

## **Tonto Apache Tribe**

### **Contact Information:**

Reservation #30, Payson, AZ 85541

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Website: [http://itcaonline.com/?page\\_id=1183](http://itcaonline.com/?page_id=1183)

### **Leadership:**

Chairwoman, Vivian L. Burdette

Vice-Chairman, Wally Davis, Jr.

Council Member, Donovan Waterman

Council Member, Junior Tinnin

Council Member, Farrell Hoosava

*Congressional District 4*

*Legislative District 6*

*Gila County*

Recognized by a Congressional Act in 1972, the Tonto Apache Tribe is home to the smallest land base Reservation in Arizona adjacent to the town of Payson, originally named *Te-go-suk, Place of the Yellow Water*. The Tonto Apache are the direct descendants of the Tontos who lived in the Payson vicinity long before the arrival of settlers. In 1871, the large Rio Verde Reserve near Camp Verde was established for the Tonto and Yavapai Indians, but it was dissolved in 1875 when they were forcibly moved to the San Carlos Apache Reservation. Some Tontos steadily returned to Payson after 20 years of exile to find white settlers had taken much of their land. Today, legislation is pending which will provide them trust title to the land upon which they reside. Tribal members are well known in the art community for their outstanding beadwork and basketry.

**Location and Land Area:** The Tonto Apache Tribe is located south of and adjacent to the community of Payson, Arizona, in northwestern Gila County. The Tribe's land base consists of 85 acres making it the smallest Reservation in the State of Arizona; however, the size will increase upon the Tribe's acquiring an additional 240 acres of land from the U.S. Forest Service. The Reservation is surrounded by a variety of major landforms. The Mazatzal Mountains are located to the west; the Sierra Ancha Mountains are to the south; and the Mogollon Rim to the north. Elevations range from 4,975 feet to 5,115 feet.

**Population and Enrolled Tribal Members:** The total population of the Tonto Apache Reservation is approximately 140 of which 110 are enrolled tribal members, and 102 members live on the Reservation (Tonto Apache Tribe, 1994).

**Enterprises:** The enterprises of the Tonto Apache Tribe include a restaurant, hotel, convenience market, smoke shop, and the Mazatzal Casino, which is one of the Community's

largest employers.

### **Constitution of the Tonto Apache Tribe**

**Articles of the Constitution of the Tonto Apache Tribe that may pertain to institutional research protocol:**

#### **Article VII – Powers of the Governing Body**

Sec. 2 – The following Tribal powers shall be exercised by the Tribal Council:

- ī (a) To adopt regulations, ordinances, by laws, and rules of procedure to govern the duties, responsibilities, conduct, and procedures of the Tribal Council.
- ī (b) To negotiate, make and perform contracts and agreements of any description not inconsistent with law or this Constitution, with any person, association, partnership, corporation, municipality, country, local government, county state, the United States, or other Indian Tribe, Band, or Community.
- ī (i) To manage, protect, and preserve all lands, minerals, water, wildlife, and other natural resources of the lands held by the Tribe.
- ī (m) To encourage and foster arts, crafts, traditions, language, and culture of the Tribe.
- ī (n) To advise, consult, and negotiate with federal, state, or local governments, and other persons on all activities which may affect the Tribe.
- ī (u) To conduct, on or off the Reservation, any and all activities or business not otherwise prohibited by law.
- ī (w) To exercise jurisdiction over all persons and activities within Tribal territory, except where such jurisdiction has been specifically restricted or preempted by federal law.
- ī (x) To exercise, as to non-members, all other sovereign powers of the Tribe, whether or not enumerated in this Constitution, subject only to limitations on these powers expressly imposed by federal law.

#### **Federal**

42 USC § 3515b requires the Secretary of Health and Human Services to adopt appropriate regulations for the use of federal funds to pay for any research program or project or any program, project, or course which is of an experimental nature, or any other activity involving human participants that present a danger to the physical, mental, or emotional well-being of a participant or subject.

45 C.F.R. § 46.101 requires that research supported by a federal department or agency (defined by 45 C.F.R. § 46.102(e)) must be reviewed and approved by an institutional review board (IRB).