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Resolution No. 05-94-145

JUN 30 1994

FORT APACHE INDIAN AGENCY
WHITERIVER, ARIZONA

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

WHEREAS, persons who are successful in being elected to positions on the Tribal Council must in accordance with the Tribal Constitution terminate Tribal or Federal employment; and

WHEREAS, Tribal Council Members who must terminate Tribal, Federal or other employment may also suffer termination of medical health benefits for themselves and their dependents; and

WHEREAS, Tribal Council Members who are not successful in being re-elected only have minimal notice to obtain a position with the Federal government, Tribal government or private employment and even if successful, must often wait three or more months before being eligible for employee medical benefits; and

WHEREAS, the Tribal Council concludes that because Tribal Council Members must sacrifice personal security and medical health benefits for the uncertainty of elected office that incumbent Council Members who were not re-elected should receive full Tribal medical benefits pursuant to the Tribal Employee Medical Benefit Plan for a period of ninety (90) days at tribal cost commencing the last day of their elected term on the Tribal Council; and

WHEREAS, the Tribal Council further concludes that the extension of health medical benefits to a Tribal Council Member stated herein shall only apply when the Tribal Council Member is unsuccessful in retaining his or her seat on the Council during an election and not because of termination or resignation prior to the expiration of his or her term.

BE IT RESOLVED by the Tribal Council of the White Mountain Apache Tribe that it hereby directs that Tribal Employee medical benefits shall be provided to any Tribal Council Member and his or her dependents, as qualified in this resolution, at tribal cost for a period of ninety (90) days from the last day of office of said Tribal Council Member.

BE IT FURTHER RESOLVED by the Tribal Council that the foregoing extension of employee medical benefits shall include the Tribal Council Member and his or her dependents, but only if such dependents were provided for in his or her elected plan prior to termination of his or her term of office and extended coverage shall only apply when a Tribal Council Member has not retained his

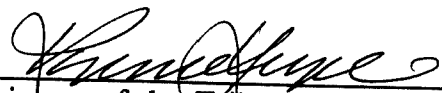
or her Council seat pursuant to a Tribal election; further, said benefits shall not extend to a Tribal Council Member who is terminated or who resigns his or her Council seat prior to the expiration of his or her elected term of office; further, any coverage for the Tribal Council Members' dependents shall be coterminous with that of said Council Member's coverage.

BE IT FURTHER RESOLVED by the Tribal Council that it hereby directs the Tribal Human Resources Department and Tribal Treasurer's Office to take whatever steps are necessary to amend the Tribal Medical Benefit Plan to extend said benefits as declared herein.

BE IT FURTHER RESOLVED by the Tribal Council that this Resolution shall be effective as of May 4, 1994 as to all Tribal Council Members who did not retain their seats in the April 1994 Tribal Council general election.

The foregoing resolution was on May 25, 1994 duly adopted by a vote of nine for and zero against by the Tribal Council of the White Mountain Apache Tribe, pursuant to authority vested in it by Article IV, Section 1(a), (b), (i), (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).

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JUN 14 1994
FORT WASHINGTON


Chairman of the Tribal Council


Secretary of the Tribal Council