

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

- WHEREAS, over a decade ago, the White Mountain Apache Tribe incorporated and chartered, pursuant to its inherent sovereign powers, and powers delegated to it by the Constitution of the White Mountain Apache Tribe, the KNNB Radio Station Corporation, whose mission and purpose was to provide information to the White Mountain Apache people in their own language, to provide a forum for debate on tribal-wide issues of importance to the people, and to reach each community on the wide-spread Fort Apache Indian Reservation so that information pertaining to tribal governmental affairs could be made available promptly to the people; and
- WHEREAS, over the years it has been the established custom and practice for the KNNB Radio Station to provide the opportunity for Tribal Council Members to periodically report to their constituents and the people generally of the Council Member's opinion and views on tribal resolutions, policy, ordinances, federal and state legislation, and to otherwise give valuable information to the people in their own language; and
- WHEREAS, the KNNB Board of Directors has never required that these reports be pre-taped; and
- WHEREAS, recently, the Tribal Chairman, with the consensus of the Tribal Council, agreed that since this is an election year for some seats on the Tribal Council, and in the interest of fairness to persons challenging incumbents, that all Tribal Council radio reports would be cancelled for those Council Members who are qualified candidates, but that non-candidate Council Members could continue to make their traditional radio reports to the people; and
- WHEREAS, the Tribal Council has recently been advised by a member of the Board of Directors for KNNB Radio Station that all future Tribal Council Member radio reports must be pre-taped at least 24 hours prior to broadcast; and

- WHEREAS, at least one non-candidate Tribal Council Member has been advised by station personnel that his report would be interrupted and cut off if he mentioned anything political, although the term "political" has not been defined by the radio station; and
- WHEREAS, the Tribal Council is concerned the F.C.C. Regulations may be violated by the foregoing policy requiring pre-taped broadcasts, or if it does not constitute a violation of F.C.C. Regulations, nevertheless imposes an unwarranted burden on the Tribal Council Members who may have scheduling difficulties to pre-tape a broadcast, and pre-taping would preclude flexibility and the opportunity of the Tribal Council Member to immediately respond to constituent requests shortly before his or her report to the public, or to comment on recent events of less than 24 hour occurrence; and
- WHEREAS, the Tribal Council concludes that the foregoing pre-taping policy is contrary to the spirit and mission of the KNNB Radio Station and constitutes a form of censorship and harassment of elected officials, which the Tribal Council concludes violates the paramount right of the public to be informed and to have presented to it for acceptance or rejection, the different attitudes and viewpoints of Tribal Council Members concerning vital and often controversial issues and does little to achieve or enhance free and open debate or discussion thereof; and
- WHEREAS, the Tribal Council is also advised in regards to the radio station that the radio transmitter that services the Cibecue area is in need of repair and as a result that community is currently without radio reception; and
- WHEREAS, the Tribal Council is advised that the last Tribal Council appointment to the Board of Directors was in 1986 and that all the terms of the people so appointed have expired, and that some persons serving on the board at the present time have not been appointed by the Tribal Council as required by the KNNB Articles of Incorporation, and therefore, the Tribal Council must promptly appoint new members to the KNNB Board in order to comply with F.C.C. Licensing Requirements; and

WHEREAS, related to the issue of fairness in the upcoming election, the Tribal Council concludes that the Tribal Chairman should be directed to send out a memo prohibiting the use of tribal vehicles, tribal office equipment, copying machine, fax equipment, telephones, postage and other tribal property by any candidate or supporter thereof for the upcoming Tribal Election in February 1992 and April 1992, expect as provided herein.

BE IT RESOLVED by the Tribal Council of the White Mountain Apache Tribe that it hereby requests that KNNB Radio Station Director and Board of Directors, repeal the recent policy requiring 24-hour pre-taping of Tribal Council Member reports.

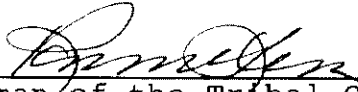
BE IT FURTHER RESOLVED by the Tribal Council that it hereby reaffirms the directive of Tribal Chairman Ronnie Lupe's letter to KNNB Radio Director, Phoebe Nez, dated January 9, 1992, attached to this resolution.

BE IT FURTHER RESOLVED by the Tribal Council that it directs Tribal Chairman Ronnie Lupe to send out an executive memo prohibiting the use of tribal vehicles, office equipment, telephones, fax machines, postage, copying machines, and any other tribal government property by candidates or their supporters in the upcoming 1992 Primary and General Council Election, provided that this shall not apply to attaching posters on public buildings on the reservation or use of the Tribal Council Chambers after 5:00 p.m. for election or campaign related meetings.

BE IT FURTHER RESOLVED by the Tribal Council that the prohibition against the use of tribal vehicles and property for election campaign purposes includes a prohibition against placing any campaign bumper stick, insignia or campaign materials on any tribal government or enterprise vehicle, interior of any office or on tribal government or enterprise equipment.

BE IT FURTHER RESOLVED by the Tribal Council that it hereby directs that at the next regularly scheduled Tribal Council meeting that appointments be made to fill the expired terms of the present Board of Directors of KNNB in order to comply with F.C.C. Regulations requiring a current Board of Directors with appropriate authority from the Tribal Council to conduct radio station business and operations.

The foregoing resolution was on January 27, 1992, 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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FORT APACHE INDIAN AGENCY  
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