

**THE NATIONAL CONGRESS OF  
AMERICAN INDIANS**

**RESOLUTION #SPO-01-063**

**Title: Resolution in Support of the Determination of Eligibility of *Dzil Nchaa 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 No University or Other Entity, 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 submit the following resolution; and

**WHEREAS**, the National Congress of American Indians (NCAI) 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 NCAI; and

**WHEREAS**, the mountain landform *Dzil Nchaa Si' An* (Mount Graham), in 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**, *Dzil Nchaa 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 *Dzil Nchaa Si' 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 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 *Dzil Nchaa Si' An* was an active, longstanding Apache sacred site; and

**WHEREAS**, 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, *Dzil Nchaa Si' An*; and archives, 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 NCAI resolutions expressed our knowledge and our resolve to save *Dzil Nchaa Si' An* (Resolution Nos. EX DC-93 12m LG/HRC, and VAN-99-042, incorporated herein by this reference); 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 (LBT) to be in violation of Sections 106 and 110(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 30, 1998 and June 30, 1999, urged the Forest Service to evaluate *Dzil Nchaa 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 (dNo.07-99-153) declaring *Dzil Nchaa Si' An* to be a Western Apache traditional cultural property and Indian Sacred Site; and

**WHEREAS**, in a letter dated March 30, 2001, Coronado National Forest Supervisor John McGee finally notified the Western Apache tribes that he had determined *Dzil Nchaa 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 *Dzil Nchaa Si' An*

is eligible for listing in the National Register as a Western Apache traditional cultural property, but only included the top portion above 6,2000 ft. in elevation; and

**WHEREAS**, the Office of the Keeper of the National Register responded by requesting the Forest Service to present the full boundary of the traditional cultural property as outlined on a Forest Service map and submitted by the White Mountain Apache Tribe Cultural Center Director on behalf of the Tribe to include all of *Dzil Nchaa Si' An*, beginning around the base and including sacred stream washes; and

**WHEREAS**, the Forest Service, the University of Arizona and the Arizona Department of Transportation are planning 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 Dartmouth have announced their intent or may be considering joining the University of Arizona and its collaborators in the observatory which desecrates *Dzil Nchaa Si' An* and continues to harm Western Apache people, their culture and their religion.

**NOW THEREFORE BE IT RESOLVED**, that the NCAI does hereby reaffirm it's previous Mt. Graham resolutions listed above; and

**BE IT FURTHER RESOLVED**, that NCAI does hereby respectfully support the determination of eligibility of *Dzil Nchaa 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 boundary of the Western Apache traditional cultural property *Dzil Nchaa 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 Tribe 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, *Dzil Nchaa 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 NCAI does hereby respectfully request and urge any university or other entity, foreign or domestic, to look elsewhere for their astronomical exercises and to not join the University 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; and

**BE IT FURTHER RESOLVED**, that NCAI join and asks all universities or other entities foreign or domestic to join NCAI and stop the practice of desecrating 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 NCAI until it is withdrawn or modified by subsequent resolution.

**CERTIFICATION**

The foregoing resolution was adopted at the 58<sup>th</sup> 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.

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Tex Hall, President

**ATTEST:**

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Colleen Cawston, Recording Secretary

Adopted by the General Assembly during the 58<sup>th</sup> Annual Session of the National Congress of American Indians, held at the Spokane Convention Center, in Spokane, Washington on November 25-30, 2001.