

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

- WHEREAS, the White Mountain Apache Tribal Council had adopted a Tribal Employment Rights Office Ordinance No. 151. which delegates authority of implementation, regulation, and sanction to the TERO Director subject to due process requirements; and
- WHEREAS, Section 7 of the TERO Ordinance provides for sanctions for non-compliance with the Ordinance, which include but are not limited to: fines, suspension of operations, termination of operations and denial of the right to conduct any further business on the Fort Apache Indian Reservation, or denial of the right to commence business on the Fort Apache Indian Reservation; and
- WHEREAS, the Tribe has the inherent sovereign right to condition entry to its reservation and to exclude those who might jeopardize the health, safety and welfare of the Tribe and its members; and
- WHEREAS, the White Mountain Apache Tribe has exercised that authority in promulgating a Labor Code which provides for the exclusion of contractors from the Fort Apache Indian Reservation who have violated the White Mountain Apache Tribe's TERO Ordinance; and
- WHEREAS, Blaze Construction, Inc. has been sanctioned by the TERO Office on previous occasions for various violations of the TERO Ordinance: including violations of hiring preference, hiring workers outside the TERO hiring hall system in direct violation of the TERO Ordinance and harassing Indian workers; and
- WHEREAS, said past infractions by Blaze Construction have jeopardized the health, safety and welfare of the White Mountain Apache Tribe and its members by infringing on the unique and special employment rights of Indians and by violating the laws of the White Mountain Apache Tribe; and

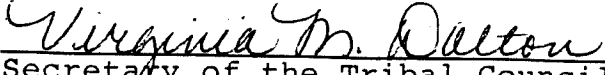
WHEREAS, the Tribal Council of the White Mountain Apache Tribe concludes that based upon its inherent sovereign power and constitutional authority, that the sanction imposed by the TERO Director on December 15, 1991, (attached hereto and incorporated herein) to deny Blaze Construction the right to commence and conduct any further business on the Fort Apache Indian Reservation is within the statutory authority of the Tribal Employment Rights Office and the inherent sovereign and constitutional power of the Tribe.

BE IT RESOLVED by the Tribal Council of the White Mountain Apache Tribe that in order to protect the health, safety and welfare of the Tribe and its members, the tribal Council finds the sanction imposed by the TERO Director upon Blaze Construction, Inc. is within the authority conferred upon the Tribal Employment Rights Office pursuant to statute and tribal sovereign power.

BE IT FURTHER RESOLVED by the Tribal Council that in addition to the sanction imposed upon Blaze Construction by the TERO Office, it hereby indefinitely denies the privilege of Blaze Construction to come onto the Fort Apache Indian Reservation to commence or to conduct any business thereon.

The foregoing resolution was on December 19, 1991, 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 Bylaws 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).

  
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Chairman of the Tribal Council

  
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Secretary of the Tribal Council

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JAN 14 1992

FORT APACHE INDIAN AGENCY  
WHITERIVER, ARIZONA