICA provided that the Forest Service may proceed to permit the proposed

modification without further efforts under NEPA. The Kolbe rider does not, however, waive the Forest Service's responsibility to comply with Section 106 of the National Historic Preservation Act.

The Forest Service did conduct an archaeological inventory of the Emerald Peak vicinity (the proposed new site for the third telescope), finding that no cultural resources were present. There is no evidence that the Forest Service has addressed the potential that Mt. Graham is a traditional cultural property, eligible for inclusion in the National Register in considering the new telescope site. Given the San Carlos Apache Tribe's more recent interest in this undertaking and its effects on Mt. Graham (c.f., Tribal resolution JN-95-88, opposing the MGIO telescope project, and their July 12, 1995 letter to the Regional Forester asserting that Mt. Graham is a traditional cultural property and sacred site), it is now evident that the Forest Service has a responsibility to evaluate Mt. Graham for eligibility as a traditional cultural property. Although the Council's regulations do not require the Forest to suspend action on an undertaking (36 CFR 800.6(e)(2)), this National Register evaluation should be accomplished as quickly as possible, prior to taking irrevocable action in constructing the third telescope.

In order to fully comply with the requirements of 36 CFR 800.4(b), or alternatively, the terms of the 1989 Programmatic Agreement (PA) for the Southwest Region, Forest Service, we recommend the Forest Service proceed to gather sufficient information to evaluate Mt. Graham, as a whole, for eligibility for inclusion in the National Register of Historic Places. You should then consult with the Arizona State Historic Preservation Officer (SHPO) in making a determination of eligibility. If determined eligible, additional consultation will be required with the SHPO, Council, interested Apache Tribes, the Apache Tribal Coalition, and perhaps others, in accordance with the terms of the Southwest Region PA, to resolve any adverse effect this undertaking may have on traditional cultural values and use of Mt. Graham.

By copy of this letter, we are informing Mr. Nixon, the Apache Survival Coalition, the White Mountain Apache, and the San Carlos Apache Tribes of our views in this matter. If you have any questions or concerns about our recommendation, please contact Carol Gleichman of the Western Office of Review at (303) 231-5320.

Sincerely,



Katherine Barns Soffer
Associate General Counsel

cc:

Paul Lusignea
National Register of Historic Places
Interagency Resources Division
National Park Service
P.O. Box 37127
Washington D.C. 20013-7127

Mrs. Ola Cassadore Davis
Chairperson
Apache Survival Coalition
P.O. Box 1237
San Carlos, AZ 85550

Michael Nixon
1316 SE Mulberry Ave.
Portland, OR 97214

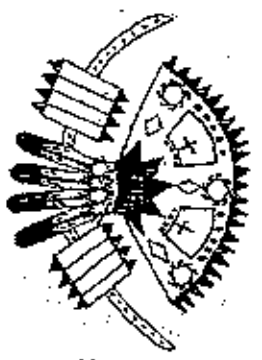
John Welch
Tribal Archaeologist
White Mountain Apache Tribe
P.O. Box 584
Ft. Apache, AZ 85926

Chad Smith
Tribal Archaeologist
San Carlos Apache Tribe
San Carlos Avenue
P.O. Box 0
San Carlos, AZ 85550

SHPO: AZ (now please)
FPO: FS
WOR: CGleichman
FILE: AZ/Mt. Graham/FS/observatory
CODE: AZGRAMA3.CLS and telescopes

34A.

White Mountain Apache
(602) 338-4625 • Fax (602) 338-1716



Cultural Center
P.O. Box 507 • Fort Apache, AZ 85926

Please contact me with questions or concern at the number above, or call John Welch, the Tribe's Historic Preservation Official, at (520) 338-5430.

September 6, 1996

Dr. Robert D. Bush, Executive Director
Advisory Council on Historic Preservation
The Old Post Office Building
1100 Pennsylvania Avenue, NW, #309
Washington, D.C. 20004

Sincerely,
Raymond Riley
Raymond Riley,
Cultural Resources Director

VIA TELEFAX 202-606-8672

RE: August 16, 1996 letter from Katherine Burns Soffer, ACHP Associate General Counsel, to John McGee, Coronado National Forest Supervisor concerning Section 106 responsibilities.
Dear Dr. Bush:
The White Mountain Apache Tribe has reviewed the subject letter and strongly agrees with the Advisory Council's position.

Dei/Mehar Si'm (the Mt. Graham complex) is well known as one of the Western Apache Nation's four sacred mountains. Pursuant to Council criteria for National Register eligibility at 36 CFR 60.4, the Pinaleno mountains embody qualities of significance in history, archeology, and culture. Although identified by the telescopes, this landform, possesses integrity of location, setting, and association. Mt. Graham is also associated with events that have made a significant contribution to the broad patterns of history as well as with personsages significant in the Apache past. Finally, a truly good faith effort to assess the historical significance of long-standing and ongoing Apache use of and regard for *Dei/Mehar Si'm* is certain to yield important historical information.

In sum, Mt. Graham is an excellent candidate for the National Register of Historic Places due to its central importance to Western Apache and American history. I applaud and endorse your agency's uniquely straightforward and appropriate perspective on the observatory as an obvious Forest Service's undertaking. Furthermore, I look forward to the Tribes full participation in consultations with the Forest Service and Arizona's State Historic Preservation Officer regarding the significance and Register eligibility of the mountain as a traditional cultural property, during which additional information in support of the assertions made above will be made available.

cc:

- Ola Cassadore Davis, Chairperson
Apache Survival Coalition
P.O. Box 1237
San Carlos, AZ 85550
- Elizabeth Merritt, Council
National Trust for Historic Preservation
1785 Massachusetts Ave, N.W.
Washington, D.C. 20036
- Michael V. Nixon
1936 Mulberry Ave.
Portland, OR 97214
- Chad Smith, Archeologist
San Carlos Apache Tribe
P.O. Box 0
San Carlos, AZ 85550
- John McGee, Supervisor
Coronado National Forest
309 West Congress
Tucson, AZ 85701
- James Garrison
State Historic Preservation Officer
Arizona State Parks
1300 W. Washington
Phoenix, AZ 85007


 White Mountain Apache
 (520) 338-4625 • Fax (520) 338-1716




 Cultural Center
 P.O. Box 507 • Fort Apache, AZ 85926

January 8, 1997

Dr. E. Gordon Gee, President
 Ohio State University
 205 Bricker Hall
 Columbus, Ohio 43210

Dear Dr. Gee:

I have recently learned that Ohio State may lend its fine name and finite financial resources to the Mount Graham telescope project. I write to tell you that the project is the latest in a long, sad sequence of threats to a unique and irreplaceable cultural system that cannot withstand many more such assaults. I urge and implore you to maintain the distance between Ohio State and those institutions—infamous in Apache country—that have, without bothering to understand the views of traditional Apache people, sought to discredit and minimize Apache objections to the telescopes.

I represent the White Mountain Apache Tribe in all matters pertaining to the protection of Apache cultural and historical sites and resources. The White Mountain and San Carlos Apache tribes are very closely related. Until 1897, our two tribes shared a single, undivided reservation. We still share a language and culture that emphasize truth, respect, honor, and humanity's role as caretakers for and beneficiaries of Mother Earth. Many of the stories and songs that perpetuate our language and culture refer to our four sacred mountains; *Dzil Nehaa Si'an* (Mount Graham) is one of these precious mountains. Another, *Dzil Ligai* (Mount Baldy), is the only one of the four still located on an Indian reservation (White Mountain Apache lands); it is also the one that has escaped desecration. The simple-but-essential truth is that the long-term health of Apache people and our cultures depend in a very real way on the physical and visual integrity of our ancestral landscapes and on the advent, within non-Indian society, of greater respect for our ways.

Please accept my assurance that the proposed observatory (not to mention the disrespectful and arrogant posture of its proponents towards the Apaches that have voiced their opposition) is repugnant to those Apaches who understand the importance of the mountain. I can also assure you that no good can come from an observatory built on institutional arrogance and aggressive contempt for divergent values and perspectives. In sum, please do not make more complicated my already difficult job of protecting Apache culture: stay away from Mount Graham and reassert Ohio State's important commitment to promoting cultural diversity and religious freedom.

Sincerely,

Ramon Riley, Cultural Resources Director

THE SAN CARLOS APACHE TRIBE

San Carlos Avenue
P.O. Box 0
San Carlos, Arizona 85550
15201 475-2261
Fax 1520) 475-2567



Raymond Stanley
Tribal Chairman

December 3, 1997

The Honorable William J. Clinton
President of the United States
The White House
1600 Pennsylvania Avenue
Washington, D.C. 20500

Dear Honorable President Clinton:

From the Executive Office of the Tribal Chairman and on behalf of the members of the San Carlos Apache Tribe, we, here on the reservation wish to thank you for your respect for the right of religious freedom of all citizens of this great Country. It was with deep appreciation that we noted your line-item veto of funding for the Mt. Graham telescope project.

As you know, our Tribal Council, our elders and our spiritual leaders have issued many letters, resolutions and petitions asking for the relocation of that project off of Dził Nchaa Si Aan. Again, thank you for your line-item veto.

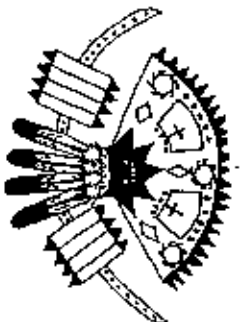
Respectfully submitted,

SAN CARLOS APACHE TRIBE

Raymond Stanley
Tribal Chairman

Mervyn Mall Jr.
Tribal Vice-Chairman

White Mountain Apache
(520) 338-4525 • Fax (520) 338-1716



Cultural Center
P.O. Box 507 • Fort Apache, AZ 85926

37.

November 13, 1997

President William J. Clinton
The White House
1600 Pennsylvania Avenue
Washington, D.C. 20205

Dear Mr. President:

Please accept my thanks and the appreciation of the White Mountain Apache people for your veto of the \$10 million appropriation for the Mt. Graham telescopes. The University of Arizona, the U. S. Forest Service, and Representative Kolbe have done all in their power to avoid recognizing the cultural and historical importance of Mt. Graham (Dzil Nchaa Si Aan - in my language) to the Apache people.

I salute you for recognizing Mr. Kolbe's appropriation as an affront to taxpayers in general and to Native Americans in particular. Thank you.

Sincerely,

Ramon Riley, Director
Cultural Resources
White Mountain Apache Heritage Program

cc: Chairman Renile Lupo, White Mountain Apache
Ola Cassadore Davis, P.O. Box 1237 San Carlos, AZ 85550
Ms. Kathleen A. McGinty, Chairperson, Council on Environmental Quality

THE SAN CARLOS APACHE TRIBE

San Carlos Apache
P.O. Box 0
San Carlos, Arizona 85350
(602) 475-2361
(602) 475-2267



Whispering W. Squire, Sr.
Tribal Vice-Chairman

March 24, 1999

President of the Republic of Italy
The Hon. Oscar Luigi Scalfaro
Palazzo del Quirinale
00186 Rome, ITALY

Chancellor, The Republic of Germany
The Hon. Gerhard Schröder
Bundeskanzleramt
53113 Bonn, GERMANY

Dear Sirs:

The Apache people appeal to you and your parliament members and your people to respect our Apache cultural and religious beliefs. We beseech you to withhold financing of the Mount Graham, Arizona observatory. Our San Carlos Apache Tribal Council, Medicine Man and Women, Spiritual Leaders, and Elders have steadfastly, adamantly and openly opposed this desecration. Our Council resolutions have repeatedly stated:

"...any permanent modification of the present form of this mountain constitutes a display of profound disrespect for a cherished feature of our original homeland as well as a serious violation of our traditional religious beliefs..."

Our Medicine Men and Women and Spiritual Leaders have stated:

"We, the undersigned spiritual leaders of the Apache people acknowledge the central sacred importance of *Dził Níshaa Sí Ahí* (Mount Graham) to the traditional religious practice of the Apache. We oppose the Mt. Graham telescope project because it will interfere with the ability of the traditional Apache to practice their religion."

Ramon Riley, Cultural Resources Director, White Mountain Apache Tribe, wrote to Ohio State University President Gordon Gee in 1997:

"The single-but-essential truth is that the long-term health of Apache people and our cultures depend in a very real way on the physical and visual integrity of our ancestral landscapes and on the advent, within non-Indian society, of greater respect for our

ways...no good can come from an observatory built on institutional arrogance and regressive contempt for divergent values and perspectives."

Since time immemorial, Mt. Graham has been sacred to the Apache. It is the spring of our life and the protector of our existence. Over one hundred Sunrise Dances occur each year on the San Carlos and Fort Apache reservations. This is the most important religious and cultural ceremony of us Apache people and celebrates the entry of Apache girls into womanhood. During this ceremony the entire history of the Apache people is re enacted from the dawning of creation through song and dance. Each ceremony involves hundreds of tribal members and reflects the traditions of the great majority of our Apache people. At these sacred ceremonies the Apache Mountain Spirit Dancers, or *Gashin*, which dwell in most sacred mountains such as *Dzil Níshaa Sí Ahí* (Mount Graham), are present at this ceremony. The *Gashin* bring the gift, power and blessings of our Apache way to Apache womanhood.

The National Congress of American Indians representing U.S. Indian tribes, at their 1993 and 1995 conventions, called for "the removal of all telescopes from *Dzil Níshaa Sí Ahí*."

We are a Tribe without surplus economic resources. However, the astronomers have been able to spend millions lobbying "riders" through Congress and holding in courtroom attempts to exempt themselves from U.S. Native American cultural and religious protection laws.

This is our humble plea to you. Please forgo funding this project. We believe your people wish to honor and respect the beliefs and traditions which have been with us Apache for centuries.

Sincerely,

SAN CARLOS APACHE TRIBE

Whisping W. Squire, Sr.
Tribal Vice-Chairman

CC:
President William Clinton
The White House
1600 Pennsylvania Ave.
Washington, D.C. 20500

NATIONAL CONGRESS OF AMERICAN INDIANS

THE NATIONAL CONGRESS OF AMERICAN INDIANS

RESOLUTION # VAN-99-042

Title: Resolution to Protect the Indian Sacred Site, Dził Nchón Si An (Mount Graham)

WHEREAS, we, the members of the National Congress of American Indians of the United States, invoking the divine blessing of the Creator upon our efforts and purposes, in order to preserve for ourselves and our descendants the inherent sovereign rights of our Indian nations, all rights secured under Indian treaties and agreements with the United States, and all other rights and benefits to which we are entitled under the laws and Constitution of the United States to enlighten the public toward a better understanding of the Indian people, to preserve Indian cultural values, and otherwise promote the welfare of the Indian people, do hereby establish and submit the following resolution, and

WHEREAS, the National Congress of American Indians (NCAI) is the oldest and largest national Indian organization, established in 1944 and comprised of representatives of and advocates for national, regional, and local Tribal concerns; and

WHEREAS, the health, safety, welfare, education, economic and employment opportunity, and preservation of cultural and natural resources are primary goals and objectives of NCAI; and

WHEREAS, the San Carlos Apache Tribe is a federally recognized tribe located at the San Carlos Apache Indian Reservation, San Carlos, Arizona and has been a longstanding member of NCAI; and

WHEREAS, the landform Dził Nchón Si An (Mount Graham) in Arizona is a central source and means of sacred spiritual guidance and a traditional cultural property of the Apache people, and a unique place on Earth through which Apache people's prayers travel to the Creator, and Dził Nchón Si An is presently being desecrated and harmed by the cutting of sensitive forest, digging, and road building, and the installation of telescopes sponsored by the University of Arizona; and

WHEREAS, Apache spiritual leaders and medicine men and women have previously signed a petition opposing that desecration and such harm; and the San Carlos Apache Tribal Council has voted four times to oppose the installation of the observatory, most recently on June 13, 1995; and documents and testimony in the University of Arizona and U.S. government archives confirm the sanctity of this land; and

WHEREAS, previous NCAI resolutions expressed our resolve to save Dził Nchón Si An (Resolution Nos. EX DC-9312, and #95-LG/HRCY; and

WHEREAS, on May 24, 1996, the President of the United States issued Executive Order #13007 requiring that all U.S. land management agencies shall "protect the physical integrity of Indian Sacred Sites" and "[n]ot unreasonably restrict access by Indians thereto; and

WHEREAS, on June 16, 1999 the U.S. Department of Agriculture Forest Service sent a letter to officials of the San Carlos Apache Tribe acknowledging that Mount Graham "is very important to the Apaches," and that "The Forest Service has already sought information to consider the mountain's sacred value under the American Indian Religious Freedom Act, the Religious Freedom Restoration Act, and the First Amendment;" and

WHEREAS, Section 16 of the U.S. Department of Agriculture Forest Service Special Use Permit for the observatory on the mountain, which was signed by the University of Arizona and the Forest Service, states that "If the Secretary of Agriculture... shall determine that the public interest requires termination of this permit, this permit shall terminate upon thirty days' written notice..." and

WHEREAS, Section 17 of that permit provides for a payment of up to \$10,000 to the University of Arizona by the U.S. to help defray the costs of removing the observatory from the mountain;

NOW THEREFORE BE IT RESOLVED, that NCAI does hereby respectfully urge the Secretary of Agriculture and the Forest Service to recognize and acknowledge that the public interest in protecting the physical integrity of the Indian Sacred Site, Dził Nchón Si An (Mount Graham) is compelling, and therefore, in accordance with the federal trust responsibility, the Secretary and the Forest Service must determine that the public interest requires termination of that permit and the prompt removal of the telescope and the other recent structures from Dził Nchón Si An (Mount Graham) as so provided in the permit.

CERTIFICATION

The foregoing resolution was adopted at the 1999 Mid-Year Session of the National Congress of American Indians, held at the Vancouver Trade and Convention Center, in Vancouver, British Columbia, Canada on July 28-31, 1999 with a quorum present.

W. Ron Allen, President

ATTEST:

Lela Kaskalia, Recording Secretary

- Executive Director, National Congress of American Indians, 1101 Connecticut Avenue NW, Suite 209, Washington, DC 20036 202-462-7767 fax 202-462-7757

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

WHEREAS, *Dzil necha si an*, the vast and unique mountain range known to non-Apaches as Mt. Graham, is a sacred site of long-standing and ongoing historical, cultural, and religious importance to many Apaches; and

WHEREAS, the sacred character of the range encompasses all landforms, minerals, plants, and waters associated with or flowing from *Dzil necha si an*; and

WHEREAS, the United States Forest Service, through the Coronado National Forest, manages *Dzil necha si an* in the public trust and continues to process and approve requests for projects and activities that threaten and diminish the characteristics and values that define and perpetuate the mountain's cultural and religious significance to Apache people; and

WHEREAS, the United States Forest Service in its correspondence dated January 12, 1999 and June 22, 1999, respectively, has stated that the Forest Service has recognized and acknowledged that *Dzil necha si an* is "aware of the religious significance of Mt. Graham to the Apache People" and is "very important to Apaches"; and

WHEREAS, the Coronado National Forest has acknowledged its statutory and trust responsibility to assess the eligibility of *Dzil necha si an* for listing on the National Register of Historic Places; and

WHEREAS, the President of the United States on May 24, 1996 issued Executive Order 13007 requiring all federal land management agencies to "(1) accommodate access to and ceremonial use of Indian sacred sites by Indian religious practitioners and (2) avoid adversely affecting the physical integrity of such sacred sites"; and

WHEREAS, placement on the National Register, or determination of eligibility therefor would afford *Dzil necha si an* a long-overdue measure of respect and protection; and

WHEREAS, elders and cultural specialists representing many tribes, including the White Mountain Apache Tribe, have asserted the moral and legal mandate for the Forest Service to respect and protect *Dzil necha si an* and to consult with the Apache tribes on a government-to-government basis in all decisions affecting the mountain range.

BE IT RESOLVED by the Tribal Council of the White Mountain Apache Tribe that the United States Forest Service is urged to promptly acknowledge that *Dzil necha si an* is


eligible for listing in the National Register of Historic Places as the first step towards the possible submission of a formal nomination of the mountain and its associated historic and cultural sites for listing in the National Register.

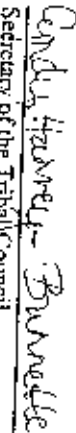
BE IT FURTHER RESOLVED by the Tribal Council of the White Mountain Apache Tribe that said determination of eligibility should include all available and appropriate information pertaining to the historical, cultural, and religious importance of the mountain to the Apache people.

BE IT FURTHER RESOLVED by the Tribal Council of the White Mountain Apache Tribe that the Tribe's Cultural Resources Director, Ramon Riley, and Historic Preservation Officer, John R. Welch, are authorized to collaborate with the Tribe's Cultural Advisory Board in order to monitor and, if appropriate, assist Forest Service Officials in meeting the Service's obligations.

BE IT FURTHER RESOLVED by the Tribal Council of the White Mountain Apache Tribe that any determination of eligibility or National Register nomination that fails to identify the entirety of the mountain range known as *Dzil necha si an* as having substantial and ineluctable historical, cultural, and religious importance to Apaches is unlikely to be acceptable to or endorsed by the White Mountain Apache Tribe.

The foregoing resolution was on July 15, 1999 duly adopted by a vote of 16 for and 2 against by the Tribal Council of the White Mountain Apache Tribe, pursuant to authority vested in it by Article IV, Section 1 (a), (b), (c), and (d) 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

JUL 23 1999

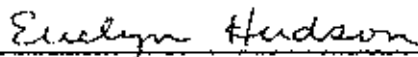
SAN CARLOS APACHE TRIBE
SAN CARLOS APACHE INDIAN RESERVATION
SAN CARLOS, ARIZONA

RESOLUTION

RES. JN-01-04

- WHEREAS, The San Carlos Apache Tribe is a federally recognized Indian Tribe organized pursuant to Section 16 of the Indian Reorganization Act of June 18, 1934 (49 Stat. 984); and,
- WHEREAS, for generations our elders have instructed us on the sacredness of Dzil ucha: si an (Big Seated Mountain, aka Mt. Graham) and its vital importance for maintaining the integrity of our Apache cultural and Tradition; and,
- WHEREAS, this mountain, Mt. Graham is essential to the continued practice of physical and spiritual healing by Apache Medicine men/women, and to their apprenticeship as competent traditional religious specialists; and,
- WHEREAS, this mountain, Mt. Graham is the site of a sacred spring, a variety of sacred plants and animals all of which are necessary for performances of certain traditional religious Apache ceremonies; and,
- WHEREAS, this mountain, Mt. Graham is the site of a substantial number of Apache Burials; and,
- WHEREAS, any permanent modification of the present form of this mountain constitutes a display of profound disrespect for a cherished feature of the Apache's original homeland as well as a serious violation of Apache Traditional Religious beliefs; and,
- WHEREAS, The San Carlos Apache people were not fully informed or properly consulted concerning the proposed destruction of certain upper portions of this Mountain; and,
- WHEREAS, The Constitution of the United States provides all citizens with the right to freely practice their religion and to make appropriate use of sacred sites and locations; and,
- WHEREAS, The American Indian Religious Freedom Act guarantees Indian People unimpeded access to such sacred sites and locations; and,
- WHEREAS, the proposed destruction of this mountain will contribute directly to the destruction of fundamental aspects of traditional and spiritual life of the Apaches.
- NOW THEREFORE BE IT RESOLVED THAT: The San Carlos Apache Tribe recognizes Mt. Graham is a sacred mountain to the Apache people and the Tribe continues to oppose all future construction developments on top of Mt. Graham, and the Tribe stands ready to defend its constitutional rights.
- BE IT FINALLY RESOLVED THAT: Ola Cassadore Davis does not represent the San Carlos Apache Tribe's governing body, but represents the Apache Survival Coalition.

I, The undersigned Secretary of the San Carlos Apache Tribal Council, hereby certify That the San Carlos Apache Tribal Council is presently composed of eleven (11) members of whom (9) constituting a quorum were present at a meeting hereto held on the 5th day of June, 2001. The foregoing Resolution Number JN-01-04 was duly adopted by a vote of 7 FOR, 2, OPPOSED, 0 ABSTAINED. Pursuant to the provisions of Article V, Section 1 (a), Amended Constitution and Bylaws of the San Carlos Apache Tribe effective February 24, 1954.



Evelyn Hudson, Tribal Secretary
San Carlos Apache Tribal Council

THE NATIONAL CONGRESS OF
AMERICAN INDIANS

RESOLUTION #SPO-01-063

Title: Resolution in Support of the Determination of Eligibility of *Deaf* *Nakoo* *Si* *An* (Mount Graham, AZ) for Listing in the National Register of Historic Places in the United States as a Western Apache Traditional Cultural Property and Sacred Site, and Request That the University of Utah Faculty, Foreign or Domestic, Join the Mt. Graham Observatory, Due to the Harms Caused to Western Apache People, Their Culture, and Their Religion

WHEREAS, we, the members of the National Congress of American Indians of the United States, invoking the divine blessing of the Creator upon our efforts and purposes, in order to preserve for ourselves and our descendants the inherent sovereign rights of our Indian nations, rights secured under Indian treaties and agreements with the United States, and all other rights and benefits to which we are entitled under the laws and Constitution of the United States; to enlighten the public toward a better understanding of the Indian people, to preserve Indian cultural values, and otherwise promote the health, safety, and welfare of the Indian people, do hereby establish and enact the following resolution; and

WHEREAS, the National Congress of American Indians (NCAAI) was established in 1944 and is the oldest and largest national organization of American Indian and Alaska Native tribal governments; and

WHEREAS, the San Carlos Apache and White Mountain Apache tribes are federally recognized tribes located in Arizona and have been longstanding members of NCAAI; and

WHEREAS, the mountain landform *Deaf* *Nakoo* *Si* *An* (Mount Graham) is the Western Apache homeland, and once part of the original Apache reservation, is now in the federally-managed public lands of the Coronado National Forest in Arizona; and

WHEREAS, *Deaf* *Nakoo* *Si* *An* is a central, source and means of sacred spiritual guidance and a traditional cultural property of the Western Apache people, and a unique place on earth through which Apache people's prayers travel to the Creator, and *Deaf* *Nakoo* *Si* *An* is presently being degraded and harmed by the cutting of ancient forest, logging, road building, electrification, and the installation of telescopes and metal buildings sponsored by the University of Arizona and its astronomers; and

WHEREAS, in a letter dated January 19, 1987, the U.S. Forest Service was notified by an interested citizen prior to the completion of the planning process for the University of Arizona telescopes that *Deaf* *Nakoo* *Si* *An* was an active, understanding Apache sacred site; and

WHEREAS, Apache spiritual leaders and members from and around San Carlos have long since signed a pre-negotiated petition opposing that destruction and such harms; and the San Carlos Apache Tribal Council has passed resolutions at past meetings, most recently in June 2001, in opposition to the installation of any telescopes on their sacred mountain, *Deaf* *Nakoo* *Si* *An*; and such resolutions, documents and testimony in the custody of the University of Arizona and the U.S. government agencies and courts confirm the sanctity of the mountain; and

WHEREAS, previous NCAAI resolutions expressed our knowledge and our resolve to save *Deaf* *Nakoo* *Si* *An* (Resolution Nos. LX-DC: 94-2011/11/19/RC and VAK-96-042, incorporated herein by this resolution); and

WHEREAS, on August 16, 1996, the U.S. President's Advisory Council on Historic Preservation (ACHP) found the 1993 relocation of the large binocular telescope (T-RT) to be in violation of Sections 106 and 101(a)(2) of the National Historic Preservation Act, and urged the U.S. Forest Service to "evaluate Mt. Graham, as a whole, for eligibility for inclusion in the National Register of Historic Places"; and

WHEREAS, the Forest Service did not comply, and the ACHP twice more, in letters dated September 26, 1998 and June 30, 1999, urged the Forest Service to evaluate *Deaf* *Nakoo* *Si* *An* for listing in the National Register of Historic Places; and

WHEREAS, on July 15, 1999, the White Mountain Apache Tribe unanimously passed a resolution (dated 07-09-153) declining *Deaf* *Nakoo* *Si* *An* to be a Western Apache traditional cultural property and Indian Sacred Site; and

WHEREAS, in a letter dated March 30, 2001, Colorado National Forest Supervisor John McGee Grady notified the Western Apache tribes that he had determined *Deaf* *Nakoo* *Si* *An* eligible for listing in the National Register of Historic Places; and

WHEREAS, on May 29, 2001, the U.S. Forest Service submitted to the U.S. Department of Interior, Keeper of the National Register of Historic Places, a determination that *Deaf* *Nakoo* *Si* *An* is eligible for listing in the National Register as a Western Apache traditional cultural property; but only included the 109 section above 6,200 ft. in elevation; and

WHEREAS, the Office of the Keeper of the National Register responded by requesting the Forest Service to provide the full boundary of the traditional cultural property as defined in a Forest Service map and identified by the White Mountain Apache Tribal Cultural Center Director or his/her staff; to include all of *Deaf* *Nakoo* *Si* *An* beginning around the base and including sacred street washes; and

WHEREAS, the Forest Service, the University of Arizona and the Arizona Department of Transportation are granting various vegetation or ground disturbing activities including but not limited to road building and widening projects, recreational developments, improvements and installations and an "eco-system demonstration project"; and

WHEREAS, some institutions such as the University of Virginia, University of Minnesota, University of Florida and Barnstable have announced their intent or may be considering joining the University of Arizona and its collaborators in the observatory which degrades *Deaf* *Nakoo* *Si* *An* and continues to harm Western Apache people, their culture and their religion.

NOW THEREFORE BE IT RESOLVED, that the NCAAI does hereby reaffirm it's previous Mt. Graham resolutions (find above); and

BE IT FURTHER RESOLVED, that NCAAI does hereby respectfully support the determination of eligibility of *Deaf* *Nakoo* *Si* *An*, as a whole, for the National Register of Historic Places as a Western Apache traditional cultural property sacred site; and

BE IT FURTHER RESOLVED, that the Forest Service should acknowledge and recommend, and the Keeper of the National Register should determine, that the boundaries of the Western Apache traditional cultural property, *Deaf* *Nakoo* *Si* *An* should include the mountain landform as a whole, and the sacred stream washes, as outlined on the Forest Service map by the White Mountain Apache Tribal Cultural Center Director; and

BE IT FURTHER RESOLVED, that in accordance with U.S. Presidential Executive Order 13007, any proposed change to the physical integrity of the Indian Sacred Site and Western Apache traditional cultural property, *Deaf* *Nakoo* *Si* *An*, should not be permitted by the U.S. Forest Service or Federal Highway Administration or any other agency; and

BE IT FURTHER RESOLVED, that NCAAI does hereby respectfully request and urge any university or other entity, foreign or domestic, to look elsewhere for their astronomical exercises and to refrain from the University of Arizona and its collaborators in their Mount Graham telescope complex which degrades *Deaf* *Nakoo* *Si* *An* and continues to harm Western Apache people, their culture and their religion; and

BE IT FURTHER RESOLVED, that NCAAI join and asks all universities or other entities foreign or domestic to join NCAAI and sign the practice of resacring sacred site for the advance of science, health, education, and economic development; and

BE IT FINALLY RESOLVED, that this resolution shall be the policy of NCAAI until it is withdrawn or modified by subsequent resolution.

CERTIFICATION

The foregoing resolution was adopted at the 39th Annual Session of the National Congress of American Indians, held at the Spokane Convention Center, in Spokane, Washington on November 25-30, 2001 with a quorum present.



White Mountain Apache Tribe
EXECUTIVE OFFICE OF THE CHAIRMAN
 Dallas Massey Sr., Tribal Chairman

January 9, 2002

John T. Casteen, President
 University of Virginia
 P.O. Box 400224
 Charlottesville, VA 22904

Dear Mr. Casteen,

I write to ensure that you hear directly from an Apache leader about the Mount Graham telescope project. Despite what may be related by some astronomers and public relations consultants, I want you to understand that Mount Graham (the mountains we refer to as Dził N'chaa Si An) is one of our holiest and most sacred mountains. Apache elders and cultural specialists have clearly and consistently advised all who have listened that this mountain should not be disturbed for research or commercial purposes. Please take heed.

The White Mountain Apache Tribal Council has insisted upon full and unbiased recognition of the central importance that Dził N'chaa Si An has in Apache Culture and History. If you are willing to understand the lessons from our culture and history then the University of Virginia will avoid any and all association with the telescope project, thus avoiding additional damage to Apache people, and Apache culture, and our sacred mountain.

Thank you for your attention to this important issue. Please contact Mr. Ramon Riley, the Tribe's Cultural Resources Director, at (928) 338-1545 or Dr. John R. Welch, the Tribe's Historic Preservation Officer, at (928) 338-3033, if you have additional questions.

Sincerely,

Dallas Massey Sr.
 Tribal Chairman

cc: Ramon Riley, Tribal Cultural Resources Director
 John R. Welch, Tribal Historic Preservation Officer

DMSSB

P.O. Box 1150, Winitover, Arizona 85941
 telephone (928) 338-1560 - Jascostille (928) 338-1514



White Mountain Apache Tribe
EXECUTIVE OFFICE OF THE CHAIRMAN
 Dallas Massey Sr., Tribal Chairman

January 9, 2002

Mark Yudof, President
 University of Minnesota
 208 Morrill Hall
 103 Church St., S.E.
 Minneapolis, Minnesota 55455

Dear Mr. Yudof:

I write to ensure that you hear directly from an Apache leader about the Mount Graham telescope project. Despite what may be related by some astronomers and public relations consultants, I want you to understand that Mount Graham (the mountains we refer to as Dził N'chaa Si An) is one of our holiest and most sacred mountains. Apache elders and cultural specialists have clearly and consistently advised all who have listened that this mountain should not be disturbed for research or commercial purposes. Please take heed.

The White Mountain Apache Tribal Council has insisted upon full and unbiased recognition of the central importance that Dził N'chaa Si An has in Apache Culture and History. If you are willing to understand the lessons from our culture and history then the University of Minnesota will avoid any and all association with the telescope project, thus avoiding additional damage to Apache people, and Apache culture, and our sacred mountain.

Please contact Mr. Ramon Riley, the Tribe's Cultural Resources Director, at (928) 338-4545 if you have additional questions.

Sincerely,

Dallas Massey Sr.
 Tribal Chairman

cc: Ramon Riley, Tribal Cultural Resources Director
 John R. Welch, Tribal Historic Preservation Officer

DMSSB

P.O. Box 1150, Winitover, Arizona 85941
 telephone (928) 338-1560 - Jascostille (928) 338-1514

THE SAN CARLOS APACHE TRIBE

San Carlos Avenue
P.O. Box C
San Carlos, Arizona 85550
(520) 475-2361
Fax (520) 475-2567

Ray Yana Saan ay, Sr.
Tribal Chairman



January 11, 2002

Mark Yedof, President
University of Minnesota
202 Morrill Hall
100 Church Street, SE
Minneapolis, MN 55655

Dear President Yedof:

As an official member of the Tribal Council, I am sending you a copy of Resolution No. JN-01-04, which was passed by the members of the San Carlos Apache Tribal Council on June 5, 2001 in an official Tribal Council meeting in San Carlos, Arizona.

It has come to my understanding that the University of Minnesota is considering joining the Mount Graham telescope project. This resolution clearly states, as follows:

"Any permanent modification of the present form of this mountain constitutes a display of profound disrespect for a cherished feature of the Apache's original homeland as well as a serious violation of Apache Traditional Religious beliefs."

He further states:

"The American Indian Religious Freedom Act guarantees Indian People uninterrupted access to such sacred sites and locations. The proposed destruction of this mountain will contribute directly to the destruction of fundamental aspects of traditional and spiritual life of the Apaches."

Finally, it states:

"The San Carlos Apache Tribe recognizes Mt. Graham is a sacred mountain to the Apache people and the Tribe continues to oppose all future construction developments on top of Mt. Graham, and the Tribe stands ready to defend its constitutional rights."

January 11, 2002

John T. Casteen, III, President
University of Virginia
P.O. Box 400224
Charlottesville, VA 22904-4224

Dear President Casteen:

As an official member of the Tribal Council, I am

As a member of the Tribal Council, I am informing you that this is the official position of the Tribe. In support of our Traditional Apaches, in the past eleven years, the Tribal Council passed five separate opposition resolutions. I have great admiration and respect for our Apache people who still practice our Apache religion today.

Our prayers are with you that you will accept this official Tribal Resolution for documentation from the members of the San Carlos Apache Tribal Council.

Respectfully submitted,

SAN CARLOS APACHE TRIBE

Myron Moses
Myron Moses, Councilmember
Bylas District

As a member of the Tribal Council, I am informing you that this is the official position of the Tribe. In support of our Traditional Apaches, in the past eleven years, the Tribal Council passed five separate opposition resolutions. I have great admiration and respect for our Apache people who still practice our Apache religion today.

Our prayers are with you that you will accept this official Tribal Resolution for documentation from the members of the San Carlos Apache Tribal Council.

Respectfully submitted,

SAN CARLOS APACHE TRIBE

Robert Oliver
Robert Oliver, Sr., Councilmember
Bylas District

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Our prayers are with you that you will accept this official Tribal Resolution for documentation from the members of the San Carlos Apache Tribal Council.

Respectfully submitted,

SAN CARLOS APACHE TRIBE

Shirley Tula
Shirley Tula, Councilmember
Bylas District



State of Minnesota
INDIAN AFFAIRS COUNCIL

525 Park Street, Suite 303
St. Paul, Minnesota 55103
Phone: (651) 294-8687
Fax: (651) 284-4573

1819 Bendall Avenue
Dumpling, Minnesota 55001
Phone: (218) 732-9825
Fax: (218) 765-5738
e-mail: mlaaj@mllpaubunjan.net
website: www.IndianState.mn.us

Resolution: 011502 - 09

WHEREAS, the Minnesota Indian Affairs Council Membership consists of eleven federally-recognized Indian tribes located within the State of Minnesota and two at-large members who are members of federally-recognized tribes not based in Minnesota but are citizens of Minnesota, and

WHEREAS, the Minnesota Indian Affairs Council is the official liaison between national, state, and local units of government in the delivery of services to the American Indians in the State of Minnesota, and

WHEREAS, we the members of the Minnesota Indian Affairs Council do hereby establish and submit the following resolution, and

WHEREAS, the Ser; Carlos Apache and White Mountain Apache tribes are federally recognized tribes located in Arizona, and

WHEREAS, the mountain landform Dził Mchíaa Sí An (mount Graham), in the Western Apache homeland, and once part of the original Apache reservation, is now in the federally-managed public lands on the Coronado National Forest in Arizona

WHEREAS, the Dził Mchíaa Sí An is a central source and means of sacred spiritual guidance and a traditional cultural property of the Western Apache people and a unique place on earth through which Apache people's prayers travel to the Creator, and Dził Mchíaa Sí An is presently being desecrated and harmed by the cutting of ancient forest, digging, road building, electrification, and the installation of telescopes and metal buildings sponsored by the University of Arizona and its astronomer-collaborators, and

WHEREAS, the Apache spiritual leaders and medicine men and women at San Carlos have long since signed a pre-construction petition opposing that desecration and such harms; and the San Carlos Apache Tribal Council has passed resolutions at least five times, most recently in June 2001 in opposition to the installation of any telescopes on their sacred mountain, Dził Mchíaa Sí An, and archives, documents and testimony in the custody of the University of Arizona and the United States Government agencies and courts confirm the sanctity of the mountain, and


WHEREAS, that some institutions such as the University of Minnesota have announced their intent or may be considering join the University of Arizona and its collaborators in the observatory which desecrates Dził Mchíaa Sí An and continues to harm Western Apache people, their culture and their religion.

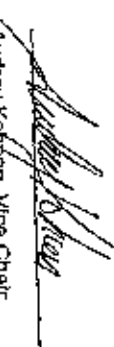
AN EQUAL OPPORTUNITY EMPLOYER

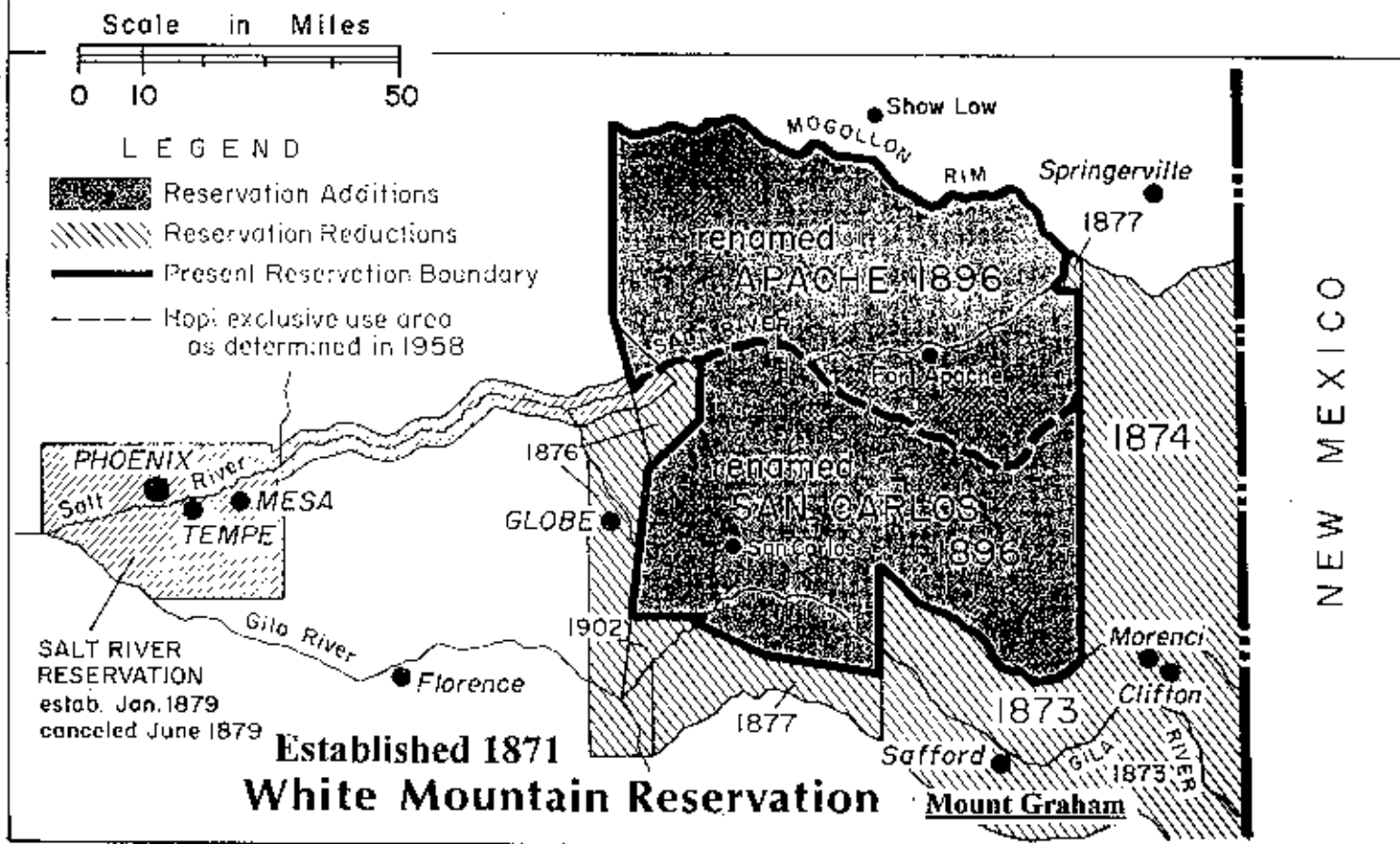
NOW THEREFORE LET IT BE RESOLVED the Minnesota Indian Affairs Council at their regular quarterly board meeting held on January 15, 2002 in St. Paul, Minnesota, strongly respectfully request and urge the University of Minnesota and any university or other entity, foreign or domestic, to look elsewhere for their astronomical developments to not join the University of Arizona and its collaborators in their Mount Graham telescope complex which desecrates Dził Mchíaa Sí An and continues to harm Western Apache people, their culture and their religion, and

BE IT FURTHER RESOLVED, that the Minnesota Indian Affairs Council join and ask all universities or other entities foreign and domestic to join the Minnesota Indian Affairs Council and stop the practice of desecrating this sacred site.

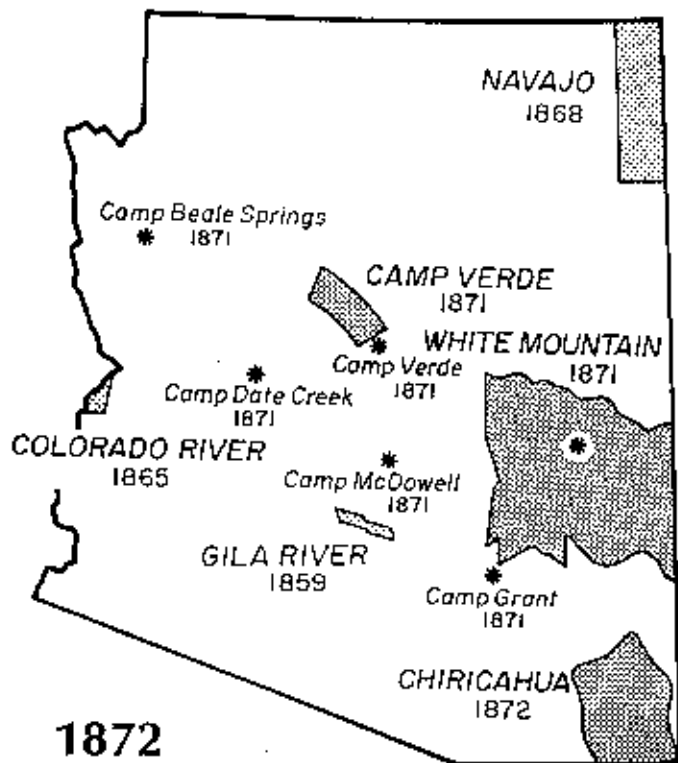
We do hereby certify that the foregoing resolution was duly presented and acted upon by a vote of Yea 12, Nay 0, Absain 0, at a regular meeting of the Minnesota Indian Affairs Council, a quorum present, held on January 15, 2002, at the Kelly Inn, 181 St. Anthony Ave., St. Paul, Minnesota.


Norman Deschamps, Chairman
Minnesota Indian Affairs Council


Audrey Kohnen, Vice Chair
Minnesota Indian Affairs Council

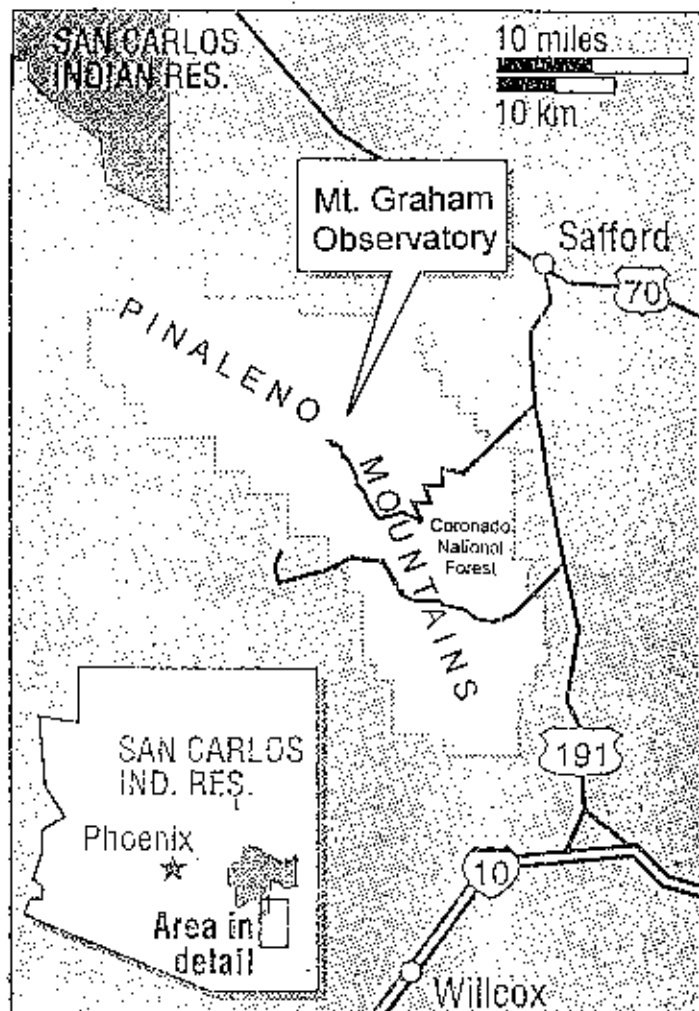


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* Temporary reservations or asylums

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Gus Walker/The Arizona Republic

Apache may seek halt on Graham

By NORMA COYLE
Tucson Staff Writer

A direct descendant of two chiefs of the San Carlos Apaches says she will try to halt the imminent reconstruction of a \$300-million observatory on what she calls her tribe's "sacred mountain" — Mount Graham.

"The medicine men, sing about (our) mountains when they pray, generations of generations, all the way down through the years," Oia Cassadore said yesterday — the day before construction of a road to the future observatory was expected to begin, on the mountain near Sedona.

"They say there is holy water on top of that mountain, and sacred herbs and a burial site," she continued. "To us Apache, it is a very sacred place. It is really important to my people to not have those things (desecrated) built up there — at least until her claim is studied, she said.

Cassadore, 69, who lives in Tucson, is one of several elders of the San Carlos tribe who have decided to speak out on the eve of construction, against the observatory to be built atop Mount Graham by the University of Arizona and several collaborators.

She is not an official representative of the tribe. Members of the Tribal Council in San Carlos could not be reached for comment.

Cassadore said she recently contacted Michael D. Anton, a member of the anti-observatory environmental group Earth First!, to offer her help in preventing construction.

D'Antonio arranged yesterday that he has set up a Saturday press conference on Mount Graham by two other elders who live on the San Carlos Apache reservation who will speak against the observatory.

He referred to this development as a "monkey wrench," using the term coined by the late author Edward Abbey, an Earth First hero, to describe ecological activists' sabotage of development efforts.

APACHE continued 3A



Oia Cassadore (above) doesn't want telescopes built on Mount Graham. She says her grandparents (below) considered the mountain to be sacred.



nesday, October 4, 1989

Apache seeks halt on Graham

Continued from 1A

John Raffle, an assistant director of the U.S. Seward Observatory and director of the Mount Graham observatory project, said yesterday that the university will want to work with Cassadore and other Apaches, if they believe the observatory poses a problem, but "we have not had the opportunity."

He said U.S. has never been contacted by Cassadore or any other San Carlos representatives, to his knowledge.

"We sent letters to 19 different Native American groups in 1985, and they were published in the draft environmental impact statement (for the observatory) that year," Raffle said. "The only response we received was from the Pueblo Zuni in New Mexico, whom we worked with."

Zuni leaders earlier reached an agreement with the U.S. and U.S. Forest Service, guaranteeing Zuni access to ancient shrines in an area near the observatory.

Asked if the project by some agencies is coming too late in the process, since the observatory was approved by Congress last year, Raffle answered, "I don't think it's ever too late. I think it's a little unusual. It's a little surprised they haven't contacted us."

Added, the university spokesman, "Cassadore, we don't want to step on anybody's sacred ground. There's not one stream at all. We would honor and respect other people's uses of the mountain, past and present. We'd be happy to talk with them, to see if we can work this out."

He said he does not know "tribal protocol" for the San Carlos tribe, or whether Cassadore's concern is shared by official tribal leaders. "Let me give this analogy: If the

president of the United States says something, it carries a different weight than if a resident in Tucson says the same thing," Raffle said.

A contractor for U.S. was expected to begin construction today on a 2-mile-long access road to the top of a peak on Mount Graham, where the observatory will be built next spring.

The mountain is home to an endangered species of red squirrel that has previously been the focus of opposition against the observatory by many environmentalists.

Raffle said the Arizona State Museum has "thoroughly checked" the site of the observatory and its access road, and there is "nothing archaeologically significant there that we know of."

Cassadore said she is not sure whether the sites sacred to her tribe are in the path of the construction. But she believes they may be and she wants construction stopped until the question is answered, if not permanently.

"We Apache have to learn to fight for our rights," she said. She described her grandfather and father as chiefs of the Apache clan that now is centered on the San Carlos reservation, near Globe, and said the tribe's current chairman is her uncle.

The reservation is not far north of 10,720-foot Mount Graham — long known to the tribe as Englishman's baldie, as "Big Mountain."

Cassadore, speaking at her Tucson home, where she moved many years ago so her eldest son could attend C.A. said she did not get involved because no one contacted with the observatory contractor how or where else she knows in the tribe, and she thought someone would.

She is not familiar with the custom bureaucracy and process involved in such a project, and said she has been nervous about speaking up, but she said she has decided to take up the present in memory of her husband, a well-known mount climber who died in 1988.

Tucson Citizen

Cassadore said she rounded up 74 signatures on the reservation within the last two weeks on a petition calling for construction to be stopped. She also has spoken against the observatory in a radio interview that was aired on the reservation last weekend, and has written for help to Sen. Edward Kennedy of Massachusetts, whom she considers a family friend.

Her late brother, Philip Cassadore, known for writing young readers of the reservation to "never lose the tribe's traditions," had met Kennedy in Washington, D.C., during a trip on behalf of civil rights, she said.

Cassadore said she expects to hear from Sen. Kennedy, but she had harsh words about her own congressional representatives.

"I'm a warrior," she said. "I vote for Sen. Dennis DeConcini, I vote for Sen. John McCain and Rep. Moll Uteal. And the time when we really needed their help, they turned their back on us. Instead, they approved those things (recesses) up there. This is really shocking to think about."

One of the things she is most angry about, she said, is that although many Apaches are Catholics, the pope is one of the U.S.'s several contributors on the Mount Graham observatory. "He should understand about religion," she said. "And that mountain is sacred to the (traditional) religion of my people."

Raffle contacted later, said he does not consider the guests on the mountain of the observatory's supporters to be "so different from those of people in ancient days."

KEEPERS OF THE TREASURES--NATIONAL TRIBAL ORGANIZATION HOLDS FIRST MEMBERSHIP MEETING

Representatives from more than 60 Indian tribes, Alaska Native groups, and Native Hawaiian organizations gathered together to form a new national organization, Keepers of the Treasures--Cultural Council of American Indians, Alaska Natives and Native Hawaiians at San Jildefonso Pueblo, New Mexico, November 13-18, 1991. Secretary of the Interior, Manuel Lujan, Jr., representatives from the National Park Service and other Federal agencies witnessed the historic event. By the end of the first membership meeting, the organization had a new 5-member board of directors elected by 150 voting members. Another 30 associate members joined to support the organization as non-voting members. This added up to almost two thousand dollars in membership dues, which were delivered by acting chairman, Cecil F. Antonio of the Gila River Indian Community to acting treasurer Alan Downer, Historic Preservation Officer and representative of the Navajo Nation.

The Keepers organization has formed in less than a year's time thanks to the hard work of its ten-member acting board of directors. In addition to Mr. Antonio and Mr. Downer, officers of the first board of directors were David Albuerque, New Mexico, and Santa Fe, New Mexico in November 1991 led to the organization's Articles of Incorporation and draft by-laws.

A series of meetings held by the board in Washington, DC in January 1991, Phoenix, Arizona in May 1991, Albuquerque, New Mexico, and Santa Fe, New Mexico in November 1991 led to the organization's Articles of Incorporation and draft by-laws.

The bylaws were presented to the membership at San Jildefonso, and were approved, with revisions, by the Keepers membership on November 15, 1991. The new 15-member board includes representatives from seven of the geographic areas administered by the Bureau of Indian Affairs, with the Eastern U.S. divided into the Northeast and Southeast, and Hawaii and the District of Columbia.

- 1. proposed amendments to the American Indian Religious Freedom Act as found in the discussion draft circulated by the Select Committee on Indian Affairs;
- 2. development of a position paper on long-term Indian policy in cooperation with the National Indian Policy Center;
- 3. implementation of the Native American Graves Protection and Repatriation Act;
- 4. development of a model tribal code for the protection of places of cultural and religious significance; and;
- 5. the San Carlos Apache tribe and the Apache Survival Coalition in their opposition to the construction of the telescope on Mt. Graham in Arizona.

The group takes its name from a National Park Service report, Keepers of the Treasures--Protection, Historic Properties and Cultural Traditions on Indian Lands, sent to Congress by Secretary Lujan in September 1990. That report was based in large part on discussions held with representatives from Indian tribes and Alaska Native groups, many of whom have joined the Keepers organization. One of the recommendations of the report was that a tribal organization dedicated to the protection and promotion of the American Indian way of life be formed. For this reason, the National Park Service has offered grant funds and staff support to assist the organization's formation.

For further information, contact Alan Downer, Treasurer, Keepers of the Treasures, c/o Navajo Nation HPD, P.O. Box 2898, Window Rock, AZ 86515, telephone (602) 871-6437. December 1991

DRAFT RESOLUTION PRESENTED BY THE APACHE SURVIVAL COALITION

NOVEMBER 14, 1991

Page 2

WHEREAS, KEEPERS OF THE TREASURES is a national intertribal organization that has been founded for the purpose of supporting and assisting the preservation, maintenance and revitalization of the past and present cultures, lifeways unique to American Indians, Alaska Natives and Native Hawaiians; and

WHEREAS, for many centuries Indian Holy Men and Women have gone onto high isolated places to pray and to receive guidance, and to train others concerning the spiritual life of Indian people; and

WHEREAS, on July 10, 1990, in Resolution No. 98 - 58, the San Carlos Apache Tribal Council, the freely elected governing body of the San Carlos Apache Tribe, adopted a resolution opposing construction of telescopes on the top of *Ashtabehn* at Mt. Big Sacket Mountain also known as Mt. Graham, because the proposed project would contribute directly to the destruction of fundamental aspects of traditional Apache spiritual life; and

WHEREAS, on August 19, 1991, the Apache Survival Coalition, an organization led by Apache medicine men and women and their supporters, filed a lawsuit against the U.S. Forest Service to halt . . . the actions and operations of the United States Forest Service in planning and approving a telescope project on *Ashtabehn* at Mt. otherwise known as Mt. Graham, in the Pinaleño Mountains of southeastern Arizona; and to stop violations by the U.S. Forest Service of the American Indian Religious Freedom Act, the First and Third Amendments to the Constitution, the National Environmental Policy Act, the National Historic Preservation Act, and the National Forest Management Act; and

WHEREAS, the Arizona Board of Regents and the University of Arizona, the Vatican, the Geason Hay Plank Institute, and the Italian Arecibo Observatory still intend to continue to build a telescope project (The Columbus Project) on *Ashtabehn* at Mt. Graham;

NOW THEREFORE BE IT RESOLVED THAT: The Keepers of the Treasures, in its first membership meeting assembled, strongly supports. the San Carlos Apache Tribal Council Resolution 90-58 and strongly supports the efforts of the San Carlos Apache in their total opposition to the construction of telescopes on *Ashtabehn* at Mt. Graham, and authorizes the Board of Directors to take appropriate action.

PRESS RELEASE

November 27, 1991

CONTACT PERSONS:

Jon Lear, Center for Resource Management

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Walter Echo-Hawk, Native American Rights Fund

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Henri Mann, Association on American Indian Affairs

Phone: 202-785-4166

Suzan Harjo, Morning Star Foundation

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Brent Blackwelder, Friends of the Earth

Phone: 202-544-2600

On November 7-8, 1991 leaders of American Indian tribes and environmental organizations met in Washington, D.C. and agreed to form a partnership to protect sacred Indian sites. Both groups realized that we are the two forces in society that on a regular basis are concerned with the protection of nature and the earth. We recognized the increasing threats from commercialism and development to sacred Indian places and pledged to campaign to obtain a federal law to protect these sites. Both groups see this initiative as part of a long-term effort to assist in society a stewardship ethic for the earth. We look forward to productive collaboration. Groups present included:

American Indian Resource Institute
Association on American Indian Affairs
Center for Resource Management
Columbia River Inter-Tribal Fish Commission
Council of Energy Resource Tribes
Environmental Defense Fund
Friends of the Earth
Morning Star Foundation
National Indian Policy Center
National Tribal Environmental Council
National Parks & Conservation Association

National Audubon Society
National Congress of American Indians
National Wildlife Federation
Native American People's Fund
Natural Resources Defense Council
Northwest Indian Fisheries Commission
Several Indian Tribes and Nations
Religious Leaders
Sierra Club
Sociological Institution
The Wilderness Society

NATIVE AMERICAN/ENVIRONMENTALIST ROBERT ABLE MEETING
WASHINGTON, DC

Resolution in Support of the San Carlos Apache
Affected by a planned construction of a telescope complex on
Mt. Graham, Arizona

WHEREAS a consortium, consisting of the University of Arizona, and the Max Planck Institute, and the Vatican plan the construction of an observatory complex on Mt. Graham, Arizona;

AND WHEREAS major institutions, among them the Smithsonian Institution and Ohio State University, have already withdrawn from the consortium;

AND WHEREAS, Mt. Graham is a sacred site for the Apache people which has great religious significance to them in the practice of their faith;

AND WHEREAS, construction of said telescope will desecrate specific religious sites sacred to the Apache people, now therefore we, the participants in the Native American/Environmentalist Roundtable, representing fifteen Native American and eleven American environmental organizations do hereby request that the above mentioned consortium immediately stop any further construction works on Mt. Graham, remove the said telescope project to another site which will not impact upon Native American religious practices or the environment, and specifically request that the Vatican withdraw from this consortium.

Moved by Brock Evans, National Audubon Society

Seconded by Walter Echohawk, Native American Rights Fund

Passed: Unanimously

November 8, 1991

1, KEITH H. BASSO, declare as follows:

1. I am an Anthropologist and currently a professor at the University of New Mexico, Department of Anthropology. As a professional Anthropologist, I have conducted linguistic and ethnographic research among the Western Apache of Arizona since 1959. I am also a Trustee of the National Museum of the American Indian, The Smithsonian Institution, Washington, D.C., and was elected to their Collections Committee.

2. My most recent book published on Apache culture is: Western Apache Language and Culture, Essays in Linguistic Anthropology. University of Arizona Press, 1990.

3. I have spent extended periods of time interviewing Apache men and women on the San Carlos Reservation. I base the information and opinions in this declaration on my own research, on the research of Grenville Goodwin, a highly skilled ethnographer who lived on the San Carlos Reservation during the 1930's and 40's. Goodwin's published contributions are cited where appropriate in the text as are portions of his unpublished field notes which are not the property of the University of Arizona at the Arizona State Museum in Tucson. My close association with the Apache people of Arizona and the Grenville Goodwin papers (see attached list of publications) over an extended period of time is well known. Further, in 1982 I was appointed an Adjunct Professor of Anthropology at the University of Arizona, a position I continue to hold. However, as the controversy over the cultural resources on Mt. Graham has developed over the last few years, no one from the University of Arizona has contacted me about that subject.

4. My Curriculum Vitae, attached and incorporated in to this declaration, lists my educational and research credentials, except for the additions listed above and any additions that may be appropriate should I be called to testify.

5. I shall begin this declaration with a discussion of certain basic themes in Western Apache Religious thought that bear directly on the Mt. Graham telescope issue. I include material which I drafted for this purpose several months ago and follow it with a statement that I made before the recent University of Arizona forum on March 28, 1992.

6. Apache religion comprises an ordered realm of thought and action (Goodwin 1938, 1939; Basso 1966, 1970, 1983). It rests upon a set of abstract metaphysical assumptions about the origin of the universe, its subsequent development, and the character and activity of the dozens of objects and entities that currently reside within it. In many respects, Apache assumptions about the nature of the universe contrast with those

found in Western systems of thought, and probably for this reason the former have been described by non-Apaches as "primitive" and "simpler". Such demanding characterizations are wholly inaccurate and totally false. Apache religion bases a vast and complex mythology (Goodwin 1939), an extensive corpus of elaborate prayers and chants (Goodwin 1938; Basso 1970), a sophisticated theory of natural and supernatural causation (Basso 1970), and a ritual language of profound and subtle dimensions (Basso 1970). It also supports a broad variety of ritual and ceremonial activities that reach into virtually every corner of personal and social life (Goodwin 1938, 1940; Basso 1966, 1970). It is not surprising, then, that Apache religion contributes at fundamental levels to the development of viable personal and social identities (Basso 1970, 1990, 1990b). An integral part of Apaches' conceptions of themselves, their religion plays a major role in defining and shaping who and what they are. The continuing importance of traditional religious thought and practice in the lives of Apaches today and to their future as a distinct and distinctive people cannot be stressed too strongly.

7. In Apache religious thought everything that exists embodies and manifests its own form of "life" (bit'it'na). The earth has life and so does the sky; mountains, springs, and streams have life, as do all species of plants and animals; stones and minerals have life, as does thunder and lightning and wind. A large group of supernatural beings, many of which are rarely seen by humans, have life as well. All of these objects and entities have forms of life different from man's, and in some cases, forms of life that are more powerful than man's (Goodwin 1938; Basso 1970, 1983). All forms of life are inherently "holy" or "sacred" (godli'it'), though in varying degrees.

8. Because all forms of life are inherently sacred they possess their own kinds of "sacred power" (dii'it'). Sacred powers can be called upon with appropriate prayers and chants by persons who have been properly instructed by traditional ritual specialists. (Goodwin 1938; Basso 1970). Different powers are called upon for different purposes, including healing the sick, promoting success in personal endeavors, celebrating female puberty, and a great many others (Goodwin 1938; Basso 1970, 1983).

9. The possession of life and sacred power by all things requires that they receive appropriate displays of "deference" or "respect" (dii'it'go, and dat'it'k'it'it' literally, "to think well of it"). If deference and respect is not displayed, the thing in question will withhold its power and cannot be put to beneficial ends (Basso 1970, 1983). Respect may be shown in numerous ways. One of these is to avoid taking a thing's life, or harming it in any manner, unless it is needed for socially useful purposes. Another way to

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|----|-------------------------------|------------------------|
| 12 | APACHE SINGING SOCIETY: | CITY: PHOENIX, ARIZONA |
| 13 | USA COUNCILORS: DANIEL S. AND | STATE: ARIZONA |
| 14 | ADRIAN WILSON: | CITY: PHOENIX, ARIZONA |
| 15 | PAULINE: | CITY: PHOENIX, ARIZONA |
| 16 | VERNON: SINGING SOCIETY: | CITY: PHOENIX, ARIZONA |
| 17 | EDWARD: SINGING SOCIETY: | CITY: PHOENIX, ARIZONA |
| 18 | EDWARD: SINGING SOCIETY: | CITY: PHOENIX, ARIZONA |
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1 show respect is to avoid inflicting damage on the thing's "home" or "living
2 place" (Goff). A third way to is to avoid any verbal action that minimizes
3 the thing's value or importance. In general, then, "studied avoidance" is the
4 key to maintaining productive and harmonious relationships with all forms
5 of life and their associated sacred powers. Practicing such avoidance en-
6 sura order and stability in the universe (Basso 1983).

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10. Certain objects and entities -- because they provide homes for other
objects and entities -- are associated with multiple forms of life and
multiple sacred powers. This is the case with certain types of places, in-
cluding, most prominently, mountains and mountain ranges (Basso n.d.). All
forms of life with homes on or near a mountain are considered to *belong* to
that mountain, and their separate sacred powers are therefore considered
part of the mountain's power. Although the mountain's own sacred power
may be great in and of itself (as is the case with Mount Graham), it is the
combined array of all the mountain's associated powers that defines its
sacred significance (Basso n.d.).

11. As these observations suggest, Apache conceptions of place occupy a
conspicuous position in religious thought and practice (Basso 1990c; 1990b).
Since time immemorial, Apache ceremonials have been conducted at
designated places. Other places provide plant and animal resources without
which these ceremonials cannot be performed. Still other places are
accorded significance because of their intimate association with important
mythical events (Goodwin 1938, 1939), or because they are the homes of
supernatural beings (Goodwin 1938, Basso 1983), or because they harbor the
remains of deceased Apache people (Basso n.d.).

12. Important consequences follow from the fact that places are invested by
the Apache with *specific* kinds of sacred significance. One of these is that
different places are not interchangeable for religious purposes (Basso n.d.).
Accordingly, particular ceremonials must be performed at certain places
only; particular plants and animals used in ceremonials must be collected
at certain places *only*; and particular sacred powers must be invoked with
prayers and chants that mention *only* the names of places that provide
these powers with homes. Because of these prescriptions the Apache land-
scape acquires a deeply moral dimension which sacred places serve to
symbolize, and for this reason destruction of sacred places is regarded as
a deeply immoral act (Basso 1990a, 1990b, n.d.). Mr. Nick Thompson, an
Apache man from the community of Cibecue on the Fort Apache Reservation
made this point to me in sharp and compelling terms. Said Mr. Thompson:

If you hurt one of those holy places, it's very, very bad.

You will hurt yourself and all your people if you do that.
You must always show respect and take care of those
holy places. Each one helps us in some way. We depend
on them to help us live right, to live the way we should.
So we leave them alone except when we really need
them. We pray to them to help us. If we hurt them they
would stop helping us -- and then we would only know
trouble. (Basso n.d.)

Part Two:

It is now possible to describe the sacred character of Mount Graham in
culturally relevant terms. I shall begin by considering Mount Graham's
significance for Apache people as this was revealed to the ethnographer
Granville Goodwin some fifty years ago. I will then discuss additional
aspects of Mount Graham's sacred significance as described and confirmed
by Apache persons living today on the San Carlos Reservation.

A review of Granville Goodwin's unpublished fieldnotes shows that Mount
Graham (*Gizit neha s'lan*, 'Big Sealed Mountain') derives its sacred value
from a configuration of interrelated attributes and qualities. These include
the following:

1. Mount Graham is regarded by the Apache as the "chief of all moun-
tains" (Goodwin unpub. ms., pp. 114-115) because of its location near the
center of what was formerly San Carlos Apache territory (see also Goodwin
1940, pp. 4). Together with three other mountain ranges -- the White
Mountains (east), the San Francisco Mountains (north), and the Hualapai
Mountains (west) -- Mount Graham (south) served to define the traditional
homeland of the Western Apache people.

2. Mount Graham is considered sacred by the Apache because of its
own inherent power and its association with sacred powers embodied by
forms of life for which the mountain provides a home. The latter include
deer (Goodwin unpub. ms., pp. 113), horses (Goodwin unpub. ms., pp. 113-114),
and lightning and thunder (Goodwin unpub. ms., pp. 405). Because of Mount
Graham's association with deer power, the Apache prayed to it for success
in hunting (Goodwin unpub. ms., pp. 113). Because of the mountain's
association with horses, they prayed to it for success in raiding and war-
fare (Goodwin unpub. ms., pp. 113-114). And because of Mount Graham's

association with the powers of lightning and thunder, they prayed to it for success in raising crops (Goodwin unpub. ms., pp. 405). Goodwin's Apache consultants also informed him that Mount Graham was mentioned in prayers and chants ~~used~~ to ensure good health (Goodwin unpub. ms., pp. 116) and to promote longevity (Goodwin unpub. ms., pp. 173).

Although the information contained in Goodwin's fieldnotes concerning the sacred character of Mount Graham has been confirmed by Apache people now living on the San Carlos Reservation, his records have been judged by these individuals to be seriously incomplete. In addition to the attributes and qualities mentioned in Goodwin's records, the following are of central importance.

3. Mount Graham provides homes for bear, owl, and eagle, and therefore is intimately associated with sacred powers possessed by these forms of life.

4. Mount Graham is the home of an important group of supernatural beings described in the San Carlos dialect of Western Apache as *gashd*. Sometimes referred to in English as "crown dancers" or "mountain spirit dancers", the *gashd* appear in different religious ceremonies and serve as critical agents in processes of spiritual healing. The *gashd* reside at a place inside Mount Graham and have done so since the time of their first involvement with human beings. Even if Mount Graham were not significant for other reasons, its standing as home of the *gashd* (*gashd gashd*) would make it a sacred site of crucial importance to San Carlos Apache people.

5. Mount Graham is the home of several natural springs whose water is known to have curative properties. Small amounts of this water continue to be collected by Apache ritual specialists for use in traditional healing ceremonies.

6. Mount Graham is the home of several kinds of stones and minerals required for religious ceremonies. These stones and minerals continue to be collected by Apache ritual specialists for use in traditional ways.

7. Mount Graham is the home of eagles, whose breast and tail feathers are put to variously of religious purposes. Apache ritual specialists continue to gather eagle feathers at specific places on Mount Graham (the birds themselves are neither trapped nor killed) and put the feathers to traditional ceremonial uses.

9. Mount Graham is the home of several societies of plants and animals required for religious ceremonies. Small numbers of these plants and animals continue to be collected and used by Apache ritual specialists.

9. Mount Graham has for centuries been a place where Apache ritual specialists go to pray and dream. This practice continues today.

10. Mount Graham has for centuries been an object of prayer for Apache people. Mount Graham's sacred power can be called upon in prayers to relieve symptoms of depression and anxiety as well as to provide mental strength when dealing with personal problems and difficulties. This practice continues today.

11. Mount Graham is the location of an unspecified number of Apache burials, including those of men and women who lost their lives in battles against enemies of the people. Mount Graham is thus regarded as a burial ground (*Indee Isinditkhu*) of enduring importance.

CONCLUSION TO PARTS ONE AND TWO:

It is probable that Mount Graham possesses additional kinds of religious significance than those described above. However, the evidence presented here establishes clearly and unequivocally that this mountain is a sacred site of profound importance to the San Carlos Apache people. Despite the many changes that have affected Apache society in recent decades, Mount Graham continues to be a vital part of the people's natural and moral universe. As a cherished feature of their original homeland, as dwelling place of the supernatural *gashd*, as home to forms of life required for traditional ceremonial activities, as object of personal prayers, and finally as on-site burial ground, Mount Graham stands as a critical component in the Apache way of life. As Mrs. Olla Cassadore Davis has observed: "The San Carlos Apache have always depended on Mount Graham for many things. It has always helped us out. There is only one Mount Graham. Nothing can take its place. We really need that mountain. It is wrong for anyone to hurt it."

As this statement by Mrs. Cassadore Davis implies, hurting Mount Graham in any permanent way would have destructive consequences for the spiritual well-being of all Apache people who depend on the mountain as a source of strength and of cultural continuity. As interpreted by the Apache,

1 damage to Mount Graham would certainly result in damage to
2 themselves, for damage to the mountain could only be seen as a
3 display of profound disrespect. Such disrespect would
4 precipitate a lasting disruption in the workings of the
5 universe, and this in turn would bring serious harm to persons
6 living within it. In short, permanent damage to Mount Graham
7 would be construed by the Apache as an act of religious
8 desecration, of wanton and gratuitous defilement, and its
9 shattering repercussions would be numerous and profound.

6 For reasons that come straight from the core of the
7 Apache's rich and venerable culture, the Apache believe that
8 Mount Graham is essential for maintaining their traditional way
9 of life and the intricate rhythms of their roundly sacred
10 universe. The telescopes desecrate Mount Graham because they
11 violate and impugn the mountain's "life" and all associated
12 forms of life that have existed for centuries on the mountain.

10 These forms of life possess inherent sacred properties, or
11 "di yi", and unless proper forms of respect are shown, these
12 powers may not be drawn upon by trained Apache personnel for
13 beneficial social purposes. Construction of the telescopes is a
14 blatant form of disrespect and so threatens the ability of the
15 Apache to call upon the sacred powers, all of those that are
16 associated with these forms of life, to perform their accustomed
17 social purposes. In short, construction of the telescopes
18 violates the natural order of the Apache universe and threatens
19 to bring chaos into the world.

15 Part Three:

16 Attached next is a statement I made before the University
17 of Arizona Faculty Senate Forum on March 27, 1992 and I hereby
18 incorporate it into this declaration. It is intended to address
19 more specific questions about how Mt. Graham is held sacred to
20 the Apache and to address how traditional Apache might conduct
21 themselves, which might not be understood by those who are not
22 familiar with Apache culture. I submit this attached statement
23 to reinforce my conclusion that this project would cause
24 permanent damage if construction were to continue.

21 I declare under penalty of perjury, under the laws of the
22 State of Arizona, that the foregoing is true and correct,
23 either based upon my own personal knowledge or upon my
24 information and belief.

25 Date: March 30, 1992


26 KEITH H. BASSO

Supporters gather



San Carlos Apache Moccaslin, Globe, Arizona

at Mount Graham

Page 7



Photo by Sandra Kessler
Group effort
San Carlos Apache elders pay tribute to the Mount Graham runners. Shown are (above, left) Mary Anderson, Mary Reed, Ollie Goodie, Elizabeth Blair, Betty Hamery, Sante Russell, Pauline Gibson, Helen Phillips, Dorothy Richards, Pauline Randall, Bernice Harney, Perry Hamery and Elder Berni. The event drew a wide cross section of people opposing the telescope project.



Apache Moccaslin

San Carlos

50¢

In the running
Mary Anderson rings a cheering song for David Valenzuela, an Apache runner who participated in the Apache Survival Coalition Sacred Mount Graham Run from the reservation to Mt. Graham. The runners made the run up the steep mountain to show their stand against the Mt. Graham Columbia Telescope project. See additional pictures on Page 5.

Mt. Graham Sacred Run draws Apache elders, runners, students

1964 JUN 29 11:58 AM

San Carlos elders thank runners

Two hundreds of Apache elders met high on Mt. Graham June 17 to honor and thank more than 60 Indian and non-Indian runners of the Mt. Graham sacred run.

The 95-mile run across the San Carlos Apache Reservation and up onto Trail Nohla St. An Oldc. (Graham) was in protest of the University of Arizona, Yalton and Governor Leake's de-secration of this sacred Apache mountain.

The run was organized by San Carlos Apaches Wendler Nohla St. and Urael Victor Jr. of the Apaches For Cultural Preservation. It was formed to coincide with the Student Environmental Action Coalition's (SEAC) week-long protest on Mt. Graham.

Apache runners ran side by side with Indian runners from other tribes and with SEAC students from throughout the U.S. in a show of solidarity in opposition to the Mt. Graham Dam Project.

Trikes included Gila River, Navajo, Shoshone, Apache, Chipewya and Lakota. SEAC students hailed from more than a dozen U.S. states.

Lead Apache runner David Waterman started off at 4:30 a.m. carrying a sacred object which had been blessed by Apache spiritual leaders. Waterman two years ago had run with several Apache object from the top of Mt. Graham all the way to Mexico City. The early start was to avoid the summer desert heat.

But for Apache mountain spirits, the vision must have heard the prayers of the runners and of Francis Bandini, who gave spiritual guidance and accompanied the runners. Prayers were held over the reservation and light rain added its raindrops as they entered the town of Big Horn at the end of the reservation.

The elders welcomed and thanked the runners for showing their concern for protecting Apache traditions. A stirring prayer for the mountain by Mary Beard brought tears to Indians and non-Indians. Apache songs, prayers and drumming were provided by Apache elders and spiritual leaders Mary Anderson, Harrison Bonta, Perry Hickey and Anthony Longo.



College students ran to show their support for protecting Mt. Graham. They ran from left: Liam Bighorse, a Navajo; Theresa Nohla, a Navajo; and Vanessa Nohla, an Apache.

Victor, Kozir and Valenzuela asked for respect for the wisdom of their elders and for Apache cultural values. They thanked the Indian and non-Indian people who were standing side by side on Trail Nohla St. in striving to protect the Apache traditions under attack.

Sharon Ramblers, an Apache elder, described some of the disrespect which Indian people face today as they try to preserve their traditional values.

She related the story of how Andrew Herwitz, chairman of the Arizona Board of Regents, had tried to refuse to allow an Apache translator to translate a brief statement by Apache elder Perry Hickey protesting the desecration of the Mt. Graham telescope project.

Other elders present on Mt. Graham included Fitzhugh Blair, Dorothy Richard, Pauline Gishon, Olive Good, Bernice Harary, Betty Hunter, Helen Phillips, Pauline Randall, Herbert Royce, Elmer Bont and Santa Russell.

During the year's run the Arizona Highway Patrol (Department of Public Safety, DPS) tried to stop the Apache runners when they reached Mt. Graham. The University of

says why the run should be stopped. Standing behind Nohla and Victor were dozens of Indian and non-Indian runners.

When the runners started traveling cross-country alongside the highway, the police realized the dedication of the runners was unassailable. But DPS continued to harass the runners and their support vehicles all the way up the mountain with various alleged traffic violations, Victor said.

Victor said this year's run found a more courteous and subdued, though equally persistent, DPS.

Last year, there was a strong public outcry arising from the harsh path-infliction techniques the University of Arizona administration had ordered police to impose on student demonstrators. This may have caused U.A. to instruct the police to be less violent and intimidating this time, Victor said.

At 2:30 p.m., at the foot of the mountain, the DPS officer in charge said the run would have to be canceled because the runners would never complete the 20 steep uphill miles before dark. It was pinned out in him that last year, due to the police delays, the runners started up the mountainside much later, but still reached the top well before dark.

By 5:15 p.m., two and one-half hours before sunset, a flood of courageous runners led by three Apache runners and one STAC student proudly carried the sacred object into a cheering camp of Apache elders and STAC students. DPS admitted that they checked many Apaches and even Indian/Navajo relay teams averaging speeds exceeding seven miles per hour on the steep trail.



Wendler Nohla, co-chair for Apaches for Cultural Preservation, gave thanks to the creator and all those who joined in the sacred run.

Arizona had set up an armada of 96 DPS officers and dozens of DPS patrol cars, an imported out-of-state Forest Service SWAT force, U.S. military police, and state and federal law enforcement agencies. Apache sacred run leaders Victor and Nohla were blocked for almost an hour as DPS issued various re-



Runners showed great enthusiasm as they ran the steep road up Mount Graham recently in a show of solidarity against the Columbus Telescope project.

Mocassin, Globe, Arizona

A weekly cultural publication for the people of the San Carlos Apache Indian Reservation.

San Carlos Apache Mocassin

50.

San Carlos Apache Mocassin

A weekly cultural publication for the people of the San Carlos Apache Indian Reservation.

The Apache have a special gift - to endure

Editor:
The Apache, it seems to me, have a special gift - the ability to endure. Our beliefs tell us that we were created in the land whence we now live during an age when supernatural beings lived as people upon the earth. We were given a religion, language and traditions to follow. We have since seen much change. Newcomers have arrived in our land. Some have sought to destroy us, others have desired to recreate us in their own image, to have us give up our language and culture. Our mothers and fathers were sent to boarding schools and were punished for speaking in their own tongue. Much of our land was taken when it was discovered to be rich in resources. Yet, we have survived.

Our Apache language and beliefs are respected by the majority. The Apache past is still dramatically verbalized in ceremonial songs and taught to apprentice medicine men. Ancient puberty rites are still practiced today. We hold to our ways so we will know who we are and to help us feel good about our existence upon the earth. We do not reject the ancient technological world. We tend to improve the quality of our lives and to create a secure environment where we can safely pursue our Apache ways. Indian pride.

G. Kyle Phillips
Ontario, Calif.

BUSINESS OF THE DAY or MOTION, CITY COUNCIL OF ROME, 28 APRIL 1992

Subject matter: Mt. Graham

CONSIDERING THAT:

--Mt. Graham in the Pinaleno range, in the Coronado National Forest of Graham County, Arizona, represents a unique example of biological diversity in North America, being the only "sky-island" ecosystem in the Sonoran Desert of the United States and Mexico in which is present a unique variety of old-growth, spruce-fir;

--this area holds more vegetation zones than any other mountain in the United States encompassing changes from desertscrub to the southernmost type of boreal forest;

--the entire population of the red squirrel (*Tamiasciurus harrisiensis grahamensis*), an endangered species according to the United States Fish and Wildlife Service, lives on Mt. Graham along with at least seventeen other unique species and subspecies that have been found only on this mountain in this natural habitat;

--under the administration of the Federal Government the grizzly bear and wolf became extinct and here it would be possible to rebuild their habitat;

WHEREAS:

--until 1873 Mt. Graham was the center of Apache territory and it is considered by them a sacred site, and on it are practiced religious rituals and traditional ceremonies;

--on this sacred land are buried, since time immemorial, the ancestors and the dead of the Indian populations, and remains of ancient sanctuaries and shrines have been found;

WHEREAS:

--a consortium of institutions led by the University of Arizona and including the Ohio State U. [sic], the Vatican State, the Arcetri Observatory of Florence, and the Max Planck Institute of Bonn, is involved in the destruction of a large part of 615 acres of boreal forest for building on the summit of the mountain a complex of seven telescopes (in the project 19 are envisioned);

--such construction would destroy the habitat of species already threatened by extinction, violating the laws for the preservation of biological diversity, including the "Endangered Species Act" of the United States;

--the Native American Environmental Roundtable, representing 13 U.S. Native American and 11 U.S. environmental organizations, has requested the suspension of the project;

--under the pressure of traditionalist Indian populations and U.S. ecologists Harvard University, the U. of Chicago, the U. of Texas, [Ohio State U.], and the Smithsonian Institution have all withdrawn their cooperation and funding of the project.

THEREFORE LET IT BE EMPHASIZED that political lobbying schemes should not be the basis and foundation for scientific decision-making, but instead respect for the environment and cultural diversity;

THE MUNICIPAL COUNCIL OF ROME HEREBY INVITES the President of the U.S., George Bush, the Secretary of Interior, Manuel Lujan, the Secretary of Agriculture, Edward R. Madigan, to support with all the governmental-institutional means at their disposal the preservation of the Mt. Graham ecosystem - its natural state, and to guarantee to the Native American peoples the freedom

of religious practices and access to the sacred sites as established by the "Native American Religious Freedom Act" of 1978;

AND ASKS the Italian Government to renounce the funding for its telescope project and to find alternative sites where the biological, natural, and cultural aspects of the site will be guaranteed respect;

AND INVITES the Vatican State to consider the damages, human, social and spiritual, and the ecological destruction that such a project will cause, and to evaluate in a positive manner the termination of their funding for the astrophysical complex on Mt. Graham by seeking alternative project sites where the natural, biological, cultural, and religious values may not be disturbed.

**S.P.O.R.
CITY OF ROME**

**AGENDA N. 18 OF APRIL 28, 1992
THE CITY COUNCIL OF ROME**

CONSIDERING, the natural values of Mt. Graham, Arizona, that represents a unique "sky-island" system surrounded by the desert in which are present at least three vegetation zones belonging to types that span from the southernmost Hudsonian bio-region to the northernmost Sierra Madre;

CONSIDERING LIKEWISE, that on the above mentioned mountain are species and subspecies that cannot be found in any other place on earth;

SINCE, Mt. Graham is the traditional site of religious practices, rituals, and prayers of the Apaches and burial place of their dead from time immemorial;

CONSIDERING, that the Apache traditional people have put forward requests to have their delegation received by representatives of the Vatican State responsible for the construction of a telescope on Mt. Graham;

INVITES, the Mayor to ask the Secretary of State, Cardinal Sodano, to meet on May 10, 11 or 12 1992 with a delegation of American Indian representatives of the Apache Survival Coalition along with the representatives of the City of Rome.

Signed _____ April 28, 1992: De Paris, Rossetti, Del Favore, Rungtiano, Di Pietrantonio, Marino, Valentin, Francescone, Nicolini, Forcella, Rossi Doria

The above Motion was unanimously approved in the session of 28 April 1992

For info: Contact City Council of Rome, 9-Spm Ital. time, Apache Survival Coalition, Box 11814, Tucson AZ 85734

ORDER OF THE DAY OR MOTION

The City Council of Florence, June 1, 1992

In view of the fact that an international astrophysical observatory project on Mt. Graham in Arizona has been subscribed by the Arcetri Observatory of Florence and the Vatican Observatory because they find it impossible to carry out their research in Italy due to night-time light pollution throughout Italy,

In consideration of the fact that until 1873 Mt. Graham was situated in the heart of the Apache territory and even after that date it continued to represent a symbol of identification for the San Carlos Apache people,

Bearing in mind that almost 4 hectares which would be occupied by the observatory are situated on one of the peaks considered among the most holy pieces of the Apache people,

And that the envisaged [observatory] buildings, by proximity and definitely changing the essential aspects of the site, would prevent the [traditional] spiritual leaders of the tribe from using the peak as a religious site,

Up until now [traditional] spiritual leaders had kept its holy meanings as secret as possible in the face of the ideological and cultural persecutions that they have been subjected to for over a century,

Considering the fact that the San Carlos Apache Tribal Council, the supreme organ of political representation of the San Carlos Apache people, since July 1980 has unanimously declared itself opposed to the Observatory, overruling all inner conflicts (which exist within all democratic political organizations) and thus proving that the issue is of paramount importance to the Apache.

In view of the fact that the scientific institutions involved in the construction of the Mt. Graham observatory (University of Arizona, Max Planck Institute, Arcetri Astrophysical Observatory, Vatican Observatory) have asked for and twice been granted cancellation of an international educational forum to be hosted by the Mayor of Florence with that forum's intention that of shedding light on the significance of Native American holy sites, and the sacredness of Mt. Graham in particular, and the competitiveness of the existence of these sites with the astrophysical needs,

In consideration that the pressure of public opinion and American Indian organizations which have led the Smithsonian Institute, Harvard University, the University of Chicago, and the University of Texas to withdraw from the project,

Considering the advisability of suspending all work on the mountain until the Apache claims have been satisfactorily assessed and until the conclusion of the judicial proceedings in the United States in order to avoid significant damage being dealt to the sites before the spiritual leaders of the Apache tribe have been listened to in an impartial forum by the counties giving economic support to the construction of the Observatory, especially as regards the participation of our government of Italy,

In consideration of the fact that astrophysical observatories have to be sited further away from the research centers in our country partly due to the increased artificial lighting that blankets out the night sky as a result of the lack of suitable legislation to regulate it.

[THIS MOTION] ASKS THE GOVERNMENT FOR ITALY

To cause the construction work on Mt. Graham to be halted, even having the recourse of a freeze of the financial support to the project, until all the court proceedings in the U.S. have been concluded, that the same procedures [public laws] observed for other astrophysical observatory sites be adhered to for the Mt. Graham project, and that in the meantime the missing testimonials from the spiritual leaders of the Apache be listened to in a political venue by a competent parliamentary commission, and that their requests be recognized by our country as legitimate.

that failing a guaranteed halt in the construction on Mt. Graham, the government of Italy definitely withdraw all financial support to the project, decreeing that such monies be spent on alternative sites, where neither the culture nor the religious beliefs of anyone are violated,

THIS MOTION INVITES THE ARCI TRI OBSERVATORY

also so as not to involve the name of Florence and Italy in an act of force directed against the wishes of a representative entity of one of the American Indian nations, and to re-examine the technical possibility of resiting the buildings for astrophysical research on a locality other than Mt. Graham,

THIS MOTION BINDS THE FLORENCE CITY COUNCIL

to work out a proposal for the regulation and limitation of artificial night lighting in the Territory (province) of Florence in conformity with the motion approved by the last national assembly of the Italian Astronomical Society,

to organize as early as possible and at any rate by the end of this year, an international meeting that will be in with the 500th anniversary of Columbus' landing in America, in which scientists, religious experts and politicians will be summoned to speak on the subject of the respect owed to holy sites; and the participation of the scientific institutions engaged in the Mt. Graham project will not interfere with this meeting taking place,

to verify the feasibility in as short a time as possible the town of Florence twinning with the Apache nation, as an act of homage to the indigenous peoples of the Americas, thus recognizing their equal civil dignity after 500 years of colonization.

THIS MOTION MOREOVER ASKS THE VATICAN STATE

in consideration of Pope John Paul II's Peace message delivered to this Town Council, in which he stressed the need to respect other religions and cultures, and in view of the report [position paper and courtroom affidavit] submitted by the Vatican Observatory being followed by the successive testimonials of Apache spiritual leaders, [this resolution asks the pope] to express his official position regarding:

1. the human, cultural and spiritual damage that the construction of the Mt. Graham project might inflict on the Apache people,
2. if he [the pope] has assessed the possibility that by withdrawing from the construction of the Mt. Graham observatory, and by looking for an alternative site, he might be making a significant contribution to a sense of solidarity among peoples of different cultures which would be particularly meaningful in the 500th anniversary of Columbus' landing in the Americas.

AND LASTLY THIS MOTION ASKS THE PREFECTURE FOR THE DOCTRINE OF FAITH VIA THE CARDINAL OF FLORENCE

if the Catholic Church can consider it morally correct to set the needs of one religion or culture before the inevitable, traditional religious rights of another people at a site the Apache consider holy (emphasis added).

THIS MOTION BINDS THE MAYOR TO SEND THIS ORDER OF THE DAY TO:

- The President of the Council of Ministers
- The President of the Chamber and of the Senate
- The President of the Competent Parliamentary Commissions
- The President of the Republic of Italy
- The Cardinal Archbishop of Florence and via his offices to
- The Prefect for the Doctrine of the Faith the Secretary of State, and to
- His Holiness Pope John Paul II
- The Italian Astrophysical Society
- The Italian Astrophysical Society

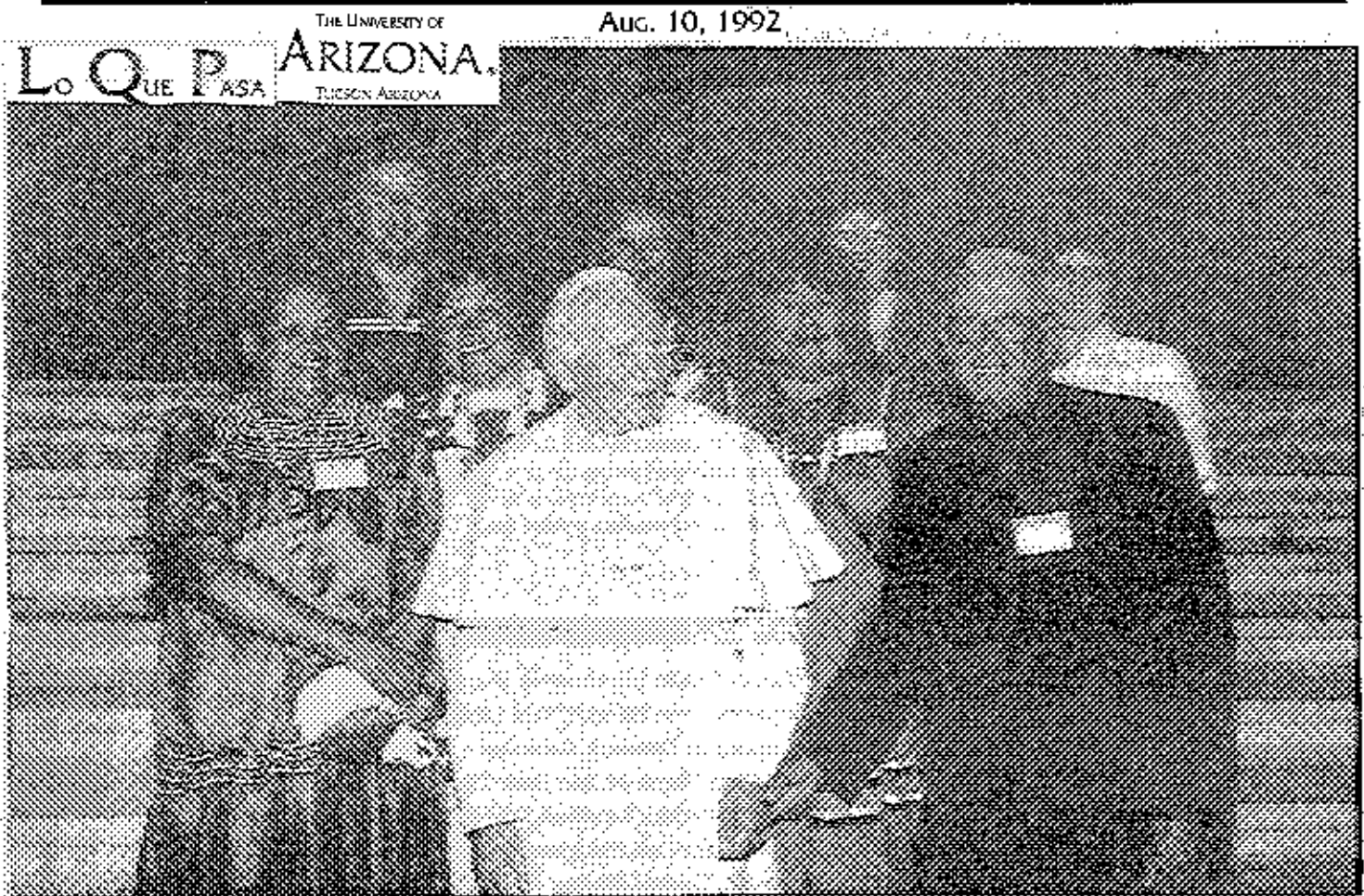
Motion approved by Florence City Council, June 1, 1992: 32 votes for, 1 against, 7 abstentions. For info: Gianazzo Pucci, member, Florence City Council, 011-93-55-287257, fax 011-59-55-218598 (p-Span Italian line) ---

U. of Arizona Administration's official newsletter- *Lo Que Pasa*, below, shows the Pope posing with this UA-appointed, UA-financed Apache group. That group toured UA's Max Planck, Italian and Vatican astronomer/collaborators absurdly declaring how pleased the Apache people were to have the European astronomers' telescopes on Mt. Graham.

UA's *Lo Que Pasa* photo caption claimed that this "delegation...represented the San Carlos Apache." This is clearly false since the Tribal government, Medicinepeople and Elders were on record with multiple declarations, letters, and resolutions opposing the telescopes (see pp. 2, 3, 4, 5, 7- 8, 9, 10).

UA's so-called "delegation" consisted of, among others, the wife and daughter of the former Council Chairman, Buck Kitcheyan. Kitcheyan pled guilty to theft and embezzlement of tribal funds and was fined and jailed. The Court refused to grant UA's request to send Kitcheyan to Europe as Court proceedings were pending. Chairman Kitcheyan was a vigorous opponent of the telescope project and threatened to sue the USFS in an Aug. 31, '90 Tribal letter to them. He declared: "Since time immemorial, Mt. Graham has been a sacred mountain to the Apache people." However, once indicted for theft of Tribal funds, and facing heavy legal expenses, lengthy jail time, and heavy fines, he abruptly became UA's "good" Indian and supported their project.

Council member Wm. Belvado and his wife also went on the tour. Belvado has been the one Council member that has continuously supported UA, notwithstanding the host of tribal documentations opposing the telescopes both before and after this European excursion.



A MARBLE STAIRWAY AT THE VATICAN PROVIDED THE BACKDROP WHEN

...UA Adjunct Professor of Astronomy/Vatican Observatory Director George V. Coyne, S.J., right front, joined other Arizonans as special guests for a general audience with Pope John Paul II, center, during their European trip in June. The delegation, which represented the San Carlos Apache and Graham County Chamber of Commerce, made the

Journey to voice support for the Mount Graham International Observatory. Left to right are Norma Jean Kinney, William Belvado, Geri Kitcheyan, Vera Belvado, Karen Kaye Long, Chamber Executive Director Delores Jaksich and Elizabeth Maggio of Steward Observatory. The Vatican Observatory, located in Castel Gandolfo outside of Rome, is a partner in the MGIO effort.

May 25, 1992

Personal Reflections upon the Nature of Sacred
in the context of

Mount Graham International Observatory

The sacred is fundamentally rooted in our interior -- I call it spiritual -- being, but at the same time it is a relationship or attitude of ourselves to something other than ourselves, exterior to ourselves. We are called to that relationship, we do not create it, we can accept it or not. I believe that what I have said is true of all religions. In my case I can specify it by saying that God the Father has called me in his Son to a sacred relationship with Him. He is the only truly sacred, holy one. If I accept His call I participate in His holiness. I repeat: this is an interior relationship. But the call to this interior relationship came to me down through history in visible, tangible forms and I must, since I have a body, express that relationship in visible ways. God spoke to me through Abraham and the prophets, in his Son, Jesus Christ, in my family, friends and teachers. I express my acceptance of his call by going to Church, by saying vocal prayers, by burning incense, by lighting candles, etc. These visible expressions of the sacred are important and necessary, but the truly important thing is the interior relationship. The visible expressions may disappear or change with time; the sacred relationship, if it is genuine, will remain.

It appears that certain things have a kind of natural affinity for expressing the sacred -- candles, incense, chants, high mountains, sunsets, etc. But other things may take on a sacred character because human beings down through history have attributed a sacred character to them -- sacred books, certain historical personages, even certain animals (the four animals that represent the four evangelists in the Christian tradition), etc.

Now, when we come to the nifty-gifty of respecting the sacred in civil society, several key distinctions must be made. First the interior sacred relationship than any human being claims to have accepted with a sacred being must be absolutely and completely respected. This is one of the most radical, free, expressions of selfhood that one can imagine. But as to the visible expressions of that interior relationship or the naming of something as sacred because of its relationship to the interior relationship, distinctions must be made. As derivative of the radical freedom I have described above one is free to declare for oneself whatever one wishes to be sacred. If that declaration has no effect in civil society (it does not prohibit or obligate any other member of civil society) it too must be respected. If, however, it has a civil effect then one must face the consequences of living in civil society. One must, for instance, not only declare but give reasonable arguments for the sacred character one declares. If what is declared sacred is public property, then the reasonable arguments are usually sufficient to establish one's rights to maintain the sacred nature according to one's needs. If it is private property,

one may still have quite a battle in establishing rights to what one declares as sacred. I don't think this reasoning is peculiar to any culture, but that it is based upon a common human view of things. It is not Anglo-European, Greco-Roman, Judaic, Asian, Indian, etc. It is human.

Against this background, I would like to address a few things that come up time and time again in the current controversy. I have not said that Mt. Graham is not sacred. To any Apache who claims that Mt. Graham is sacred I repeat what I have candidly said: I have, according to the principles enunciated above, a profound respect for your declaration of what is sacred. On the contrary, I have said that to the best of my knowledge there is no documentary or archeological evidence or any other reasonable argument that establishes either the sacred character of the specific observatory site or such a sacred character to Mt. Graham as a whole as to preclude other uses of the mountain (in this case an astronomical observatory). Since Mt. Graham is public property and the Apache claims have civil effects, then, according again to the principles above, reasonable arguments are required. I have a profound respect, for instance, for the resolutions of the San Carlos Apache Tribal Council. But their resolutions have civil effects on public property and they must offer reasonable arguments. To my satisfaction they have not.

Finally I would like to make a few remarks concerning the relationships among the human person, human culture, and our physical environment. Some environmentalists claim that the features of our land (nature, if you will) are more permanent and less transient than our cultures. They also claim that the Earth transcends our existence. In reality the Earth has been around for about 4,500,000,000 years and will last in some form or other about another 5,000,000,000 (this estimate is based on the rate of thermonuclear burning in the sun). I have been around for almost 60 years, but I will be around forever. Yes, human cultures come and go, but they too, as an expression of the most profound aspirations of the immortal human being, have an eternal character to them. Nature and the Earth are just there -- blah! And there will come a time when they will not be there. But they are beautiful, and most fitting, but passing, expressions of the sacred relationship I have with God. While I admit that these are very personal views, based upon a limited religious outlook, I do think that they indicate how extremely important it is, in any view of things, to carefully distinguish: Earth, nature, cultures, human beings.

As both an environmentalist and a religious person I find that it is precisely the failure to make the distinctions I mention above that has created a kind of environmentalism and a religiosity to which I cannot subscribe and which must be suppressed with all the force that we can muster.

25 May 1992, Castel Gandolfo

Italy

George V. Coyne, S.J.

Director,
Vatican
Observatory

Apache delegation denied audience with pope

Tuesday May 26, 1992

Moccasin, Globe Arizona

After two weeks of travel in Italy and Germany, a delegation of San Carlos Apaches have returned to the U.S. The delegation consisted of Apache Survival Coalition chairperson Ola Cassadore Davis, spiritual leaders Franklin Stanley Sr. and Brenda Kenton and Apache Survival Board member Michael Davis. The delegation met with representatives of the German and Italian parliaments, the city governments of Rome and Florence Italy, concerned citizens, religious and cultural groups in Germany, Italy and Holland.

The City of Rome and other municipalities passed resolu-

tions asking the Vatican and the Arceti Observatory to withdraw from Mt. Graham. The Apache were graciously heard by the mayor of Florence and the President of the Province of Florence, and officials of the Italian government. Fifty members of the Italian Parliament and twenty members of the German Parliament have supported resolutions petitioning their governments to move the telescopes to some other sites. Various high level members of the German and Italian governments met with the Apache delegation to discuss the cultural and religious destruction which the telescope project will cause. In a meeting

with the Apache delegation, Oscar Scalfaro, Speaker of the House of the Italian Parliament, criticized the telescopes as science without consideration for human values, stating that "selfishness is the root of all evil."

While in Europe the Apache delegation learned that the prayers and pleas of the Apache people and other concerned people through out the world were working. The Tohono O'odham tribal council voted 20-0 to oppose the Mt. Graham telescope project on May 5, 1992. After removal of the forms that same week, the Vatican's telescope's entire cement super-structure was found to be defec-

tive and all its cement would have to be removed with jackhammers.

The delegation met with officials of the Vatican Secretary of State after their meeting with the His Holiness, the Pope was canceled at the last minute by the Vatican Secretary of State. It seems there were those at the Vatican who were working to prevent the Pope from hearing the appeal of the Apache delegation. This may be understandable in the light of the fact of the entry of two Jesuit priests into the lawsuit against the Apache on April 6, 1992 was supported by the Vatican Secretary of State. The director of the Vati-

can Observatory, Father George Coyne, and another Jesuit associated with the University of Arizona submitted affidavits declaring that *Dzil Nchan Si An* (Mt. Graham) was not sacred to the Apache people.

Chairperson Ola Cassadore Davis said, "We think if the Pope were ever to meet the Apache he would drop the telescope because when he came to Arizona in 1987 he told the Indian people 'to preserve and keep alive your customs and traditions'. Davis also stated that, "I know the Pope would also drop the project if anyone were to show him the April 1992 petition signed by almost every San Carlos Apache spiritual leader".

This petition was carried to Europe and presented to all the people mentioned above who had interest in the Mt. Graham project. It states in part: "We the undersigned spiritual leaders of the Apache people acknowledge the central sacred importance of *Dzil Nchan Si An* (Mt. Graham)

to the traditional religious practice of the Apache. We oppose the Mt. Graham telescope project because it will interfere with the ability of the traditional Apache to practice their religion."

The Apache delegation met with the astronomers from Italy's Arceti Observatory but the astronomers refused to allow the Apache to speak. The Apache then got up and walked out.

The director of the Max Planck Institute of Germany has repeatedly said that his schedule is too full and he has been unable to meet with either Apache or environmental representatives.

All the University of Arizona's partners in the U.S. have dropped out of the Mt. Graham project including Harvard, Ohio State, University of Chicago, University of Texas, Cal Tech, NASA, and the Smithsonian Institute based in Washington D.C.

Fairness and honesty. Good words that many people are used to throwing around when they want to impress someone. Especially now that it's a political year and many people are saying how they are going to be fair and honest when they get into office.

Still, I was always taught that being fair and honest are what you should aspire to as an individual. Or even as a great big organization that has branches world wide.

And I was always under the impression that fairness and honesty would make for better objectivity in the long run. Now I'm beginning to wonder if people

have it in their minds to keep these good traits as part of their total makeup in all that they do.

I feel that if there is a question or a controversy on a certain subject then both sides should be heard to make sure that fairness and honesty are being followed as a regular course of action. Now I have found out that certain people in high places and respected positions have listened to only one side of the story and have refused to even listen to the other.

If such institutions like the Catholic Church and the Max Planck Institute are going to listen to only one side of a ques-

tion and then base their decisions on a one sided interpretation, then they need to go back and learn (if they ever did) that this is the proper way of making a settlement. You do your best to hear both sides. If you don't do this you lose fairness and objectivity. And without those things then any decision you make is not fair. And above all, it will not be very honest.

If you make an effort to listen to one side of a debate, you must make an equal effort to hear out the opposition. If not then you cannot make any claims to fairness, honesty or objectivity.

San Carlos Apache Tribe
Moccasin
A Cultural Publication for San Carlos
and the Surrounding Area

July 14, 1992

Editorial

By Dixie Miles



Resolution Of The City Of Pittsburgh On Mt. Graham Telescopes

56

RESOLUTION

WHEREAS, the Mt. Graham telescope project has elicited great controversy as a result of the project's exemption from the American Indian Religious Freedom Act, the National Historic Preservation Act, the Endangered Species Act and the National Environmental Policy Act; and

WHEREAS, Mt. Graham, located in southeastern Arizona is a holy place and sacred mountain to the San Carlos Apache, and is considered a living locus of spiritual energy, central to the religious practices and history of the Apache people; and

WHEREAS, Mt. Graham is home to numerous endangered species including the red squirrel, Mexican spotted owl, peregrine falcon and goshawk, and is also home to the federally protected Apache trout; and

WHEREAS, any permanent modification of the present form of Mt. Graham constitutes a display of profound disrespect for the San Carlos Apache as well as a serious threat to the survival of a number of endangered species; and

WHEREAS, the University of Pittsburgh is considering investing \$15 million in the Mt. Graham telescope project, sponsored by the University of Arizona, which was originally supported by the Smithsonian Institution, the National Aeronautics and Space Administration, Harvard University, Michigan State University, and numerous other universities as well as the Association of Universities for Research in Astronomy, made up of 22 universities including Yale, California Institute of Technology and MIT; and

WHEREAS, all the aforementioned universities associations and institutions have withdrawn their participation in the University of Arizona's Mt. Graham telescope project, primarily because of environmental problems and the religious and cultural value of the mountain to the San Carlos Apache; and

WHEREAS, the Mt. Graham telescope project is opposed by countless Native American and environmental organizations including the National Congress of American Indians, the Native American Rights Fund, the National Tribal Environmental Council, the Sierra Club, the National Audobon Society, the National Wildlife Federation, and Greenpeace; and

WHEREAS, the University of Pittsburgh's involvement in this project furnishes the image of the Pittsburgh community and \$15 million could be put to wiser uses enhancing the Pittsburgh economy.

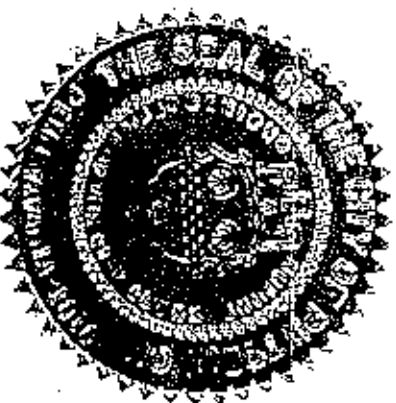
NOW, THEREFORE, BE IT RESOLVED, that the Council of the City of Pittsburgh, hereby strongly opposes any involvement by the University of Pittsburgh in the Mount Graham telescope project; and

BE IT FURTHER RESOLVED by the Council of the the City of Pittsburgh that the Clerk, City of Pittsburgh, is directed to transmit a copy of this resolution to the Chancellor and the Board of Trustees of the University of Pittsburgh.

Passed in Council, April 5, 1994.

Jim Ferlo
President of Council

Attest: Linda M. Johnson-Waslor
City Clerk



SPONSORED BY COUNCILMAN JIM FERLO



National Council of the Churches of Christ in the USA

PRESS RELEASE

March 27, 1995

For additional information:
Sammy Toineeta or Sandra Peters 520-428-8354
or 520-428-0521, Room 208

PRESS CONFERENCE TODAY: 1PM EASTERN ARIZONA COLLEGE, THATCHER, AZ IN THE ARAYAIPIA ROOM, ACTIVITIES CENTER BUILDING

The *Racial Justice Working Group*, convened by the *National Council of Churches* (representing 32 denominations with a constituency of 49 million), has journeyed to Mt. Graham. During our time here, we have heard presentations by the staff of the University of Arizona Observatory, Apaches who have served in the Tribal Council and other members of the Apache nation. We have received materials and have placed this struggle within the context of other struggles regarding sacred sites across the nation. We stand in solidarity with the Apache people in their fight for religious self-determination.

This sacred mountain *dzi' ncha si an* (Mt. Graham), is a central element of the history and culture of the Apache nation, especially the traditional spiritual and religious practices of Apache medicine men and women. This mountain is the site of sacred springs, a variety of sacred plants and animals, all of which are necessary for performing various Apache religious ceremonies. It is also the site of a substantial number of Apache burials.

The construction of the Mt. Graham International Observatory is among the latest in a series of "contact incidents" which ignore the rights and realities of indigenous peoples:

- the means of notification;
- the prescribed context of response by those affected;
- the illusion of "equality" in negotiations conducted between those in power and those without power;
- the trumpeting of one side of the issue throughout various media.

There is no pressing urgency for the construction of an observatory on this sacred site; the premises of religious freedom and respect for the diversity of religious beliefs upon which this country's Constitution was founded is violated in this case. It is the moral equivalent of constructing a sewer system under the Stations of the Cross in Jerusalem or placing a telescope on the dome of St. Peter's Basilica.

As an interfaith movement of multi-racial, multi-cultural racial justice activists representing a coalition of religious and movement organizations, the *Racial Justice Working Group* stands in solidarity with the Apache nation in their struggle for recognition and respect for their sacred sites, particularly Mt. Graham. The *Racial Justice Working Group* expresses its outrage at the continuing practice of disrespect for traditional beliefs evidenced by the construction of this project.

A National Council of Churches-Racial Justice Working Group Resolution; March 27, 1995, Semi-annual Meeting, Bylas, Arizona

To Stop the Desecration and Destruction of Dzi' Ncha Si' An (Mt. Graham)

WHEREAS, the Racial Justice Working Group, convened by the National Council of Churches, as an interfaith movement of multi-racial justice activists representing a coalition of religious and movement organizations, has journeyed to Mt. Graham to experience and affirm its religious and sacred significance;

WHEREAS, during our time here we have heard presentations by the staff of the University of Arizona Observatory, Apaches who have served in the Tribal Council and other members of the Apache nation;

WHEREAS, we have received materials and have placed this struggle within the context of other struggles regarding sacred sites across the nation;

WHEREAS, in November 1993 Governing Board Meeting of the National Council of Churches the "Stolen Nation Resolution" was passed unanimously affirming that "God created all people equal and sovereign with their unique cultures" and spirituality;

WHEREAS, the San Carlos Apache Tribe is a federally recognized tribe located within the boundaries of the San Carlos Apache Indian Reservation, San Carlos, Arizona, and

WHEREAS, in 1873, *Dzi' ncha si an* (Mount Graham) was summarily expropriated from the San Carlos Apache Indian Reservation boundaries without compensation by administrative order and given to white settlers who coveted its resources; and,

WHEREAS, the University of Arizona lawyers are contending in court that their *Mount Graham "Columbus Project"* was exempted by Congress in 1988 from all cultural and religious protection laws; and,

WHEREAS, fifteen Apache spiritual leaders and medicine men and women signed a petition opposing this desecration and the San Carlos Apache Tribal Council voted three times unanimously opposing the telescope; and,

WHEREAS, this mountain is essential to the continued practice of physical and spiritual healing by Apache medicine men and women, and to their apprenticeship as competent traditional religious specialists; and,

WHEREAS, this mountain is the site of a sacred spring, a variety of sacred plants and animals all of which are necessary for performance of certain traditional religious Apache ceremonies; and,

WHEREAS, this mountain is the site of a substantial number of Apache burials; and,

WHEREAS, the telescopes on Mount Graham constitute a display of profound disrespect for a cherished feature of the Apache's original homeland as well as a serious violation of Apache traditional religious beliefs; and,

WHEREAS, lands from tribes in the United States lack legal protection of their sacred sites;

WHEREAS, The NCC Racial Justice Working Group seeks protection of all sacred sites;

BE IT RESOLVED, that the RWJG join with the Apache in requesting the removal of all telescopes from Mt. Graham.

AND BE IT FURTHER RESOLVED, that the RWJG join with the Apache in opposing any new or proposed construction or development to take place on Mt. Graham, and,

BE IT FINALLY RESOLVED, that Mt. Graham be returned to the Apache people.

Document signed by Carol Hampton and John Menden, Co-Convenors, RWJG, March 27, 1995, Safford, Arizona

Visitors from Italy targeted at protest over Mt. Graham

Apache Survival Coalition

When the local group Apaches for Cultural Survival got wind of a visit last week from Italian officials involved in the Mt. Graham issue, they were quick to mobilize to let people know what was going on.

"We had a fax from someone in Italy, someone in their own country, that Franco Pacini (president of the University of Arcetri) and Father Coyn (of the Vatican's astronomy division) were going to be coming here," said Wendsler Nosie, a member of Apaches for Cultural Survival.

Nosie explained that the Italian parliament in June will consider a resolution in support of local Apaches' position that a large telescope should not be built atop the mountain that many traditional people consider sacred and call by its Apache name: Dzil Nchaa Si An.

He said opposition building in Italy is likely what prompted the visit here last week from the Italian delegation and also representatives of the University of Arizona, which is a partner in

the telescope project.

Nosie visited Italy and Germany in February to speak with people there who are involved in the issue.

"People in Italy are beginning to support the Apaches, the people there don't want to disrespect the Apaches here."

"It appears that my visit has hurt their chances to get money, and this trip of them coming here was kind of like a last ditch effort to get some kind of picture or statement to show their government that the Tribe supports the telescope."

Nosie and members of the group met with Tribal Chairman Raymond Stanley before the Italian visitors arrived, and expressed their feelings of opposition.

"We brought it to his attention that the meeting could have a major impact in Italy. When they left the Chairman did tell them that the people out here have their freedom of religion," said Nosie.

"We did a protest out front of the administration building very positively showing them that they have not talked to the traditional people, the spiritual people, the type of people who are still living within their beliefs."

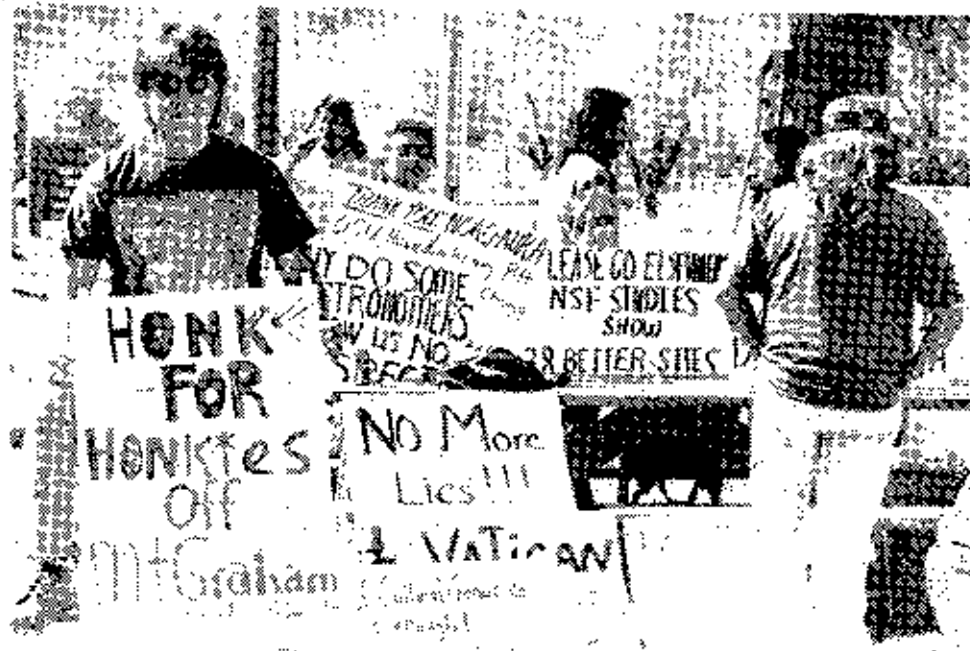
"(Chairman Stanley) is right: when it comes to freedom of religion, the United States cannot tell the churches what is sacred or what is not, and the same should be true over there. For the Chairman to tell them that is great, we're spiritual people and our beliefs should be respected. To me that's very positive," said Nosie.

Apaches for Cultural Survival stationed themselves outside the administration building at 7:30 on Friday morning and remained there until 1 p.m. Many brought signs and there was a public address speaker system used to spread their message.

"We handed out flyers to update people about happenings, and we had the chance to get to hear opinions from other people. It was very good and educational for everyone, we were just out there to save what we have left: our tradition, our religion and to let people know that we will protect our heritage."

Apaches for Cultural Survival also met last week with a delegation from the National Council of Churches who visited the reservation to collect statements from elders and people who are involved with the issue. They met in Bylas on Sunday from 10-4 to collect statements.

Tuesday, March 28, 1995 San Carlos Apache Moccasin, Globe, Arizona



Mt. Graham protest

Andrew Burkette and other members of the Apaches for Cultural Survival group picketed and protested last week outside the Tribal administration building in opposition to plans for a telescope on Mt. Graham.

A weekly cultural publication for the people of the San Carlos Apache Indian Reservation.

San Carlos
APACHE MOCCASIN



Traditionally Speaking

By Sandra Rambler, Moccasin Correspondent

San Carlos Apache Moccasin

A weekly cultural publication for the people of the San Carlos Apache Indian Reservation.

August 29, 1995 San Carlos Apache Moccasin, Globe, Arizona

The World, I give you our medicine men, whom you will find loyal and true. They have joined the brave men who have come from far and wide to keep aloft our heritage, customs and pride. Throughout those years, they have laughed with us and prayed for our well being. They have grown stronger each day, unafraid, to continue to fight for the survival of the Apaches, the last tribe to surrender to the U.S. Government.

It was the month of April in 1992 that several of our tribal medicine men and women signed a document which read, "We, the undersigned, spiritual leaders of the Apache people acknowledge the central sacred importance of Dził ncha si an, Mount Graham, in the traditional religious practice of the Apache. We oppose the Mount Graham telescope project because it will interfere with the ability of the traditional Apache to practice their religion."

The spiritual leaders that signed this document were Harold Kerton, Anthony Logan, Perry Harney, Sr., Houston Hinton, George Starr, Sr., Brenda Kenton, Alice Wesley, Norwyn Wesley, Larry Mallory, Sr., Dickson Dewey, Darrell Dewey, Norton Edwards, Gladys Pike, Chesley Willson, Sr. and Franklin Steiner.

It seemed somewhat ironic that we recently had two German astronomers come and visit our reservation to take notes from tribal members who thought Mount Graham was sacred or not to them. Rolf Kadritzki, Professor of Astronomy of the University of Munich and Gunther Hasinger, Director of German Observatories took testimonies of tribal

members at the Blyas Headstert. Amount of silence had been offered for one of our late warriors, tribal elder Perry Harney Sr.

"The Germans had asked, 'What is the harm in building the telescopes on top of the mountain?' How does the concrete of the iron hurt the beliefs or is the very idea of building the telescopes on Mount Graham that the Apaches object to?" Ota Cassadore Davis, Chairperson of the Apache Survival Coalition, read a letter of resolution to the Germans asking that they apologize for even participating in such a project which was offending our people. David Valenzuela pointed out to them that as Germans, when they came into America, they did not become American Indians, and therefore do not understand our traditional customs and never will.

Wendeler Noisic, Chairperson of the Apaches for Cultural Survival talked to the Germans about the corruption of some of our people who were taking money just to say that Mount Graham is not sacred. He said that we were born Apaches and that we would die Apaches. He said that by looking into the stars, you are looking into the womb of our universe and this is not allowed in our beliefs.

Professor Hasinger responded that they would not apologize to Mrs. Davis because they did not believe they were desecrating anything sacred to the Apaches. Furthermore, he said that they talked to several tribal council members of the White Mountain Apache Tribe and the general feeling was that

they Apaches are honest with their feelings and the mountains are sacred depending on where you live.

Carlos Noisic indicated that he served in the military and was stationed in Germany at one time and he recalled how the Germans were not compassionate and not sensitive to other cultures. He said we are trying to become educated like the white people but yet they consider us a "third world".

Louis Lorenzo stressed that Mount Graham was sacred and it was a way of life for our people. He said that by building the telescopes on the mountain, they were destroying the people's beliefs who are spiritual journeys. He said it was not about money but it was for the prayers and beliefs he had been taught. He said in the back of Genesis in the Bible it states that God gave us land on earth to preserve and protect and not to destroy it. He said the Germans need to talk to people who are drug and alcohol free.

Bradley Allison challenged the Germans why they wanted to study the stars in the first place. He said that if God wanted you to do that, he would have made you into a star. He said that just because of greed, envy and lust, they wanted to also obtain any copper and gold they could find on the mountain. He recalled his late uncle, Perry Harney, Sr., who told him as a youth how sacred Mount Graham was and to never forget it and always protect it and respect. He told the Germans to get off the mountain and to stay off.

Professor Hasinger answered

(Continued from Page 42) that this was a different type of religion for them and that astronomy was a way of life for them and they were people who learned from the stars.

Wendeler Noisic reiterated that these Germans were looking into the womb of the universe and how the University of Arizona talks about how money they will make from the telescope project and how the Safford Chamber of Commerce will make money from the tourism. He said that the Apaches were not as stupid as they thought and they knew that money was involved and the wall was not created by the Apaches.

Elyvera Noisic pointed out to the Germans that as a little girl they lived below the mountain and her grandmother told her how sacred Mount Graham was to the people. She talked about how the crown dancers had danced while puberty rite ceremonies were being held. She said she still prayed for all the Apaches that were killed by the white people who are still buried on the mountain and this was their home. She told the Germans that it was "silly" for them to go to White River to get testimonies. She said, "We can see, we have visions, the telescopes mean absolutely nothing

to us."

Harrison Bonito told the Germans that how would they even know that Mount (Dumhul) was also sacred to us? He told them they were not from here, they were not Apaches, and they can't comprehend the way of life of the Apaches in the short time they were here. He talked about spiritual leaders? Phillip Cassadore and Silas Goin and the powers they had behind their prayers which had often brought tears to his eyes. He talked about how unfair it was for these Germans to come and try to obtain testimonies otherwise.

Ota Cassadore Davis then told the Germans to take the telescopes off of Mount Graham and put on Mount Shini.

In the meantime, extreme erosion is taking place to the southwest of the observatory complex on Mount Graham while denuding the forest, dirt for several hundred feet. The "patches" is surrounded by hundreds of old growth trees still in fluorescent green death marks. The University of Arizona wishes that their death marks will be successful by completion of building all of the seven proposed telescopes. We pray for the survival of the old growth in the area that was declared illegal by the Ninth Cir-

cuit Court in San Francisco on December 7, 1990, on East Emerald Peak.

I was at the meeting and I noticed while our people were offering their testimonies to these Germans, these guys were laid back and would occasionally snicker to one another. Is that respect? Honestly believe that their minds had already been made up before they even heard the testimonies of what they wanted to say. They also refused to be taped. What were they afraid of? The truth, of course. I only wish the families of these medicine men and women who signed the document indicating that Dził ncha si an was sacred to our people had been beside us in fighting for the survival of the Apache.

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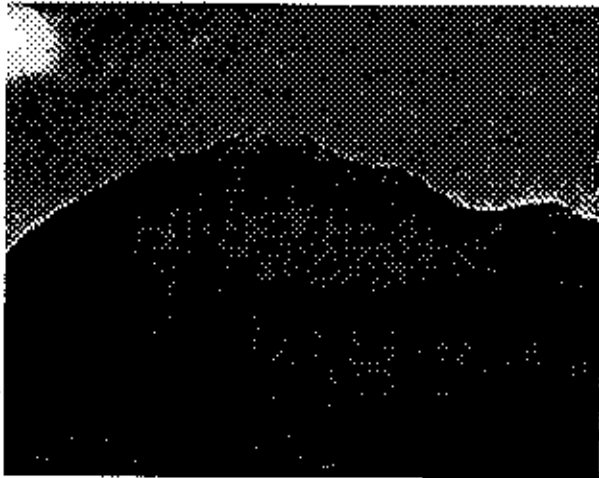


Photo by South Dakota Tourism

The sacred Bear Butte of the Black Hills, South Dakota. Page 63

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Science vs. Religion: A radar tower on a peak in the background in juxtaposition with the sacred Bighorn Medicine Wheel of the Bighorn Mountains, Wyoming. Photo credit: Don Doll, S.J.

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The Gaan, Apache Mountain Spirits, at a Sunrise or Girl's Puberty Ceremony. Photograph: Sandra Pambler



Dzil Nchaa Si An "Big Sealed Mountain," Mt. Graham, in Arizona

The Fight for Dzil Nchaa Si An, Mt. Graham

Apaches and Astrophysical Development in Arizona

by Elizabeth A. Brandt

In the Sonoran desert of Arizona, Dzil Nchaa Si An (also known as Mt. Graham) rises, an island in the sky. It is contested land, traditionally Apache territory, a fundamental sacred site. The Apache wish to protect it from astronomical development. An international consortium of astronomers composed of the Vatican, the Arcetri of Italy and the Max Planck Institute of Germany led by the University of Arizona has proposed multiple telescopes in the old-growth forest summit of Mt. Graham. Never before has a small tribe faced such international adversaries determined to inflict fundamental damage upon an indigenous religion in the name of science. The conflict over Dzil Nchaa Si An, "Big Sealed Mountain," pits Apache religious freedom against "big science." It is a case of David and Goliath. The astronomers have the resources of the scientific establishments of four nation-states on their side, and the best lobbyists and lawyers that money can buy. They have the support of many politicians in each country, and receive millions of dollars in research grants. The Apache opposition survives by donation and a spiritual conviction of the rightness of their cause. Environmentalists have also opposed the project because of

their concerns with the damage it will cause to the unique ecosystems and endangered species on the mountain.

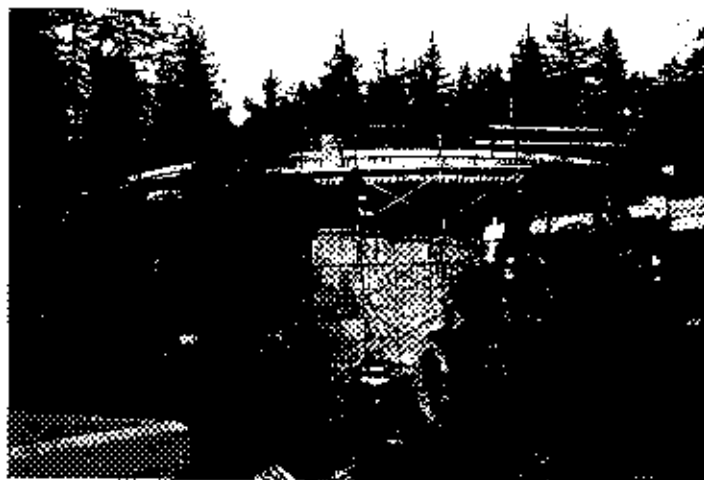
Mt. Graham, with its multiple peaks, is a part of the Pinaleno range. It has the greatest vertical rise of any mountain in Arizona, a significant factor in its incredible biodiversity. Mt. Graham is the fourth highest mountain in Arizona after the San Francisco Peaks, Mt. Baldy, and Escudillo Peak, in that order. The top life zone is boreal with an old-growth spruce-fir forest, while the base supports typical desert flora and fauna. Moving up the mountain, five distinct ecological life zones have been identified, more than any other mountain in the United States. Because of its diverse characteristics, more than eighteen unique plant and animal species and subspecies thrive there. It is home to one of the most endangered mammal species in the United States, the Mt. Graham red squirrel. It is the only mountain of its size in southern Arizona and has an enormous imprint on the landscape, a factor which probably gave rise to its Apache names. A home to the clouds with springs and wetlands at its peaks, flowing streams, and hot springs welling at its base—it is always associated with water and life in the extremely arid desert.

Cultural Survival and Religious Freedom

After more than a decade of controversy and opposition by Apaches and environmentalists, two telescopes (the Vatican and the German) have been built upon Mt. Graham, and the U. S. Congress has granted permission to build five more. The only American partner in the first three telescopes is the University of Arizona. All other American institutions have withdrawn from the project for scientific, financial or political reasons. The battle for the mountain has been a bitter one, and as yet, it is not clear what the outcome will be. For the Apache who oppose the project, it is seen as a fight for cultural survival, for the fundamental right to practice traditional religion. A right supposedly guaranteed by the United States Constitution, it is a right which many Native Americans have been denied. The free practice of many Indian religions requires privacy and undisturbed access to culturally and religiously significant sites and their resources. It is irrevocably tied to specific places in the world which derive their power and sacred character from their natural undisturbed state.

Indian nations have fought frequently without success to preserve these holy places from logging and development which desecrate and injure those sites which must be protected. The Navajo and Hopi nations, often at odds on other issues, joined forces in an attempt to prevent ski resort development on the San Francisco Peaks near Flagstaff without success. Only the White Mountain Apache Tribe has succeeded in the protection of Dził Ligayi or "Mt. Baldy," Arizona's second highest peak, it has been off limits for hikers or development because the last mile to the top is owned by the Tribe. Most tribes, however, have lost control of their lands. Their former territory has been declared in the public domain, passing into Federal control often as National Forests or passing into private hands. As development increases its pace, these sites are being destroyed at alarming rates.

Courts in the United States have generally been hostile to American Indian religious freedom, and there are no laws which can be used to protect it. The American Indian Religious Freedom Act was held to be merely a non-binding



Max Planck Institute Observatory of Germany led by the University of Arizona

policy statement in a 1988 Supreme Court decision (*Lyng v. Northwest Indian Cemetery Protective Association*, 485 U.S. 439). This was also confirmed in the *Havasupai Tribe v. United States* (752F. Supp.1471 (D.Ariz. 1990), aff'd. 943F.2d32 (9th Cir. 1991)) decisions. This has left only a handful of environmental laws such as the National Environmental Policy Act (NEPA), the National Forest Management Act, (NFMA), the Endangered Species Act (ESA), and legislation protecting cultural and historic resources such as the National Historic Preservation Act (NHPA), which can be used to protect endangered Native American holy places. At the present time, all of these laws are under attack by Congress, and their specific provisions may be circumvented by special exemptions. Property rights and the desires of federal agencies far outweigh the rights of Indian people to traditional forms of religious practice.

The Apache

The Western Apache were the most settled and the most agricultural of all Apache peoples. Because they did not build permanent living structures, there is difficulty in recognizing Apache sites. Most scholars place the Apache in the Southwest by about 1450, prior to documented Spanish contact in the late 17th century with Apaches in Arizona. Some hold more controversial views which would place both Apaches and Navajos there much earlier. Oral traditions of both tribes indicate their origins as distinct peoples in this area. Western Apache mythology, cosmology and holy places are all centered in the Southwestern region of the U. S. in the states of Arizona, New Mexico and northern Mexico. The Apaches were a mobile people, planting crops in their home

farming sites and journeying on a seasonal round which involved gathering and hunting with periodic returns. They preferred to live on or near the mountains for the water drainage which gave them good farming sites. The location also provided access to the large numbers of plants and animals which are found in the different life zones created by elevation changes.

Historical factors leading to the loss of land and

"If construction is allowed to proceed, it will prove to Apache people that once again, as so often in the past, their own religious beliefs count for nothing when brought into conflict with the interests of powerful institutions controlled by non-Indians."

Dr. Keith Basso, anthropologist and expert on the Western Apache at the University of New Mexico

autonomy for the Apache set the stage for the conflict that was created in the Apache fight to preserve Mt. Graham. (It has not been under Apache control since the early 1870s.) The Western Apache bands which had been independent and autonomous—with no centralized political structure—were forced off their traditional territories onto reservations beginning in 1870. The bands and local groups inhabiting the Mt. Graham area initially had a reservation which respected their traditional territory, but this was soon abolished. They were forced north onto the San Carlos Apache division of the White Mountain Reservation, a barren, open, arid area chosen for good surveillance of a concentration camp population.

After a series of presidential executive orders, Mt. Graham was declared public domain in 1873. It eventually came under the control of the U. S. Forest Service under whose administration it remains today. Mt. Graham is a major presence in the landscape as seen from the southern and eastern areas of the current reservation. Given the remoteness of the area, however, Apaches have continued to visit and to enjoy the resources of the area when and where possible. The Apache were under military control until the turn of the century. In 1935-36 a Tribal Constitution and a Tribal Chairman and Council (11 members) form of government was enacted. Today, these positions are elected by direct vote of the tribal members. The present descendants of the Apaches who once inhabited the Mt. Graham area live primarily on the San Carlos Apache Reservation. The Apache were heavily "missionized" as part of the policy of cultural assimilation and there are a number of religious faiths on the reservation. As in many communities, there is a diversity of spiritual understanding and practices at San Carlos. Some Apache practice Apache religion exclusively; some are exclusively Christians; and some practice both. Those who practice Apache religion are naturally the most concerned with the preservation of Mt. Graham.

The Sacred Character of Dzil Nchaa Si An

For the southern Adalaskan peoples of the U. S. Southwest, the Apache and the Navajo, sacred mountains define the boundaries of the known Indian world. While there are aspects of the sacredness of Mt. Graham which cannot be revealed to outsiders, there are many reasons for its significance which the Apache have publicly shared. Certain mountains figure prominently in the stories of the Creation and the songs which tell of the beginnings of the Holy People and of humans. The peaks are particularly important shrine areas that are associated with sacred stones or

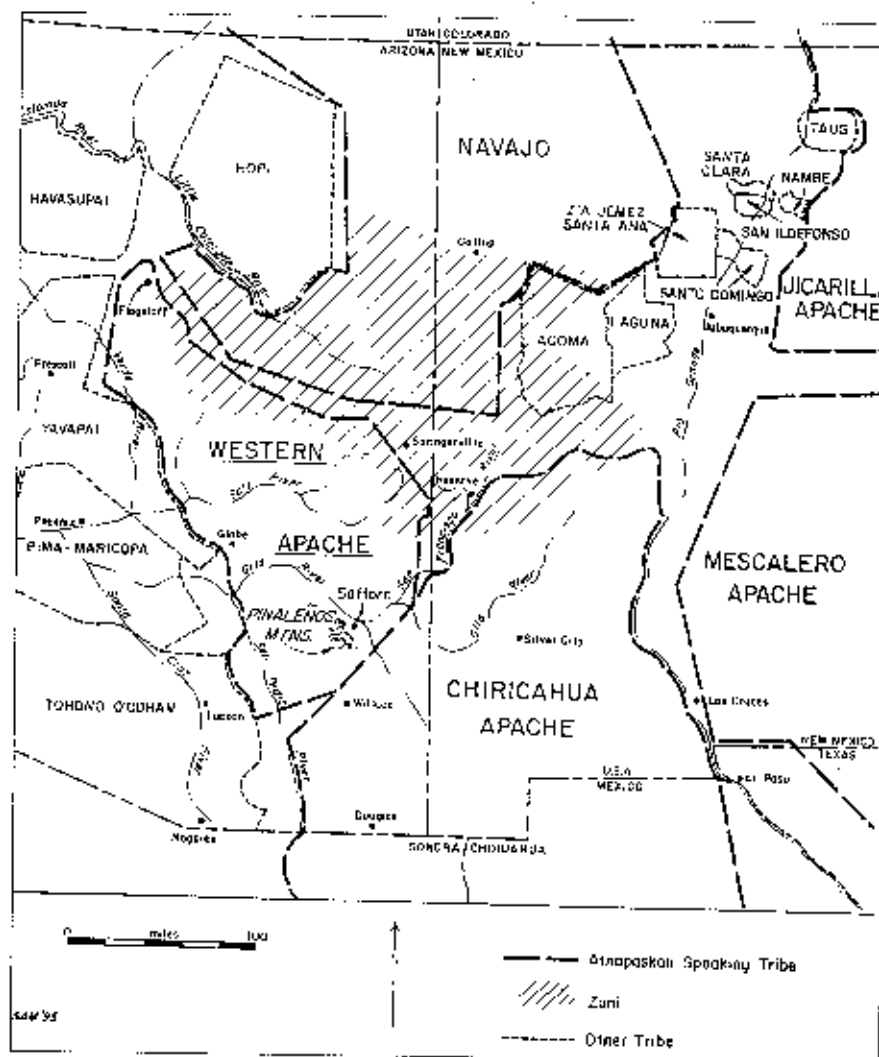
jewels, colors, directions, and critical events and persons which are significant in the traditional history of each people. The mountains are an outer form, assumed by living sacred beings: the rich vegetation, their hair. They are alive. They create the rain clouds. They bring life to the animals and the plants which people with the proper reverence and ritual may harvest to continue their own lives. They provide healing waters, curing plants, sacred animals, a home to the eagles whose feathers are sacred, and an uplifting and joy to the spirit. They are a pathway for prayer. The Apache pray through them. The sacred headdresses of the Gaan, the Mountain Spirits, are deposited there to return naturally to the earth after ceremonial use. The Gaan come from the mountains to cure and to remove evil. They appear in healing ceremonies and are especially important in young girls' coming-of-age rituals. The mountain is important in the development of medicine men and women, the traditional spiritual leaders, healers, and counselors of the Apache. Mt. Graham is mentioned in the 32 sacred songs passed on through oral tradition, as well as many other historical songs and stories. It contains burials of Apache people.

The controversy is a fundamental conflict between those who respect Native American understandings of the world and the cosmos and those who denigrate such views. This also reflects the age-old conflict between science and religion. The Apache have fought a long hard battle on two continents, Europe and the United States, just to have their voices heard. The public discourse in the controversy clearly illuminates the chasms separating the defenders of the mountain and the proponents of the telescopes. For the Apache defenders, this mountain is a living being which must be protected at all costs. It is the site most important for the practice of Apache religion. It is unique. Without that site, Apache practice is irrevocably impaired and the Apache cease to be who



The Gaan, Apache Mountain Spirits, at a Sunn zo or Girl's Puberty Ceremony.

Suzanne Parbat



Southwest Indian Territories

they are. The historical relationships to the mountain and historical continuity of that relationship are broken.

For the astronomers, it is a good enough, high enough peak and in "good driving time" from the University of Arizona campus in Tucson to conduct world class astronomy and demonstrate new mirror technology. Religion should not stand in the way of science. This is a new set of tools to peer into the heavens, and the mountain is merely a convenient dead platform. The construction needed, the tree clearing, the road cutting, the concrete pads, the visitor center, the waste and water trucks, the snow plows, the electric lines, the increased traffic—all these things are just means to an end. For the Apache these alterations are intolerable violations, both symbolic and physical rents in the fabric of the cosmos. The mountain must be respected. The telescopes "must go" or something unimaginable will happen. This information and more was known to Forest Service officials from the earliest planning stages of the telescope project. The Apache were initially reluctant to comment publicly, but in 1989 before any construction had begun, these sentiments were made public. They were communicated repeatedly to the astronomers, to the University of Arizona administration, to the Forest Service and to representatives of the respective governments

and agencies involved (wherever possible), but the Apache were never heard. For this reason, a lawsuit was finally filed. It was estimated that the existing telescopes could be removed for a few million dollars. The site could then be returned to a more natural state. However, further construction to project completion would carry a price tag of at least \$60 million. Transfer of the existing facilities would be costly, but leveling the existing sites inexpensive.

For the astronomers, science is a kind of religion, and one whose importance outweighs any other claims. The universe is governed by physical laws and there is no room for spirituality. In heated exchanges, during a recent meeting between a delegation of two German astronomers and Apaches opposed to the telescopes, these views were expressed. Astronomer Gunther Hasinger, Director of the Astrophysical Institute of Potsdam, said in this August 18, 1995 meeting with Apaches, "We look differently at the stars. I know this is a different type of religion but this is our religion. Scientists have to go out there and do things that are inconsistent with the Bible. Every improvement we have has to do with science." Brad Allison, an Apache, responded, "This is where we pray. This is where our ancestors are. It's like looking into the womb

of a woman. We don't do that. Why don't you go somewhere else and do it? This is our home."

The conflict exposes truly fundamental differences in religious understandings and practices. Apaches live in a vibrant living world charged with power. There is no distinction between the natural and supernatural, and culture and religion are intertwined. Father George V. Coyne, the Jesuit Vatican representative and Director of the Observatory sees nature as dead and insignificant, and takes a missionary stance toward extermination of indigenous practice: "Nature and the earth are just there, blah! And there will be a time when they are not there." Further, "[I]t is precisely the failure to make the distinctions I mention above [nature, earth, cultures, human beings] that has created a kind of environmentalism and a religiosity to which I cannot subscribe and which must be suppressed with all the force that we can muster."

Apache Voices and the Nature of Evidence

The nature of "what counts" as evidence and the need to hear native voices is also at issue in this conflict. Apaches rely upon oral tradition passed down over centuries and face-to-face contact. The only formal contact made with the San Carlos Tribe when the project began was a form letter. It was



Photo courtesy of Thayer Shear, the photographer

cern prior to this, they were unable to find a lawyer to help them and were told that nothing could be done to stop the project. This, of course, was not true.

In December of 1989 after work had already begun on road and tree cutting, the Coordinator of Indian Programs for the University of Arizona and astronomers from the Steward Observatory finally visited San Carlos. They were told by Tribal Council Members that the mountain was sacred and that the project should not proceed. On February 5, 1990 the Tribal Council authorized Ola Cassadore Davis, an elder who has higher education in the Apache way, the sister of a noted singer and medicine man, to work in opposition to the construction. She organized a non-profit foundation (The Apache Survival Coalition) to solicit funds for the effort to coordinate the Apache protest, working with elders and traditional spiritual leaders or medicine people.

Some of the reasons Mt. Graham is sacred are known only to the San Carlos spiritual leaders. These matters are not spoken of in public so this was very difficult work. Apaches have been reluctant to speak of their religion to outsiders and they are among the least known tribes ethnographically. Still, virtually all of the active spiritual leaders at San Carlos signed a petition opposing telescope development. Some did interviews and made declarations in court cases. Their words had no effects.

Keith Basso and I (who had worked previously with the Apache) were asked by Mrs. Davis to use our expertise as anthropologists in documenting the Apache case. We were able to find and document a considerable amount of written evidence from various time periods—from military officers, from early observers of the Apache and from later

ethnographers—to make a good case for Mt. Graham. There is historic evidence in Spanish documents that show Apache people living in the Mt. Graham area until they were forcibly removed by the U.S. military in the 19th century. There are ethnographic and historic accounts from that time period, reporting Apaches on Mt. Graham through the late 1930s. Some of these sources speak of burials and shrines on the mountain. Museum records show that Gaan wands and headdresses were collected there in the 1930s. The foremost ethnographer of the Western Apache, Grenville Goodwin,

Mrs. Ola Cassadore Davis addresses staffers of Congressman Tom Koehne, Tucson, September 1985

allegedly sent by a research associate to the Tribe in 1985, stating that rock cairns had been found on Mt. Graham and asking about these particular sites. Tribal Councilman Ernest Victor later searched tribal correspondence files, but found no letter. Even a Draft Environmental Impact Statement seems to have gone to the Bureau of Indian Affairs office and not to the Tribe. It contained a letter noting Apache concerns. No attempts to speak to tribal leaders or to spiritual leaders were made until after public Apache protest against the project began in 1989. Although there was Apache con-

“If you don’t understand NO, is it the N or the O?”

Chad Smith, San Carlos Apache Tribal Archeologist, responding to German astronomers Gunther Hasinger and Rolf Peter Kudritzki in August 18, 1995 meeting with Apaches

collected a number of oral histories from Apache elders in the early 1930s. The elders mentioned that Mt. Graham was sacred, and they recounted military engagements and other activities taking place there. These are given in both his published and unpublished work.

Goodwin's papers were not consulted by the University of Arizona until after Keith Basso and I made the University aware of them. However, they were in the same building on their campus as those researchers who were charged with an examination of the cultural resources. The response of the telescope proponents was to hire an expert—who had never worked with the Apache and who never spoke to a living Apache—to downplay the evidence. Even physical evidence, such as the presence of the Gaan paraphernalia and of two shrine types fitting characteristics of Apache shrines, has been discounted. Telescope proponents have been biased toward the "built" environment, wanting to see extensive ruins, a temple or a church, or perhaps a burning bush as evidence of "sacredness." To the contrary, Apaches build impermanent structures for ritual purposes and use holy grounds not demarcated except during activities. They view the natural forms themselves as powerful and deserving of proper respect. It is worth recalling, also, that Apaches have had to spend much of the last three centuries hiding from people who wanted to kill them.

The San Carlos Apache Tribal Council passed resolutions opposing the project in 1990, 1991, 1993 and 1995, and wrote numerous letters to the University, to the Forest Service, to the astronomers in each country and to the governments involved. Delegations visited each of the countries involved on several occasions. On one occasion the meeting of an official Apache delegation, which had traveled to Italy after being granted an audience with the Pope, was canceled on only a twenty-four hour notice.

Apaches have had tremendous difficulties with project proponents in having their voices heard and in being consulted. This led the Apache Survival Coalition to file a federal lawsuit against the project in 1991. Because the court was unable to differentiate between the Tribe and traditional people, and because of laches (the case was filed too late), the suit was unsuccessful. This was in spite of the fact that former Coronado Forest Supervisor, Robert Tippeconic, the highest ranking Native American in the Forest Service who had been raised on the White Mountain Apache Reservation, admitted that he "knew the mountain was sacred the whole time." His office had never solicited Apache views in contrast to the legal representations of the Forest Service and the University of Arizona/Arizona Board of Regents.

The telescopes have been opposed by resolutions coming from all the major Indian organizations in the United States and by

many indigenous rights groups in Europe. After a lengthy examination of all the issues, and site visits with telescope opponents and proponents, the Racial Justice Committee of the National Council of Churches passed a resolution in Spring 1995 opposing the project. The National Congress of American Indians also passed a resolution opposing the project. In spite of this, opposition to the project is characterized by the telescope proponents as the work of a few individuals.

Ironically, there has been a fundamental lack of scientific consideration in this case. Mt. Graham is plagued with adverse conditions including cloud cover, monsoon storms, lightning strikes and turbulent wind, which create poor visibility and make astronomy difficult. An investigation by the General Accounting Office, the investigative arm of the U.S. Congress, revealed that scientific fraud had been committed in the biological opinions on endangered species. In other matters, biologists had been coerced to alter their opinions. Methods used for counting squirrels and initial counts either were not made or are questionable. Maps submitted to Congress have been altered to misrepresent the on-the-ground locations of facilities. Initially, in order to speed along the project and prevent the discovery of embarrassing data, lobbyists were able to influence the U.S. Congress to pass, without hearings, a rider attached to the Arizona-Idaho Conservation Act in 1988, an innocuous sounding bill. The bill granted permission to build three telescopes in a specific location, exempt from all applicable U.S. environmental and cultural protection laws. Four additional telescopes could be built only if all applicable laws were observed.

The Situation in Late 1995

In 1992 and 1993, four years after they had lobbied for a specific location on Mt. Graham, the University of Arizona discovered that they had made an error in siting the Large Binocular Telescope (named "Columbus"). This error showed the exempt area was unusable. The controversy has intensified because the University of Arizona no longer wants to build on the specific site which qualified under the Congressional exemption, but on a new non-exempt site. Registered letters asking for comment on the new site were sent to the Tribe, to Councilmen, and to the Apache Survival



From left, Gison Wash Tribal Councilman Lancel Valor, Jr., Italian Ambassador to the U.S., Mr. Boris D'ancherari, Acting San Carlos Apache Tribe Vice Chairman, Lurcalle Pope of Pylas, and Councilman Davin Thompson, also from Gison Wash, meet to discuss Ancestral Observatory of Coronado and Mt. Graham June '92.



East Emerald Peak, Mt. Graham, after illegal cutting, August 1995.

"The Apache relationship with the mountain includes showing respect to the natural things found on the mountain, the things we have discovered in revelations, or that the mountain has given us... Mt. Graham is the chief, the most important sacred mountain... You have tried to exterminate us, and much of who we were and what we had is gone. ...if you desecrate Mt. Graham it is like cutting off an arm or a leg of the Apache people. I can tell you the true stories of other medicine men who were slaughtered even as they were drumming our sacred songs and prayers. Building the telescopes on Mt. Graham is like ripping off the arms of the singers. But we thought those times were over... The construction would be very detrimental because our prayers would not travel their road to God... If you take Mt. Graham from us, you will take our culture. You have killed many of us, you killed my grandfather. You have tried to change us, you forced me to go to your schools. But still I treat you with respect. I do not go to your church and hold my services. Why do you come and try to take my church away and treat the mountain as if it was about money instead of respect? Nowhere else in the world stands another mountain like the mountain you are trying to disturb. On this mountain is a great life-giving force. You have no knowledge of the place you are about to destroy."

Franklin Stanley, Sr., San Carlos Apache Spiritual Leader, March 31, 1992 in his declaration

67.

Coalition asking for comment in a scant few days. Unfortunately, almost everyone was attending The National Congress of American Indians in Reno, Nevada. Before any response was possible at 5:00 am on December 7, 1993, the University clear-cut the new site of trees in order to preempt a court challenge prohibiting such action. Concerned Apaches returned home on Tuesday to find not only the waiting letter asking for comment, but also another portion of the mountain destroyed.

A suit was filed by a coalition of 18 environmental groups to compel the University to abide by the law. Although the University attempted to say that "east was west," the judge did not agree and ordered construction halted. On August 23, 1994, a Federal District Court ruled that the University must perform the necessary biological, environmental, archeological, historic and ethnographic studies at the site they had clear-cut. This option was not acceptable to them, and although it was appealed, the decision was upheld. Further construction has been temporarily halted by the order of a federal judge, pending completion of the studies required under current U.S. law. By September of 1995, the University had found a Congressional sponsor, U. S. Representative Jim Kolbe. He has introduced a new rider once again exempting the new illegal site from the requirements of existing law. (Four more telescopes can be built, but these are subject to normal environmental and cultural laws.)

Currently, all environmental laws and historic preservation laws are under attack in the U.S. Congress, as are budgets supporting regulations and studies in these areas. These laws are not suited nor designed to protect Indian religious freedom, but they are currently all that exists. In July 1995 the Tribe notified the Regional Forester that it considered Mt. Graham to be a Traditional Cultural Property and Sacred Site. The Tribe requested that it be nominated to the National Register of Historic Places, which is possible under the National Historic Preservation Act. Under existing law, studies must be undertaken to determine the evidence for such a nomination and the Forest Service must pay for it. There are bills before the current Congress to eliminate the National Register and to prevent Traditional Cultural Properties from being added to the Register if they lack significant historic or archaeological remains.

Significant organized opposition exists from the Apache and from a number of religious, environmental, scientific and human rights groups in the United States and Europe. As Robert A. Williams, Jr., former Director of the Office of Indian Programs at the University of Arizona States, states:

"... [T]he Mt. Graham controversy demonstrates how our environmental law perpetuates the legacy of European colonialism and racism against American Indian peoples. Historically, Indians have been required to conform to the dominant society's values, without any recognition of the values that might govern Indian social life. There are no alternatives by which the great diversity within Indian communities and across Indian country can be recognized and reflected in our environmental law."

The San Carlos Tribal Council reconfirmed its opposition to the project in 1995 and Apache tribal members went to

Europe and to Washington to lobby against the project. In November of 1995, the Cultural Resources Director of the White Mountain Apache Cultural Center wrote to the German astronomers to eliminate any confusion about the Apache position regarding the telescopes. He said, "Mt. Graham is sacred to the Apache people and the observatory project has significantly harmed our already damaged culture in a profound and almost unforgivable way." Significant political opposition continues against the governments funding the telescopes in Europe. It is of universal concern that these struggles for fundamental human rights still exist as this millennium comes to a close. This is a case of willful, obstinate, unrelenting cultural destruction and religious desecration which would not be tolerated if it were happening to members of the dominant cultures and religions. The struggle continues with the outcome still uncertain. ■

For more information:

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Acknowledgments

I would like to thank the following individuals who were generous with their time and provided me with knowledge and helpful comments: Ola Cassadore Davis and Mike Davis, Alfonso Ortiz, Franklin Stanley, Sr., Sandra Rambler, Steve Titus, Dale Miles, John R. Welch, Robin Silver, Bob Witzeman, Kenneth Morrison, Rebecca Tsosie, David Shorter, and William Carrasco. Any errors or misinterpretations are my responsibility.

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“Have you got your permit to pray?”

By S.J. Wilson
THE OBSERVER

Theresa Beard Nosie, the daughter of Randolph and Alcena Beard of Cameron, Arizona, who includes several medicine people as grand and great grandfathers, addressed Navajo Nation President Albert Hale in a letter dated January 15, 1998.

Nosie is the wife of Wendsler Nosie, the founder of the group Apaches for Cultural Preservation, and a traditional spiritual leader among the Chiricahua Apache. Her question to Hale is, “Do you have your permit to pray?”

Wendsler Nosie was arrested on August 30, 1997, as he was returning from prayer on Mt. Graham. He was cited with trespass by the University of Arizona, as he had not obtained a permit to be in the area of the mountain managed

by the University of Arizona. The family awaits a verdict from the trial held on Thursday, January 8.

Theresa Nosie sees this incident not as a personal fight, or as an Apache fight. According to Nosie, “This is a Native fight.” She recognized Hale for his support for the Apache on this issue through his letter of March 21, 1996, to President William Clinton, and a news release following day.

“I was very proud,” says Mrs. Nosie, “that you as President of the Navajo Nation have taken a stand. I have also seen that you have taken a stance against the burial of a person’s ashes on the moon and took a stand for all Native people.”

Nosie asked Hale for his continued support. “My husband is supported by the traditional medicine people of the San Carlos Apache,” she explained. “They have indicated that we need to

reach out because it takes unity to save our traditional way of life.”

According to a news release from Apaches for Cultural Preservation, “For non-Indians this is a trial not based on religion but obedience. Did Wendsler obey the posted signs of no trespass or was he obeying someone greater than any force reckoned with on Earth?” A great deal of frustration exists where Native peoples of this nation must obtain permits to pray, where other groups, such as Catholics or Methodists, do not have the same restrictions placed on them. “Did Moses need a permit to retrieve the ten commandments from Mount Sinai?”

The group expresses their heartfelt belief that “no one has the right to prevent a prayer. No one can fight the power of prayer.” This, they argue, includes the University of Arizona.

Nosie acquitted of trespassing

By S.J. Wilson
THE OBSERVER

On January 20, 1998, Judge Linda Norton acquitted Wendsler Nosie of charges of criminal trespass filed when he prayed on Mount Graham. The State failed to prove beyond a reasonable doubt that Nosie held the intent to trespass.

Nosie had gone to the mountain to pray and prepare for his daughter’s upcoming Sunrise ceremony. As he left the mountain, in a hurry because of a thunderstorm, he inadvertently found himself on a road in the area managed by the University of Arizona.

William Foreman, a criminal defense attorney in Phoenix, Arizona, is one of the attorneys representing Nosie. He points out that this case is far more important than a simple case of trespass. “I see this issue as nothing less than the moral and religious health of the Apache people.”

In his appearance before Judge Norton, Foreman informed

her that as a lawyer, he had technical legal things he had to argue. One of these arguments was that the prosecution had failed to show beyond a reasonable doubt Nosie’s intent to trespass.

The real issue, however, was the concept of requiring a “ticket to pray,” said Foreman. “We’re here because people had been coming to Mr. Nosie with the concern that if he were to be convicted in this case, they would no longer be permitted to pray on the mountain. Wendsler had no answer for them.” Foreman explained to the judge that should Nosie be convicted, a lot of people would be afraid to go to the mountain to pray.

The cross-examination of Nosie was troubling to Foreman. In effect Nosie was told that “Hey, this is a big mountain. Why can’t you just go somewhere else to pray?” But Nosie was told in a dream not only to offer the prayers, but where to go to pray. This left no room to consider whether or not he was trespassing. The area considered off-limits is

not fenced in, although there are signs on roads and trailheads, and parts are marked with tape.

Judge Norton assured Wendsler Nosie and the Apache that regardless of her ruling, she wanted the Apache people to know that it did not mean that they were being barred from praying on the mountain.

This issue is important to the religion of the Apache people. According to the group Apaches for Cultural Preservation, “Mt. Graham has been a subject of many battles to protect its sacredness. This last battle was for our right to pray to God when called to the mountain.”

Nosie responded to the verdict by stating that he was happy with the outcome, but that it doesn’t solve the problem. “It shows hope. It won’t discourage people from gathering medicine plants or going to pray on Mt. Graham, and that’s what I was worried about. I thank all the people here and around the world who offered their prayers.”

6 • Navajo Hopi Observer • Wednesday, February 4, 1998

Mt. Graham 'prayer permit' angers Apaches

By Jim Erickson
The Arizona Daily Star

Longtime opponents of the UA's Mount Graham observatory say astronomers are restricting the religious freedom of American Indians who visit the mountain to pray.

But University of Arizona astronomer Buddy Powell called the charge "a distortion of our good-faith and honorable attempt to facilitate Native American rights to religious freedom."

The Pinaleno Mountains, which are often referred to as Mount Graham, cover nearly 200,000 acres of the Coronado National Forest southwest of Safford. The university has a special-use permit from the U.S. Forest Service to operate an 8.8-acre observatory on the mountaintop. Two telescopes have been completed, and a third is under construction.

Mount Graham is sacred to San Carlos Apaches. In October, the university established a written policy for accommodating re-

quests from American Indians who wish to visit the observatory site for religious purposes, Powell said.

"If you want to do a serious religious event, I will even make sure you have privacy on the site to do it," he said yesterday.

Under the policy, American Indian requests for religious use of the telescope site must be submitted in writing at least two business days before the planned visit. The request should include a specific description of the area to be visited, and should be submitted by enrolled members of federally recognized tribes.

Telescope opponents, who say they discovered the policy through a Freedom of Information Act request, issued a news release yesterday with the following headline: "Have you got a permit to pray? UA demands Native Americans obtain prayer permits 48 hrs. prior to praying on Mt. Graham."

"The Forest Service and the University

of Arizona should be ashamed of their continued campaign to restrict the free exercise of traditional Apache religion," said Ola Cassadore Davis of the Apache Survival Coalition.

"They stole our mountain from us, and now they want to take away our spiritual way of life," said Davis, a San Carlos Apache.

But the UA's Powell, associate director of Steward Observatory, said the news release "is another example of how they've twisted our words for their own specific purposes."

The access policy was enacted less than two months after a former San Carlos Apache tribal council member was arrested for trespassing on the observatory access road, Wendler Nosis Sr. was acquitted in January after a trial in Graham County Justice Court.

Nosis is organizer of the Mount Graham Sacred Run, an annual relay run from the San Carlos reservation to Mount Graham. This year's run begins Saturday before dawn.

FINAL EDITION

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Pheonix, Arizona www.azcentral.com

UA requires prayer permits for Indians on Mt. Graham

By Steve Yozwiak
The Arizona Republic

The University of Arizona is requiring Native Americans to obtain prayer permits before they cross the top of Mount Graham near the university's 5,000 million telescopes.

The university established the permits in an effort to accommodate traditional-spiritual San Carlos Apaches and other native peoples who hold sacred the high peaks of the Pinaleno Mountains, 120 miles southeast of Phoenix.

Native American representatives say the permits are an attack on their religious freedom, and they say they will not seek the permits today, when more than 50 Indians from across Arizona descend the 10,700-foot mountain, the nation's southernmost alpine forest ecosystem.

Wendler Nosis, a San Carlos Apache, is organizing a 14½-mile run from his home on the reservation to the top of the mountain. Near the summit, Nosis will lead 15 traditional-spiritual Apaches to protest the university's telescopes, which they contend interfere with their spiritual lives.

"I don't think I should have a permit. We are the original inhabitants of this area. We are not going to vacillate their telescopes. They know that for all these (hundreds) of years, the Apaches have gone there to pray. I can't see why we need to have a permit," Nosis said.

Nosis was arrested last year for trespassing when he ventured near the telescopes while he was playing for his 10-year-old daughter's impending passage into womanhood.

Nosis, a former tribal council member who repeatedly voted to oppose the telescopes, was acquitted in Graham County Superior Court. After his acquittal, he said he hoped that the UA would liberalize its visitation policies.

Instead, the university came up with the prayer-permit policy, "there was some confusion about how you acquire permission to come into the area," said Richard Cusumano, UA vice president for research and graduate studies.

"We made a policy to make it clear to the public — or in this case, Indian people — that if they want to come in, we encourage that, but that security," the latter said.

"It's not meant to be restrictive. It's meant to be inclusive," he said. However, the university never made a public announcement of the prayer-permit policy, and few knew of its existence until last month, Cusumano said.

When environmentalists obtained a copy of the policy through a federal Freedom of Information request, the policy requires that permits be requested in writing, at least two business days before a visit, and by the end of this year, the include a description of where on the mountain the prayers will take place.

The persons requesting the permit and all members of their party must be enrolled members of a federally recognized tribe. In addition, they must receive permission from the U.S. Forest Service to enter the 1,600-acre refuge of the endangered Mount Graham red squirrel.

Robin Silver, conservation coordinator for the Southwest Center for Historical Diversity, said the university's prayer policy is not only offensive to Native Americans but also to everyone else from visiting the high peaks.

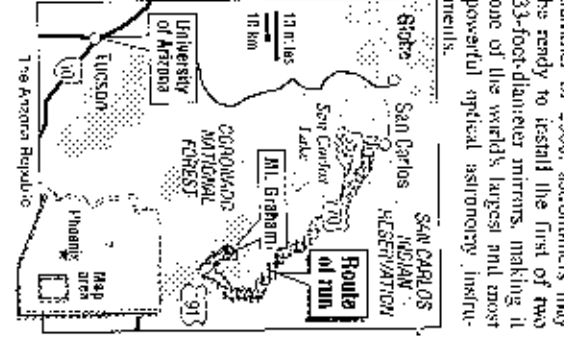
Silver contends that the telescope project would never have been built if Congress had not passed specific exemptions to the Endangered Species Act and other environmental laws in 1989 and — when the project ran afoul of the laws again in 1996.

Second, given the level of environmental activity on the large Thimbletop Telescope site, we believe that a written policy is essential to protect the safety of those visiting the site as well as to provide for their security," the latter said.

Cusumano said the site has been plagued by "monkeywrenching" in the past, including nails scattered on roads, sugar poured in gas tanks, and tools glued shut and drain pipes stuffed to cause roads to wash out.

While no one has been caught, Cusumano's home environmentalists said, "That's what these guys do for a living, as far as I can tell," he said. Two smaller telescopes were dedicated in writing, at least two business days before the end of this year, the include a description of where on the mountain the prayers will take place.

Over the next year, electrical and interior construction and telephone lines will be done. By the summer of 2000, astronomers may be ready to install the first of two 33-foot-diameter mirrors, making it one of the world's largest and most powerful optical astronomy instruments.



Judge decides for U of A, and against Mt. Graham

by Suzanne Westery
Tucson, Arizona (NFIIC)

On May 15, 2001 arguments were heard in the Tucson federal court on whether the 23-mile-long planned clear-cut up the side of Mt. Graham, for a power line, is being installed illegally by the University of Arizona (U of A) for their telescope project.

Judge Alfredo Marquez ruled the "balance of harms favors the university. [meaning] their harm is worse than what is going to happen to the Apaches and the red squirrels potentially," said Michael Nixon, one of the attorneys for Apaches for Cultural Preservation, the Apache Survival Coalition and the Mount Graham Coalition.

Nixon continued, "He granted every defense claim that the government and the university raised. He also ruled - for the first time that any court has ever ruled - that the National Historic Preservation Act was deemed exempted under the Arizona-Idaho Conservation Act. We are certainly going to seek a reversal. We believe that he is absolutely wrong about that."

The battle to save Mt. Graham, sacred to traditional San Carlos and White Mountain Apaches, started about 20 years ago. The San Carlos and White Mountain Apache Councils have passed several resolutions opposing the

telescope project.

The Apache Survival Coalition, led by determined Apache elder Oia Cassadore Davis, stated, "They chose real pain to our mountain with their telescopes and powerlines. The university always tries to get around the laws that the rest of the people in this country must obey."

In 1996, the President's Council on Historic Preservation determined the Mt. Graham observatory project was not exempt from the protections of the National Historic Preservation Act. Mt. Graham has since been determined to be eligible for listing in the National Register of Historic Places as a Western Apache traditional cultural property.

The conflict over Dził Nohaa Si An, or Mt. Graham, which rises over 10,000 feet in the southwest Sonoran desert, will continue. According to the Apache Survival Coalition, Mt. Graham is a "source of the Ga'an, the name of a Mountain Spirit and other sacred beings, which gave creation, guidance, strength, knowledge and direction to the Apache people."

At one point, U of A entered into a lawsuit against the religious beliefs of the American Indian people, joined by the Jesuits, with the approval of the Vatican, arguing that freedom of religion does not exist for Indians and that the



Mary Anderson, Delores Jordan, Louise Dewey, Oia Cassadore Davis, and Sandra Rambler stand below the ironic sign on the federal courthouse building. Also ironic is that May 13-19 was National Historic Preservation Week.

Photo by Suzanne Westery

university is exempt from all cultural, religious and environmental protection laws.

The story of Mt. Graham continues to be a scandal. With no public hearings, Congress simply exempted the U of A from NEPA (National Environmental Protection Act), weakened the Endangered Species Act (ESA) and handed bulldozer keys to the university. Originally, the Smithsonian Institute, the Vatican's Observatory in Florence, Italy's Arcetri Observatory, the Max Planck Institute of West Germany and many universities

backed the project.

Since then, the Smithsonian and over 20 of the universities have abandoned the project, mainly because they learned about the scientific data proving the sting of the telescopes was totally inappropriate.

Mt. Graham is the home of several endangered, threatened and sensitive species. The magnificent mountain includes more life zones and vegetative communities than any other single mountain in North America. Standing in strong opposition to the

telescope project are Native American groups, international groups from Germany, Italy, Belgium, Austria, Switzerland, and U.S. national and local environmental groups. The NCMI (National Congress of American Indians) has passed three resolutions opposing the telescope project.

According to the coalition, the judge's decision to allow the proposed 25,000 volt power line to proceed is in violation of the Arizona-Idaho Conservation Act (AICA) passed by Congress in 1986, because the powerline was not an authorized part of the 3-telescope, first phase of the project.

Therefore, it was subject to NEPA, the federal government's trust responsibility to Native Americans, the National Historic Preservation Act, the ESA, and Presidential Executive Order 13097 on Indian Sacred Sites requiring federal land management agencies to "protect the physical integrity" of Indian sacred sites.

The university began clearing land for the power line in April, before the court even made a ruling on an appeal filed by the Coalition. "We are going to seek an emergency stay [to stop the clearing] in the next few days, and seek an expedited appeal," Nixon said.

If allowed to continue, a wide and highly visible scar will go up the side and along the top of the mountain all the way to the summit. According to an article in the *Eastern Arizona Courier*, July 12, 2000, Richard "Buddy" Powell, U of A vice president for research and graduate studies, denied the powerline would harm either the Indians, the environment or the three streams it crosses.

Again this July everyone is invited to join local environmental activists and those from Europe in supporting the Apache people for their annual Sacred Run to save the mountain.

EMD or to help with funding for the ongoing legal battle, contact: Oia Cassadore Davis, (Apache Survival Coalition), (520) 475-2443; or Wendelise Nossie (Apaches for Cultural Preservation), (520) 475-2494, (520) 719-1068. <http://users.skynet.be/zk2a/mgrah.htm>



Apache Survival Coalition
 P. O. Box 1237
 San Carlos, Arizona 85550

December 6, 2001



Mark Yudof, President
 University of Minnesota
 202 Morrill Hall
 100 Church St. SE
 Minneapolis, MN 55455

Fax (612) 625-3875

Dear President Yudof:

On behalf of the Apache Survival Coalition, I would like to bring to your attention the grievous harm which your University's proposed joining in the Mt. Graham telescope project inflicts upon the Apache people. You must have been unaware of the strong, long-standing opposition of our San Carlos Medicine Men and Women, Elders, spiritual leaders and Tribal Council regarding this project.

Likewise the White Mountain Apache Reservation spiritual and cultural leaders and their Tribal Council have expressed their continued, firm opposition to this sacrilege to *Dził Néháa Si Án* (Mt. Graham). In addition, all Apache tribes in New Mexico and elsewhere have affirmed their opposition to any telescopes on *Dził Néháa Si Án*.

The National Congress of American Indians, representing virtually all tribes in the U.S. has passed four resolutions, 1993, 1995, 1999, and 2001, denouncing this cultural insult and religious intolerance and requesting relocation of the telescopes as provided by law and in the observatory's permit conditions.

Our Apache Spiritual Leaders and Elders stated in April 1992:

"We the undersigned spiritual leaders of the Apache people acknowledge the central sacred importance of *Dzil Néháa Si Án* to the traditional religious practice of the Apache. We oppose the Mt. Graham telescope project because it will interfere with the ability of the traditional Apache to practice their religion."

Our Tribal Council has repeatedly stated their opposition in resolutions on five occasions in 1990, 1991, 1993, 1995, and 2001:

"For generations our elders have instructed us on the sacredness of *Dzil Néháa Si Án* and its vital importance in maintaining the integrity of our Apache culture and tradition... this mountain, Mt. Graham, is essential to the continued practice of physical and spiritual healing by Apache Medicinemen/Women, and to their apprenticeship as competent traditional religious specialists; and..."

"any permanent modification of the present form of this mountain constitutes a display of profound disrespect for a cherished feature of the Apache's original homeland as well as a serious violation of Apache traditional religious beliefs; and ...
 "the proposed destruction of this mountain will contribute directly to the destruction of fundamental aspects of traditional and spiritual life of the Apaches...
 "NOW THEREFORE BE IT RESOLVED THAT:
 The San Carlos Apache Tribe states its firm and total opposition to the construction of telescopes on top of Mt. Graham and the Tribe stands ready to defend its constitutional rights if this project is allowed to continue."

The observatory was made possible only through the radical exemption of casting aside the cultural and religious and environmental protection laws of this nation. The University of Arizona has spent millions in court and lobbying riders through Congress to exempt themselves from these landmark cultural laws which protect Indian people from such religious intolerance and spiritual devastation.

President Yudof, participation by the University of Minnesota in such a profound assault on Native American people, their culture, and their religion, would be a terrible example and send a bad message to your students, faculty and administration, and to the citizens of Minnesota and the world. Namely, that message would be that the University of Minnesota does not care about the harm and anguish you would voluntarily choose to cause to the Apache people, and to the environmental, cultural and religious protection laws of this nation that will have been cast aside.

We will pray for your fairness, compassion and understanding. Will you please reconsider and choose to join some other telescope instead of the notorious Mt. Graham project?

We look forward to your positive response to this question. Time is of the essence.

Sincerely,

Chia Casadore Davis
 Chia Casadore Davis, Chairperson
 Apache Survival Coalition



APACHES FOR CULTURAL PRESERVATION

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December 18, 2001

Dear President Yudof:

I am an enrolled member of the San Carlos Apache Tribe and I have served as a past member of our Tribal Council. I presently conduct adult education on this reservation and also for other tribes. I was on our Tribal Council in December 1989 when the University of Arizona (UA) officials first came to the reservation. They clearly heard from us our objections to their telescope project which they proposed to locate on top of our sacred mountain, Dził N'ehaa Sii'an (Mt. Graham).

In July 1990, we passed a tribal Resolution stating: "...any permanent modification of the present form of this mountain constitutes a display of profound disrespect for a cherished feature of the Apache's original homeland as well as a serious violation of Apache traditional religious beliefs... The San Carlos Apache Tribe states its firm and total opposition to the construction of a telescope on the top of Mt. Graham..."

They ignored and rejected our resolution and three months later, in October 1990, they started clear-cutting and bulldozing the summit forest in order to erect the Vatican and German telescopes. From the day the UA cut the first trees for the telescope access road there were stories in both Tucson papers about Apache Elders and Cultural leaders protesting.

We wondered how the UA could be doing this since it is well known by educated people living in Arizona that many of the high mountains are profoundly sacred places to us, indigenous Native Americans. The University of Arizona first tried to build telescope on the San Francisco Peaks near Flagstaff in the 1970's, which are sacred to our relatives, the Navajo, Hopi and other tribes. The Forest Service discouraged them. UA knew that Arizona's second highest Peak, Dził L'gaaí Sii'an (Mt. Baldy) on Apache land was also profoundly sacred land and off limits. So why did they decide to desecrate Dził N'ehaa Sii'an, Arizona's fourth highest peak, when they knew it was sacred to Apache people since time immemorial? Only they can answer why they suppress the truth about us Apaches and our sacred mountain.

The base of Dził N'ehaa Sii'an starts only 3-5 miles from our current reservation boundary. It was formerly part of our reservation until it was taken from us by Executive Order of President Grant. But more importantly, no educated university professor would deny that it had been Apache tribal homelands for centuries before that.

Dził N'ehaa Sii'an is also most to our relatives, the people of the White Mountain Apache Reservation. Their cultural leaders and Tribal Council are on record strongly opposing the desecration of the mountain by telescopes. Apaches and other tribal members statewide and nationwide have had a Mt. Graham Sacred Run every summer for the past many years. Recently, we have been starting the Run at the community of Cibecue on the White Mountain Reservation so that we both can share our geography in the event. After proper ceremony and prayer, the Run proceeds from both reservations all the way up our holy Mountain, Mt. Graham.

On Dził N'ehaa Sii'an, UA succeeded in bypassing Indian beliefs and concerns, and the U.S. Forest Service by spending huge sums of money lobbying to sneak through Congress a "rider" exempting themselves from laws protecting cultural, religious and environmental values. Is that what the University of Minnesota would like to a part of, President Yudof? Do you want to encourage your students and faculty to just buy their way around our nation's cultural protection laws, instead of protecting them and the values they protect?

While I was a Council member, we invited University of Arizona President Pacheco to visit our Reservation and hear our pleas for respect. Attached is a news article where Councilman Dia responded to Pacheco "You have 10,000 people here urging you to stop, why haven't you listened?"

In 1998, the United Nations High Commission on Human Rights, issued a report on religious intolerance in the United States. They cited the Mt. Graham telescope project and its effect on the apache traditional cultural and spiritual relationship with the mountain as an example of religious intolerance by U. S. and Arizona government officials. See, United Nations High Commission on Human Rights, Report of the Special Rapporteur on Religious Intolerance in the United States of America, UN document E/CN.4/1999/58/Add.1 (December 9, 1998).

In his report the Special Rapporteur stated, among other things, that: "First of all, there is the case of Mt. Graham, where telescopes are being constructed by the University of Arizona on sacred site of the Apache nation with the authorization of the federal water and forest service... Because of economic and religious conflicts affecting particular sacred sites, the Special Rapporteur wishes to point out that the freedom of belief, in this case that of Native Americans, is a fundamental matter and requires still greater protection..."

"Finally, the Special Rapporteur wishes to emphasize that education can play a primary role in making people aware of the values of tolerance and non-discrimination in the field of religion and belief, and of the richness of every denomination and belief. In schools, in particular, it can inculcate values based on human rights and thus encourage a culture of tolerance."

President Yudof, the Apache people are not coming to Minnesota to ask for money. Unlike the University of Arizona, we only ask for your respect and the opportunity to express and show our deep concern for our dignity as fellow humans on this Earth.

What kind of signal would it convey to your students and faculty—that the University of Minnesota is willing to commit to such open disregard for the beliefs and traditions of others?

I ask you, your faculty, staff, students, and the good people of Minnesota to stop the ignorance, misinformation and greed of investors. You would be harming the world and being detrimental to God's creations. You are tampering with God's power. I hope you will accept our invitation for you to either come here or allow us to speak. Your decision or inaction will affect our children's children.

For further information I can be reached at (928)475-2494 or email: apaches@culture@governor.com.

Respectfully Yours,

Wendell Nostle Sr.
Apaches for Cultural Preservation

cc: San Carlos Tribal Council
White Mountain Tribal Council
San Carlos Elderly Advisory Committee
Velda Grant, Tribal Archeologist
Apaches for Cultural Preservation members

San Carlos Apache Moccasin

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Traditionally Speaking...

By Sandra Rambler

Editor's note: The following letter, dated Dec. 9, was sent to Mark Yudof, president of the University of Minnesota.

Dear President Yudof:

I am writing to you and your administration to express my deep concerns the Apache people have in regard to the University of Minnesota now considering joining the telescope project on *Dezif Nekoa S'ion* (Mount Graham).

Over the years, many letters and protests have been written by our tribal officials, and I understand copies of them have been mailed to you. We, the Apache people here on the San Carlos and White Mountain reservations, pray that you will take the time to read them carefully.

I have served as tribal secretary for the administrations of three of our tribal chairmen here on the San Carlos Apache Reservation. I have also been director of the Tribal Elderly Care Center here on the reservation. This involves managing the physical and spiritual nourishment and various cultural events and programs for our older tribal members.

I am a past editor of the San Carlos weekly newspaper, the *Moccasin*, which has served the San Carlos Apache Reservation for many years. For several years now, I have been publishing a weekly column in the *Moccasin* entitled "Traditionally Speaking." I was born on the reservation here in Byas, the second largest community on our 12,000 member reservation. Though I have lived here most

of my life, I attended Brigham Young University.

President Yudof, you must not understand the grief, pain, anger, and despair when we Apache find out there are great universities like yours that would, without provocation, inflict such disrespect upon us and a place that has been sacred to us since time immemorial.

When I arise in the morning and look into the rising sunlight from the front door of my house, what do I see? I see *Dezif Nekoa S'ion*, the spiritual stronghold and score of our Apache way of life. And what profoundly insulting display of disrespect do I see in that morning sunlight thrust on top of that holy place? There, on our mountain is that hideous, profane box called LBT satellite.

What is it that makes a "center of higher learning" do things like that to defenseless people when there are other places for universities that don't cause suffering? *Dezif Nekoa S'ion* starts just three miles from our reservation boundary. Part for centuries before our land was taken away from us in 1871, this was the very heart of ancestral Apache homeland. *Dezif Nekoa S'ion* was included within our original reservation boundary, but while soldiers and politicians here had President Grant unilaterally remove our sacred mountain from the reservation in violation of our treaty.

For the past 30 years, I have been active and involved in all of our tribal administrations and in our tribal government's activities and elections. With

those years of experiences, I hope you will hear and respect my plea to you. The record must be set straight regarding the misinformation you may be receiving about us Apache people from the University of Arizona (UoA).

First, the UoA falsely claims that our tribal council has been divided on the issue of *Dezif Nekoa S'ion* (Mount Graham) because of one neutrally-respected member in 1990. In truth, there have been five council resolutions opposing this desecration to our beliefs over the past 11 years, including 1990, 1991, 1993, 1995 and 2001. There have also been dozens of letters and protests from our tribal chairmen, vice chairmen and council members over the past 12 years protesting this project to the U.S. Forest Service, the Vatican, Italy and Germany and many others.

In July 1993, neutrally-respected member only 15 months in October 1994, a majority of six of our 11 member council signed a tribal council document to the Italian Parliament stating: "The tribal council has passed three resolutions opposing the Mount Graham Observatory project. We are firmly committed to these resolutions... They represent the sentiments of a majority of the tribal council as well as the traditional spiritual leaders of our tribe, and the traditional Apache people. Mount Graham is and always will be our most sacred mountain." The following year, the council rescinded the neutral:

(Continued on Page 6)

(Continued from Page 2)
by resolution in the form of un-
other opposition resolution.

The second misinformation of the UoA is that we Apache did not respond to: (1) a letter sent to our tribe notifying us of two prehistoric rock cabins and an oval pit on *Dezif Nekoa S'ion* and (2) announcement of the Environmental Impact Statement on the project. UoA says some distant Indian tribes replied and signed off on their absence of concern about these stones. And UoA says because we Apache did not reply, that is proof that the mountain can be sacred to us. That's one of the absurd and vicious falsehoods that the UoA continues to spread around in its ongoing campaign of deception about Mt. Graham. In their bureaucratic view, if we Apache don't erect or acknowledge a church or shrine of stones on that mountain, it can't be a sacred place.

For us, our beliefs and customs and traditions are personal. And so this has been a very difficult letter to write to you, President Yudof. I shall therefore quote to you from a Nov. 9, 1995 letter written by the Cultural Resources Director Ramon Riley of our neighboring White Mountain Apache Tribe to the president of the German Council of Astronomers:

"Elders will not give you answers until they know and trust you - until they see you are coming from the heart. You have to work within the patience of elders and not expect answers immediately. Everything you do must have respect. My mother told me that Mt. Graham is one of the sacred mountains, one of the four chief mountains... Because of herds... Crown Deers, and other powers, these mountains teach us... They and the stars guide us."

"People have been praying to the mountains north and south and using these places since time immemorial. We have been denied access to these places in the name of money. Those are our mountains. They are all important to us. To me what I have heard ever since I can remember is that these are sacred places... We go to the mountains because they bring us closer to God. I worry that much reliance is being placed on asking direct questions and expecting elders to confront sensitive matters, when this is not our way."

"In the interest of avoiding any ingering conclusion, you will forgive me for being blunt: Mount Graham is sacred to the Apache people and the observatory project has significantly harmed our already damaged culture in a profound and almost unforgivable way."

President Yudof, please help protect the Apache's ancient and threatened culture and religion by withdrawing any support for the Mt. Graham Observatory project. I look forward to hearing from you soon.

Very sincerely yours in the brother and sisterhood of men and women,

(s) Sandra Rambler
I wish everyone a happy and healthy holiday season - Happy New Year. Remember, don't drink and drive!