

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


- WHEREAS,** the Tribal Council is currently confronted with a variety of complex issues in the area of water rights, gaming, the environment, range management, economic development, education of its youth, water, sewer and street infrastructure development, unemployment and health problems; and
- WHEREAS,** in the last decade these problems and the increase in population of the Tribe have combined to compel greater demands upon the Tribal Council to meet not only in regular sessions but often in special Council sessions and workshops in order to keep abreast of new developments and to meet the needs of the people of the White Mountain Apache Tribe; and
- WHEREAS,** there is a greater need for permanent standing committees in the Council to provide an opportunity for the public to offer testimony, ideas and concerns for the betterment of the standard of living for the White Mountain Apache Tribe; and
- WHEREAS,** in years past conflicts of interest have arisen in the obligation of the Tribal Council to provide overall oversight management for the allocation of natural resources on the Reservation, the administration of Tribal Departments, tribal government services to the people, and the development and management of tribal enterprises; and
- WHEREAS,** the conflict arises in situation where a member of the Tribal Council is also the director of the Tribal Department or Agency or general manager of an enterprise; and
- WHEREAS,** the inherent conflict of interest results because of political considerations that arise when the Tribal Council exercises its oversight authority in respect to tribal enterprises managed by a member of the Tribal Council or in cases where a Tribal Council member is the director of a tribal government department, agency or program; and

- WHEREAS,** sound management in government now compels implementation of a requirement that elected members of the Tribal Council be prohibited from being appointed as directors of tribal departments, agencies or programs or being employed or appointed as general managers of tribal enterprises; and
- WHEREAS,** such a prohibition would allow the Tribal Council to devote full time to serving the people, to learn and appreciate the various issues of utmost importance to the Tribe such as management of natural resources, the Endangered Species Act, environmental protection, water rights, economic development, unemployment, health, education and welfare issues and further the goal of stronger tribal self-government in the 21st century; and
- WHEREAS,** separation of elected officials from employment in an enterprise, tribal department or agency will create a healthy distance between government and a management of economic subsidiaries of the tribal government, will remove politics from the enterprises to some extent, and will open the door for other aspiring tribal members to fill enterprise - department positions while others may decide instead to aspire to public life on the Tribal Council; and
- WHEREAS,** the establishment of a full-time Council will also allow the Tribal Council to have ample time to attend educational workshops and seminars critical to effective tribal self-government and will allow the establishment of standing committees which can meet outside of regular Council meetings in order to reach and service the Apache people; and
- WHEREAS,** the Tribal Council concludes that the prohibition against Tribal Council members from being appointed as directors of department, agencies and programs or as general managers of enterprises or employees of enterprises in any capacity should be in the form of a tribal ordinance and that any Tribal Council member upon the effective date of the ordinance shall be required to terminate his or her employment with a tribal enterprise, department or program.

**BE IT RESOLVED** by the Tribal Council of the White Mountain Apache Tribe that in the interest of enhancement and furtherance of tribal self-government and service to the people of the White Mountain Apache Tribe it hereby establishes a policy that Tribal Council members be prohibited from being or acting as directors or managers of tribal enterprises, departments and agencies while serving as members of the Tribal Council.

**BE IT FURTHER RESOLVED** by the Tribal Council that it hereby directs the Tribal Legal Department to immediately draft an appropriate ordinance to implement this policy pursuant to the Tribal Council's constitutional authority and inherent sovereign power as a government to manage and administer the Tribe's economic enterprises, governmental functions and departments.

The foregoing resolution was on June 23, 1993, duly adopted by a vote of five for and three against by the Tribal Council of the White Mountain Apache Tribe, pursuant to authority vested in it by Article V, Section 1 (i) of the Amended Constitution and Bylaws of the Tribe, ratified by the Tribe June 27, 1958, and approved by the Secretary of the Interior on May 29, 1958, pursuant to Section 16 of the Act of June 18, 1934 (48 Stat. 984).



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Chairman of the Tribal Council



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Secretary of the Tribal Council