



WHITE MOUNTAIN APACHE TRIBE

A Sovereign Tribal Nation

(Accepting the Results of the Secretarial Election Amending Article X of the Constitution of the White Mountain Apache Tribe)

WHEREAS, The Constitution of the White Mountain Apache Tribe (“Tribe”) of the Fort Apache Indian Reservation has provided, at Article X- Amendments:

Section 1.Requirements. This Constitution may be amended by a majority vote of the qualified voters of the Tribe voting at an election called for that purpose by the Secretary of the Interior, Provided, That at least thirty percent of those entitled to vote shall vote in such an election, but no amendment shall become effective until it shall have been approved by the Secretary of the Interior or by operation of law.

Section 2.Requests for Secretarial Election. It shall be the duty of the Secretary of the Interior to call an election on any proposed amendment at the request of the Council, or upon receipt of a petition signed by at least thirty percent of the qualified voters of the Tribe; and

WHEREAS, The Tribe is a sovereign nation and does not require the approbation of the United States Secretary of the Interior as regards its own governance; and

WHEREAS, On August 5, 2020, via Council Resolution No. 80-2020-183, the Tribe requested that the Bureau of Indian Affairs (“BIA”) conduct a Secretarial Election to Amend Article X of the Constitution of the White Mountain Apache Tribe to remove the role of Secretary of the Interior from the Tribe’s constitutional amendment procedure; and

WHEREAS, The BIA, with assistance and participation of a committee of Tribal members appointed for this purpose, did conduct the requested Secretarial Election, and notified the Tribe on September 1, 2021, by certified letter (attached and incorporated herein) that the proposed constitutional amendment passed; and

WHEREAS, The Tribal Council finds that accepting the results of the Secretarial Election will help the Tribe more fully reclaim its sovereignty from the United States, and is in the best interests of the Tribe and its members.

BE IT RESOLVED by the Tribal Council of the White Mountain Apache Tribe that the results of the Secretarial Election amending Article X of the Constitution of the White Mountain Apache Tribe is hereby accepted.

Resolution No. 11-2021-227

BE IT FURTHER RESOLVED by the Tribal Council of the White Mountain Apache Tribe that pursuant to the result of the Secretarial Election, Article X of the Constitution of the White Mountain Apache Tribe shall, effective immediately, henceforth read:

Section 1. Requirements. This Constitution may be amended by a majority vote of the qualified voters of the Tribe voting at a special election conducted for that purpose by the Election Board, provided that at least thirty percent of those entitled to vote shall vote in such an election.

Section 2. Requests for Special Election. It shall be the duty of the Tribe's Election Board to conduct a special election on any proposed amendment at the direction of the Council, or upon receipt of a petition signed by at least thirty (30%) percent of the qualified voters of the Tribe, and certified as valid by the Election Board in accordance with the Tribe's Election Code, and shall conduct the special election not later than 60 days after the receipt of the petitions, provided that the requirements herein are satisfied.

BE IT FURTHER RESOLVED by the Tribal Council of the White Mountain Apache Tribe that The Tribal Secretary shall record this amendment to the Tribe's Constitution and distribute the newly revised Constitution to all applicable Tribal departments and federal agencies.

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 the Chairwoman, or in her 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 NOVEMBER 10, 2021 duly adopted by a vote of NINE for, ZERO against, and ONE abstentions by the Tribal Council of the White Mountain Apache Tribe, pursuant to authority vested in it under the enumerated powers listed in Article IV, Section 1 of the WMAT Constitution, so ratified on September 30, 1993, and federally recognized pursuant to Section 16 of the Indian Reorganization Act of June 18, 1934 (48 Stat. 984).



Gwendena Lee-Gatewood, Chairwoman

11/15/2021
Date



11-15-2021
Date

Doreen T. Numkena, Tribal Secretary