



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

(401(k) 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 the governmental and enterprise 401(k) plans 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 Tribal Council previously suspended tribal matching contributions with the expectation to review the ability to re-start said contributions when financially feasible; and

WHEREAS, certain plan features, like loans, distributions and transfers, have been made more difficult to coordinate between the divided plans under the PPA and will require recommendations for improvements to service provider arrangements or plan changes.

BE IT RESOLVED by the Tribal Council of the White Mountain Apache Tribe that it hereby authorizes and directs the Tribal Pension Committee to report back to the Tribal Council its recommendation of when the tribal matching contribution may be reinstated.

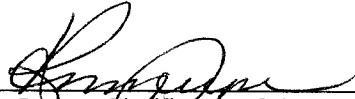
BE IT FURTHER RESOLVED by the Tribal Council of the White Mountain Apache Tribe that it hereby authorizes the Tribal Pension Committee, with input from the 401(k) advisory committee, to make such changes to the 401(k) plans as are deemed advisable to coordinate between the divided plans or to satisfy PPA or other applicable compliance requirements, provided that such changes not expressly required by law do not materially detract from the benefits approved by the Tribal Council without additional direction from the Tribal Council.

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.

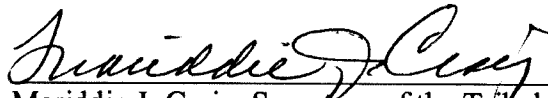
BE IT FURTHER RESOLVED by the Tribal Council of the White Mountain Apache Tribe that the Chairman, or in his absence, the Vice Chairman, is hereby authorized to execute any and all documents necessary to effectuate the intent of this Resolution.

Resolution No. 07-2011-143

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 Lube, Chairman of the Tribal Council



Mariddie J. Craig, Secretary of the Tribal Council