

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

**WHEREAS**, the White Mountain Apache Tribe (the Tribe) sponsors the White Mountain Apache Tribe Retirement Savings and 401(k) Plan (the Plan) as a tax qualified governmental retirement program in order to assist Tribal employees in saving for retirement; and

**WHEREAS**, the Tribal Council recently appointed a Pension Committee to oversee and review the Plan, and to make recommendations as to how the Plan can be improved in order to continue to meet the needs of the Tribal government and its employees; and

**WHEREAS**, the Pension Committee has presented a Summary of Recommendations, dated April 16, 2001 for consideration by the Tribal Council; and

**WHEREAS**, the Tribal Council, after full consideration, now desires to adopt some of those recommendations as set forth herein, and will reconsider the other recommendations at a later date.

**BE IT RESOLVED** by the Tribal Council of the White Mountain Apache Tribe that it hereby approves of and consents to the following changes in order to simplify participation rules under the Plan:

- (1) Allow employees to save their own money at any payroll after hire, rather than requiring employees to wait until their 90<sup>th</sup> day of employment before contributing to the Plan.
- (2) Start eligibility for Matching Contributions on the payroll following an employee's one-year anniversary date rather than on the May 1<sup>st</sup> or November 1<sup>st</sup> following his/her one-year anniversary.

**BE IT FURTHER RESOLVED** by the Tribal Council of the White Mountain Apache Tribe that the Pension Committee shall hereafter conduct itself with a more formalized structure in order to ensure periodic pension reviews, proper oversight, and retirement security/stability, and shall present a draft set of bylaws for further consideration consistent with these goals.

**BE IT FURTHER RESOLVED** by the Tribal Council of the White Mountain Apache Tribe that the Pension Committee shall report back to the Council within 30 days with regard to recommendations on several issues, including a proposal to separate the "savings plan" from the "retirement plan", a proposal to update recordkeeping procedures to provide for individual accounts, a proposal to limit early termination distributions,

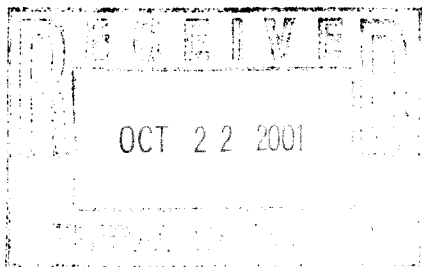
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and a proposal to consider improvements to investment and distribution education.

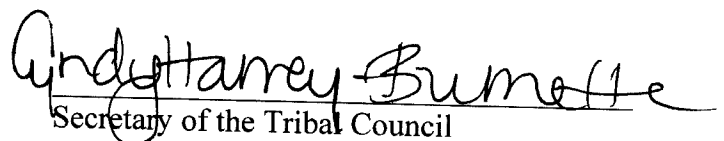
**BE IT FURTHER RESOLVED** by the Tribal Council of the White Mountain Apache Tribe that the Chairman of this council is hereby authorized and directed, as the act and deed of this governing Council, to execute amendments revised Plan and Trust documents as necessary to implement the foregoing changes to the Plan and its related Trust, along with such additional changes as he shall approve, upon consultation with the Pension Committee and legal counsel, to the extent consistent with implementation of the foregoing; provided that no such further changes shall be made by the Chairman which shall materially detract from the benefits provided under the Plan or which shall significantly increase the cost of the Plan, without additional approval by separate action of this Council.

**BE IT FURTHER RESOLVED** by the Tribal Council of the White Mountain Apache Tribe that the Chairman of this Council is hereby authorized and directed, as the act and deed of this Council, to execute any applications, schedules, powers of attorney, or other documents as may be required to submit the Plan, as so amended, to the IRS for a request for a favorable determination as the continued tax qualified status of the Plan and Trust, and to execute such further changes as may be required by the IRS to obtain said approval, upon recommendation by the Tribal Attorney, in consultation with the Tribal Pension Attorney.

The foregoing resolution was on April 16, 2001 duly adopted by a vote of FOUR for, ONE against and THREE abstentions 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).



**ACTING**   
Chairman of the Tribal Council

  
Secretary of the Tribal Council