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June 3, 2011

The Honorable Terry Rambler
Chairman
San Carlos Apache Tribe
P.O. Box 0
#3 San Carlos Avenue
San Carlos, Arizona 85550

Dear Chairman Rambler:

Thank you for visiting with me at our nation's capital last week. I appreciate your time and would like to respond to some of your questions and concerns.

We discussed several matters important to the San Carlos Apache Tribe, including the status of the San Carlos Apache Rural Healthcare Center, the Tribe's Indian water settlement interests and the Resolution Copper land exchange proposal. These are among the most critical issues facing your members and I'm grateful for the opportunity to assist you to the best of my abilities.

I share your enthusiasm for the San Carlos Apache Rural Healthcare Center (RHC) currently under construction. For far too long the San Carlos Apache reservation has desperately needed a modernized healthcare delivery system which is why it's imperative that the Indian Health Service (IHS) maintain its commitment to this project. I'm dismayed to learn the Administration has proposed to allocate only \$10 million out of the \$40 million originally pledged for RHC construction under the agency's 5-Year Plan. This reduction will delay completion of the RHC and significantly increase the projected cost of the project.

During the 111th Congress, I was proud to work with my colleagues on the Senate Committee on Indian Affairs to permanently reauthorize the Indian Health Care Improvement Act. As you know, the Act includes a provision intended to ensure that IHS construction dollars go to the top ten priority projects identified by the Administration. Congress did so because several authorized facilities have been on the IHS "priority list" for decades-- like the RHC since 1991-- but saw their funding swallowed by the agency's \$2.4 billion construction backlog or were unable to compete with Congressionally-earmarked construction projects. It appears that despite our efforts, IHS is still not providing the proper level of assistance to tribal communities with the greatest need. As you pointed out, IHS has proposed spending \$62.1 million in FY2012 for Barrow Hospital in Alaska which would only serve a population of about 6,000 Native Alaskans-- less than half the population of the San Carlos Apache Tribe. Please be assured that I will look into this questionable distribution of federal resources and report back to you.

I'm also encouraged by your interest in addressing the Tribe's unresolved water rights claims. Settling this complex issue is necessary to create certainty in local water supplies for the Tribe and as well as non-Indians. As I recall, your predecessors were reluctant to participate meaningfully in the development of the Arizona Water Settlement Act of 2004 and in the end the Tribe was largely left out of the Act. Time is likely too short for a comprehensive settlement in the 112th Congress, but I would be pleased to do what I can to work with my fellow members of the Arizona Congressional Delegation in helping you lay the foundation for this important work.

Finally, I'd like to reiterate my commitment to passing the Resolution Copper land exchange legislation. As you know, your community has a strong desire for more jobs and a better standard of living. I'm reminded of the comments made by a young Apache father who spoke in support of the mine at a town hall I hosted in Superior, Arizona. He argued passionately before his elders that the mine presents a tremendous employment opportunity not only for the State of Arizona but the Tribe as well. That's why I'm encouraged by your willingness to meet with Resolution Copper in good faith to better evaluate the mine project. I'm hopeful this will lead to a constructive dialogue which could ultimately ensure the Tribe retains a form of surface access at Oak Flat that need not conflict with underground mining.

Even if your meeting doesn't result in a mutually agreeable solution, I caution the tribe not to inaccurately claim that the legislation introduced by Congressman Gosar (H.R. 1904) subverts the Apache Treaty of 1852 or waives Resolution Copper's legal obligation to follow federal or state environmental protection laws, obtain proper permits and meet bonding requirements. In this matter, I believe it's in the Tribe's best interest to become productively engaged in stakeholder discussions on the land exchange and related cultural mitigation plans for Oak Flat rather than maintain an abstentious posture.

Again, it was a pleasure meeting you and listening to your concerns. I admire and respect your strong advocacy on behalf of the San Carlos Apache Tribe and stand ready to assist you where I can. Please don't hesitate to contact me again.

Sincerely,



John McCain
United States Senator