



# WHITE MOUNTAIN APACHE TRIBE

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

---

## Resolution No. 11-2013-218

### **(Requesting BIA to conduct Secretarial Election Amending WMAT Constitution Blood Quantum Requirement)**

- WHEREAS,** the White Mountain Apache Tribe ("Tribe"), as a federally recognized Indian tribe, with inherent rights of self-governance, and pursuant to its Tribal Constitution ("Constitution"); exercises rights of self-determination and self-governance, including the power to determine its own tribal membership, through its duly elected Tribal Council ("Council"); and
- WHEREAS,** on this day, the Council recognizes and has heard the pleas of Tribal members who for decades have raised concerns that their grandchildren, children, cousins, and other close relatives who were raised on the Fort Apache Indian reservation and despite having more Apache blood than other members of the tribal community on the Fort Apache Indian Reservation, did not qualify for membership due to the "other blood" quantum requirement of at least one half (1/2) Indian blood of a federally recognized Indian tribe in the Tribe's Constitution; and
- WHEREAS,** since 2009, the Tribe has discussed and previously requested a Secretarial election pursuant to Article X, Section 2, of the Constitution, for the purpose of providing qualified tribal members the opportunity to vote on an amendment to the Tribe's blood quantum requirement as described in Article II, Sec. 1(b) of the Constitution in order to remove the impediment to qualify for membership in the Tribe; and
- WHEREAS,** Article II, Sec. 1(b) of the Constitution requires that in order to be eligible for membership, the person seeking enrollment must be able to show that he or she has "*one-half (1/2) degree or more Indian blood, of a federally recognized Indian tribe or tribes, Provided, That the person is at least one-fourth (1/4) degree White Mountain Apache blood;*"and the "other blood" requirement has prevented tribally recognized persons as being members of the Tribe to be officially enrolled in the Tribe; and
- WHEREAS,** the Tribal Council and their constituents in attendance, express the opinion which is supported by federal common law, that each tribe, as a distinct political and sovereign community, has the power to determine its own tribal membership and that tribes may determine who are to be considered members by written law, custom, and in some instances, by a treaty with the United States, and that likewise, the White Mountain Apache Tribe has the inherent sovereign authority to determine its own membership in order to perpetuate the Tribe and to eliminate injustice and unfairness that the current "other blood" requirement in the Tribe's Constitution has created; and

**WHEREAS,** for all of the reasons stated herein, the Tribal Council of the White Mountain Apache Tribe does hereby find that it would be in the Tribe's best interests to request a Secretarial election for the purpose of redefining the current blood quantum requirement in the Tribe's Constitution, Article II, Sec. 1, to read as follows:

Article II, Section 1(b):

"All persons with at least one eighth (1/8) White Mountain Apache blood."

**BE IT RESOLVED** by the Tribal Council of the White Mountain Apache Tribe that pursuant to Article X, Section 2 of the Constitution, it hereby formally requests that the Secretary of the Interior call and conduct a Secretarial election so that qualified voters of the Tribe can vote on a proposed amendment to the Constitution of the White Mountain Apache Tribe that would change the current White Mountain Apache blood quantum requirement for enrolled Tribal members of one-half (1/2) degree or more of Indian blood of a federally recognized Indian tribe with at least one-fourth (1/4) degree White Mountain Apache blood, to a White Mountain Apache blood quantum requirement of at least one eighth (1/8) White Mountain Apache blood without requiring any other Indian blood from a federally recognized Indian tribe.

**BE IT RESOLVED** by the Tribal Council of the White Mountain Apache Tribe that it hereby authorizes the ballot to substantially read as follows:

*The governing body of the White Mountain Apache Tribe, pursuant to Resolution No. 11-2013-218, has proposed an amendment to the blood quantum language in Article II, Sec. 1(b) of the Tribal Constitution. If the amendment is adopted, language currently in the Constitution under Article II, Sec. 1(b) requiring one half (1/2) degree or more Indian blood of a federally recognized Indian tribe would be eliminated and instead would read as follows:*

***"All persons with at least one eighth (1/8) White Mountain Apache blood."***

*If you are in favor of changing the blood quantum requirement for enrollment in the White Mountain Apache Tribe to at least one eighth (1/8) White Mountain Apache blood, vote YES. Otherwise, vote NO if you prefer that the blood quantum requirement in the Tribal Constitution remain the same.*

**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, or any material facts concerning the issues presented are later found to be false, this Resolution shall be declared null and void and of have no legal effect.

**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

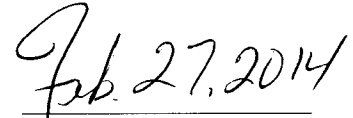
**Resolution No. 11-2013-218**

documents necessary to effectuate the intent of this Resolution. In the event that the Chairman fails or is unable to delegate signatory authority to an Acting Chairman, the Vice-Chairman may sign.

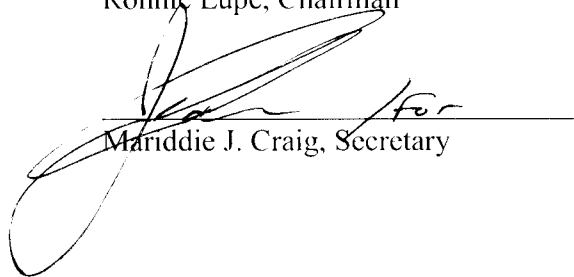
The foregoing resolution was on **NOVEMBER 1, 2013** duly adopted by a vote of **FIVE** for, **ZERO** against, and **ONE** abstention by the Tribal Council of the White Mountain Apache Tribe, pursuant to the authority vested in it by Article IV, Section 1 (a), (c), (g), (i), (q), (s), (t), and (u) and Article X, Section 2, 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).

 Acting

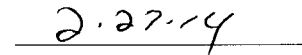
Ronnie Lupe, Chairman



Date

 For

Mariddie J. Craig, Secretary



Date