



WHITE MOUNTAIN APACHE TRIBE

*A Sovereign Nation Exercising Self-Governance
Over the Fort Apache Indian Reservation*

TRIBAL RESOLUTION 05-2012-24

(Barring Tribal Council Members from Serving on Supervisory Boards, Commissions, Committees or any Tribal Regulatory Bodies)

WHEREAS, the White Mountain Apache Tribal Council ("Council") of the White Mountain Apache Tribe ("Tribe") has struggled for many years attempting to resolve disputes over power and authority, conflicts of interests and questions regarding the ethical obligations of Tribal leaders entrusted with carrying out their Constitutional duties on behalf of the Tribe concurrently with overseeing various agencies or enterprises that act independently of the Tribe and may not have the Tribe's best interests at heart; and

WHEREAS, the Council, without assigning blame, acknowledges that due to poor policy decisions and a lack of foresight by prior administrations, the Tribe now has a sizeable budget deficit to contend with, a need for stricter internal controls, and an increasing demand for experienced and qualified personnel capable of tackling myriad challenges that the Tribe must now overcome; and

WHEREAS, the Fort Apache Indian Reservation ("Reservation") has suffered from an unacceptably high crime rate, the integrity of the judicial system is in question and for too long Tribal leaders allowed the Courts to operate under the direction of non-law trained judges; and

WHEREAS, to make matters worse, the poverty rate among Tribal members rivals that found in third world countries and the Council is determined to redirect its energy into building a better Sovereign Nation for the benefit of all members, because the Apache people demand better and they deserve a stronger government; and

WHEREAS, for the reasons stated above, among many others, the Tribal Council finds it in the best interests of the White Mountain Apache Tribe to require Tribal Leaders to focus solely on addressing the Tribe's administrative challenges and key problem areas rather than continuing the poor management practice of micromanaging Directors and Supervisors and generally interfering with the global operations of the Tribe's agencies and enterprises; and

WHEREAS, the Tribal Council further finds that the only way to restore the people's faith in the Tribal Government is to begin a new era of promoting fiscal responsibility, rewarding performance and merit over nepotism and entitlement, and most importantly, by barring members of the Tribal Council from participating on Tribal Regulatory bodies, including, but not limited to Board of Directors, Commissions, Committees, or any other group that purports to regulate, administer, or otherwise oversee a Tribal Agency or Enterprise.

BE IT RESOLVED by the Tribal Council of the White Mountain Apache Tribe that it hereby adopts this policy barring members of the Tribal Council, without exception, from serving on Tribal Regulatory bodies, including, but not limited to Board of Directors, Commissions, Committees, or any other group that serves to regulate, administer, or provide oversight over a Tribal Agency or Enterprise.

BE IT FURTHER RESOLVED by the Tribal Council of the White Mountain Apache Tribe that it hereby declares that it will engage in new policies that will focus on restoring the faith of the Apache people in Tribal Government by promoting fiscal responsibility, rewarding performance and merit over nepotism and entitlement, and ensuring that the best and most qualified individuals serve as Directors and Supervisors to ensure that the greater Tribe's interests are carried out and protected.

BE IT FINALLY RESOLVED by the Tribal Council of the White Mountain Apache Tribe that the Legal Department shall submit, for Tribal Council review, an amendment to the Government Code that will effectively bar members of the governing body from serving on regulatory bodies as described herein.

BE IT FURTHER RESOLVED by the Tribal Council of the White Mountain Apache Tribe that it hereby directs that in the event that this Resolution conflicts with a prior Resolution or Policy, this Resolution shall supersede and govern over the conflicting subject matter.

BE IT FURTHER RESOLVED by the Tribal Council of the White Mountain Apache Tribe that it hereby directs that in the event this Resolution directly conflicts with the Tribal Constitution, Tribal Ordinances or Federal Laws, this Resolution shall be declared null and void and of have no legal effect. This Resolution shall not be subject to Judicial Interpretation, only the Tribal Attorney, with the assistance of the Tribal Council Secretary, may opine on Tribal Council intent and the meaning of the language as used herein.

BE IT FURTHER RESOLVED by the Tribal Council of the White Mountain Apache Tribe that the Chairman, or in his absence, the Acting Chairman, is hereby authorized to execute any and all documents necessary to effectuate the intent of this Resolution. In the event that the Chairman fails to delegate signatory authority to an Acting Chairman, the Vice-Chairman may sign provided that the Tribal Secretary and a Tribal Attorney attest to the veracity of the subject matter of this Resolution.

The foregoing resolution was on MAY 4, 2012 duly adopted by a vote of SEVEN for and ZERO against by the Tribal Council of the White Mountain Apache Tribe, pursuant to the authority vested in it by Article IV, Section 1 (a), (b),(f), (i), (k), (s), (t) and (u) of the Tribal Constitution, 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

5-8-12

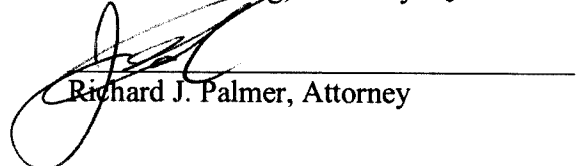
Date



Mariddie J. Craig, Secretary

05-08-2012

Date



Richard J. Palmer, Attorney

5/8/12

Date