

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

**WHEREAS,** the Tribal Council of the White Mountain Apache Tribe, by Resolution No. 03-97-052, authorized certain changes to the White Mountain Apache Tribe Retirement Savings Plan (Plan 3) to allow employees to save on a pre-tax basis, as now permitted by the Small Business Job Protection Act of 1996; and

**WHEREAS,** the Tribal Council of the White Mountain Apache Tribe, by Resolution No. 03-97-052, also authorized the merger of the White Mountain Apache Tribe Discretionary Contribution Plan (Plan 2) into Plan 3 in order to simplify plan administration and allow employees greater control of their plan investments; and

**WHEREAS,** to ensure that the Tribe's accounting and internal record-keeping procedures are modified as necessary to accommodate these changes, it is the Tribe's desire to accomplish the Plan changes outlined in Resolution No. 03-97-052, in two stages coinciding with the next two regularly scheduled Plan enrollment dates (May 1, 1997 and November 1, 1997); and

**WHEREAS,** the first stage would convert the contribution of each qualified employee of 2.5% of his or her salary from a post-tax to a pre-tax basis; and

**WHEREAS,** the second stage would merge Plan 2 into Plan 3 and allow employees to make voluntary contributions in excess of the 2.5% base contribution on either a pre-tax or post tax basis.


**BE IT RESOLVED** by the Tribal Council of the White Mountain Apache Tribe that the changes authorized by Resolution No. 03-97-052 shall be accomplished in two stages as described above, to coincide with the May 1, 1997 and November 1, 1997 scheduled enrollment dates.


**BE IT FURTHER RESOLVED** by the Tribal Council of the White Mountain Apache Tribe that it hereby approves the Seventh Amendment to Plan 3, attached hereto, which converts the Employee Matched Contribution feature of Plan 3 to a pre-tax 401(k) savings feature.

**BE IT FURTHER RESOLVED** by the Tribal Council of the White Mountain Apache Tribe that it hereby delegates authority to the Tribal Chairman or, in his absence, the Vice Chairman, to execute such Seventh Amendment.

**Resolution No. 04-97-080**

The foregoing resolution was on April 03, 1997, 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 the White Mountain Apache Tribal Constitution, including Article IV, Sections 1 (a), (b), (h), (i), (s), (t) and (u) of the Constitution of the Tribe, ratified by the Tribe on 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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Chairman of the Tribal Council

  
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Secretary of the Tribal Council