

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

WHEREAS, Broadus Bones, the Acting Manager of Fire Control has been acting in that capacity since the retirement of Harry Brewer on February 11, 1981; and

WHEREAS, the Tribal Council has been informed that Broadus Bones has satisfactorily managed and performed the duties of Manager for the duration of the time that he was Acting Manager; and

WHEREAS, the Tribal Council has been advised that Broadus Bones although acting as the Manager of the Fire Control Program has not been paid the salary commensurate with the position; and

WHEREAS, the Bureau of Indian Affairs is presently advertising for a permanent Manager for Fire Control but has changed the eligibility requirements for applicants in such a way as to disqualify Broadus Bones; and

WHEREAS, the Tribal Council concludes that the eligibility requirements as modified by the Bureau of Indian Affairs effectively discriminates against Broadus Bones, a tribal member, in that they unfairly prohibit him from being eligible to apply for a position which he has satisfactorily filled for the past sixteen (16) months;

BE IT RESOLVED by the Tribal Council of the White Mountain Apache Tribe that it hereby supports the application of Broadus Bones to be appointed as permanent Manager of the Bureau of Indian Affairs Fire Control based on his experience and satisfactory performance for the past sixteen (16) months.

BE IT FURTHER RESOLVED that the Tribal Council deplores the modification of the eligibility requirements for application for the position of Manager of Fire Control on the grounds that said requirement as modified does not take into account the expertise of tribal members such as Broadus Bones and effectively discriminates against tribal members who although are unable to meet said eligibility requirements nevertheless possess the experience and knowledge to satisfactorily fill the position.

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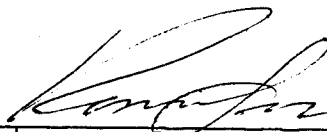
WHITE MOUNTAIN APACHE TRIBE

BE IT FURTHER RESOLVED by the Tribal Council that the Bureau of Indian Affairs is hereby requested to eliminate the discriminatory eligibility requirements on the grounds that said requirements do not constitute a bona fide occupational qualification for the position but simply constitutes an artifical barrier to qualified tribal members to apply for the position.

BE IT FURTHER RESOLVED by the Tribal Council that the Bureau of Indian Affairs be requested to pay retroactively all monies due Broadus Bones for the time that he has been the Acting Manager of the Fire Control Program at the rate of pay commensurate with that position.

BE IT FURTHER RESOLVED that the Bureau of Indian Affairs be requested to submit in writing to the Tribal Chairman of the White Mountain Apache Tribe the basis and reasons why Broadus Bones is not qualified or eligible to apply for the position as permanent manager of the Fire Control Program when he has infact performed in that capacity the last sixteen (16) months.

The foregoing resolution was on June 2, 1981, duly adopted by a vote of nine for and zero against by the Tribal Council of the White Mountain Apache Tribe, pursuant to authority vested in it by Article V, Section 1 (i) of the Amended Constitution and By-Laws of the Tribe, ratified by the Tribe June 27, 1958, and approved by the Secretary of the Interior on May 29, 1958, pursuant to Section 16 of the Act of June 18, 1934 (48 Stat. 984).

  
Chairman of the Tribal Council

  
Secretary of the Tribal Council