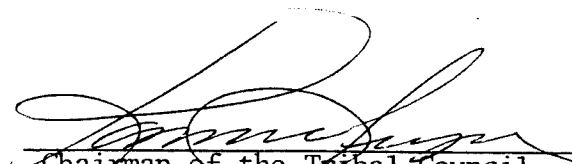
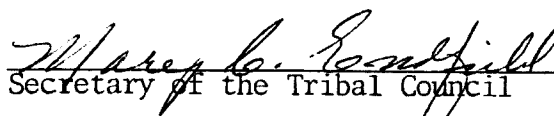


RESOLUTION OF THE
WHITE MOUNTAIN APACHE TRIBE OF THE
FORT APACHE INDIAN RESERVATION

- WHEREAS, the Tribal Attorney advised the Tribal Council that the Exclusion and Removal Ordinance has been rejected by the Bureau of Indian Affairs for the ostensible reason that the ordinance does not properly define "contagious disease" and because the ordinance requiring missionaries to obtain permits may be an unconstitutional prior restriction on religion, and
- WHEREAS, the Tribal Attorney advises the Tribal Council that the exact wording of the contagious disease and missionary permit provisions of the ordinance were taken word for word from the Navajo Tribal Code which was approved by the Secretary of the Interior and the Solicitor's Office, and
- WHEREAS, the Tribal Attorney recommends to the Tribal Council that the ordinance be amended to eliminate the provisions pertaining to contagious disease and missionary permits or those items can be drafted into a new ordinance pertaining to that particular subject matter, and
- WHEREAS, the Tribal Attorney recommends to the Tribal Council that the provision prohibiting any person from coming on the reservation without the prior approval of the Tribal Council for purposes of conducting scientific research in the areas of geology, water, soil composition and for any other purpose be amended in order to make clear that the prohibition applies to any federal or State Agency or any person acting in concert, with them from gathering any data or evidence of any kind to be used in any present or future litigation with the White Mountain Apache Tribe or which may be used in any conflict of interest situation, and
- WHEREAS, the Tribal Council concludes that the ordinance should be strengthened to prohibit any Federal or State Agency or any person acting concert with them from conducting any activities or data gathering on the reservation for any purpose contrary to the interest of the Tribe without prior approval of the Tribal Council and that any data gathering by any Federal or State employee or any person acting in concert with either one prior to Tribal Council approval should be grounds for eviction from the reservation.
- BE IT RESOLVED by the Tribal Council of the White Mountain Apache Tribe that it directs the Tribal Attorney to forthwith draft an amendment to the Exclusionary Ordinance No. 128 for purposes of carrying out the intent of this resolution.
- BE IT FURTHER RESOLVED by the Tribal Council that it directs that this amendment be posted immediately for the required ten days set forth by the Tribal Constitution and that if there is no opposition from members of the Tribe at the end of the ten-day period, that final approval may be confirmed by the Tribal Council by means of a walk through or special resolution signed by a quorum of the Council members.

The foregoing resolution was on December 02, 1982 duly adopted by a vote of 9 for and 0 against by the Tribal Council of the White Mountain Apache Tribe, pursuant to authority vested in it by Article V, Section 1 (i & q) 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

RECEIVED

DEC 08 1982

FORT APACHE INDIAN
AGENCY
WHITERIVER, ARIZ

Resolution No. 82-289