



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

(Public Safety Pension Plan (PSP) Benefit Changes)

WHEREAS, the White Mountain Apache Tribe, as a federally recognized Indian tribal government, with inherent rights of self governance, and pursuant to its Tribal Constitution, exercises rights of self determination through its elected Council, and enjoys a government-to-government relationship with the federal government of the United States; and

WHEREAS, the Tribal Council of the White Mountain Apache Tribe has retained the authority, powers and duties to establish and maintain programs to promote the health, welfare, and retirement security of its members and employees; and

WHEREAS, the Tribal Council of the White Mountain Apache tribe has previously adopted a Public Safety Pension Plan ("PSP") designed to protect and preserve sovereignty and governmental status under the Internal Revenue Code, ERISA and the PPA to the fullest provided at law; and

WHEREAS, the PSP, when initially established, called for future review by the Tribal Council of the ability of the Trust to fund death and disability benefits on par with those provided under the State of Arizona public safety officer plan; and

WHEREAS, the Tribal Council is informed by the PSP actuary that the PSP trust is now sufficient to fund enhanced death and disability benefits similar to or modeled in part after the death and disability benefits provided under the State of Arizona public safety officer plan; and

WHEREAS, the PSP has received requests to expand its participation to additional groups within the Tribe who satisfy the general requirements of Hazardous Duty service and meet the Tribe's certification criteria.

BE IT RESOLVED by the Tribal Council of the White Mountain Apache Tribe that it hereby authorizes and directs the Tribal Pension Committee to make such changes and amendments to implement the foregoing death and disability changes to the PSP, subject to its receipt of input from the PSP advisory committee and subject to final confirmation from the PSP actuary of the financial soundness and impact upon the PSP trust.

BE IT FURTHER RESOLVED by the Tribal Council of the White Mountain Apache Tribe that it hereby authorizes the above delegation to invoke Executive Order 13175 to obtain coordination and cooperation with IHS and CHS regarding the above, and to develop protocols and procedures, documented through a Memorandum of Agreement as appropriate, for the sharing of information needed to implement the foregoing.

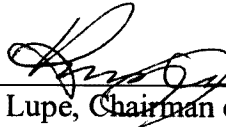
Resolution No. 07-2011-142

BE IT FURTHER RESOLVED by the Tribal Council of the White Mountain Apache Tribe that authorizes the Tribal Pension Committee to conduct a study and report back to Council, with input from the PSP advisory committee and the PSP actuary, of the affordability of expanding PSP eligibility to additional groups meeting the Tribe's Hazardous Duty and certification requirements.

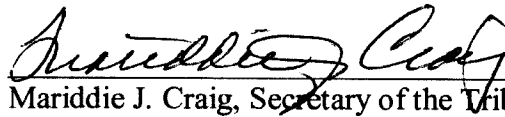
BE IT FURTHER RESOLVED by the Tribal Council of the White Mountain Apache Tribe that in the event that this Resolution conflicts with a prior Resolution or Policy, this Resolution shall govern.

BE IT FURTHER RESOLVED by the Tribal Council of the White Mountain Apache Tribe that the Chairman, or in his absence, the Vice Chairman, is hereby authorized to execute any and all documents necessary to effectuate the intent of this Resolution.

The foregoing resolution was on **JULY 8, 2011** duly adopted by a vote of **SIX** for and **ZERO** against and by the Tribal Council of the White Mountain Apache Tribe, pursuant to the authority vested in it by Article IV, Section 1 (a), (s), (t) and (u) of the Constitution of the Tribe, ratified by the Tribe September 30, 1993, and approved by the Secretary of the Interior on November 12, 1993, pursuant to Section 16 of the Act of June 18, 1934 (48 Stat. 984).



Ronnie Lupe, Chairman of the Tribal Council



Mariddie J. Craig, Secretary of the Tribal Council