



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

(Request for Technical Assistance and Funding for Revisions to the Tribal Constitution)

WHEREAS, the Tribal Council has received a briefing from the Election Commission on proposed revisions it recommends for the Tribal Constitution; and

WHEREAS, the Election Commission has developed the proposed revisions primarily to address issues concerning the Tribal election process, but the proposal also contains a revision to the blood quantum for Tribal membership; and

WHEREAS, the Tribal Council recognizes the need for revisions to the Tribal Constitution and intends to further develop the changes which have been recommended and to consider other potential revisions which may be developed from within the membership of the Tribe; and

WHEREAS, the Tribal Council will seek funding and technical assistance from the Bureau of Indian Affairs to aid in this important process of constitutional revision.

BE IT RESOLVED by the Tribal Council of the White Mountain Apache Tribe that subject to the understanding below, it hereby approves further development of five of the six revisions proposed by the Tribal Election Commission, attached hereto, and to gather comments on other proposed constitutional revisions.

BE IT FURTHER RESOLVED by the Tribal Council of the White Mountain Apache Tribe that it authorizes the Tribal Chairman to submit the proposed constitutional revisions in the form of an interim working draft to the Bureau of Indian Affairs to seek technical assistance and funding to help the Tribe to further evaluate the proposed changes, to implement a process for input and consultation among the membership of the Tribe, and for training for the members of the Council and other Tribal officials in preparation for the task of constitutional revision and reform.


BE IT FURTHER RESOLVED by the Tribal Council of the White Mountain Apache Tribe that its request at this date is for technical assistance and funding only, and that only after development and agreement for the final language of all proposed constitutional amendments, the Tribal Council, by separate resolution, will submit a request for a Secretarial election.

BE IT FURTHER RESOLVED by the Tribal Council of the White Mountain Apache Tribe that the Chairman, or in his absence, the Vice Chairman, is hereby authorized to execute any and all documents necessary to effectuate the intent of this Resolution.

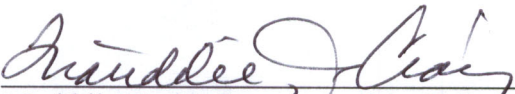
The foregoing resolution was on OCTOBER 3, 2012 duly adopted by a vote of SEVEN for, ZERO against, and TWO abstentions by the Tribal Council of the White Mountain Apache Tribe, pursuant to the authority vested in it by Article IV, Section 1 (a), (s), (t) and (u) of the Constitution of the Tribe,

Resolution No. 10-2012-150

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).



Ronnie Lupe, Chairman of the Tribal Council



Mariddie Craig, Secretary of the Tribal Council

**Proposed Changes to WMAT Constitution Under Consideration
October 3, 2010**

1. Revise Blood Quantum for Tribal Membership
[Art. II, Sec. 1]
2. Eliminate Designation of Voting Places
[Art. VI, Sec. 4]
3. Streamline Nomination Process
[Art. VI, Sec. 5 and Sec. 6]
4. Clarify Authority for Election Ordinance
[Art. VI, Sec. 8]
5. Add Grounds for Council Removal or Disqualification
[Art. VII, Sec. 1 and Art. XII, Sec. 1]

Proposed Changes to the Constitution of the White Mountain Apache Tribe

ARTICLE II - MEMBERSHIP

Section 1. Requirements. The membership of the White Mountain Apache Tribe shall consist of:

- (a) All persons who were qualified for and were accepted into membership in the White Mountain Apache Tribe under the membership requirements as of the date of enactment of this constitution.
- (b) All persons of ~~one half (1/2) degree or more Indian blood, of a federally recognized Indian tribe or tribes, Provided, That the person is at least~~ one-fourth (1/4) degree or more White Mountain Apache blood.

ARTICLE VI - ELECTIONS

Section 4. Voting places. The voting places shall be at locations within each district designated by Tribal ordinance.+

Whiteriver North Fork	Alchesay Hall
East Fork	Community Building
Seven Mile	Community Building
Canyon Day	Community Building
Carrizo	Community Building
McNary	Council Office
Gibecue	Cottonwood Gym
Forestdale	Forestdale
Ceder Creek	Community Building

~~and others as may be established by the Council.~~

Section 5. Nomination of the Chairman and Vice-Chairman. Any resident member of the Tribe whose name is presented at the time and location designated by Tribal ordinance ~~least fifteen days before the election to the Secretary or to the Chairman, or in his absence, to the Vice-Chairman of the Council,~~ by petition signed by at least five

percent of the resident voters of the age of not less than eighteen years shall be declared by the Council to be regularly nominated and to be a candidate for the office of Chairman or Vice-Chairman as indicated in such petition. It shall be the duty of the Tribal Council secretary to post the names of all qualified candidates at least ten days prior to the election.

Section 6. Nomination of Council Members. Any member of the Tribe who is a resident of the district from which he or she desires to be nominated, whose name is presented at the time and location designated by Tribal ordinance ~~least fifteen days before the election, the Tribal Council secretary or to the Chairman, or in his absence, to the Vice Chairman of the Council~~ by petition signed by at least five percent of the resident voters of the district, of the age of not less than eighteen years, shall be declared by the Council to be regularly nominated as a Council member and to be a candidate for the office of a Council member as indicated in such petition. It shall be the duty of the Tribal Council secretary to post the names of all qualified candidates in a public place at least ten days prior to the election.

Section 8. Election Requirements. All elections shall be by secret written ballot. The Council shall have the power to prescribe ordinances governing the conduct of referendums and elections, consistent with this constitution. Such ordinances, among other things, may ~~shall~~ prescribe the duties of the election boards, procedures for the nomination of candidates, procedures for casting and canvassing resident and non-resident ballots, method for challenging right to vote, conduct and results of elections, and settlement of any referendum or election disputes.

ARTICLE VII - REMOVAL FROM OFFICE

Section 1. Forfeiture or Resignation of Office. If a Chairman or Vice-Chairman or any member of the Council resigns, fails or refuses to attend two regular meetings in succession unless excused due to illness or other causes for which he or she cannot be held responsible, or shall be convicted of any ~~a~~ felony or of a misdemeanor crime involving moral integrity, domestic violence, aggravated assault, operating a motor vehicle under the influence of an intoxicating substance, or an election offense, or has been found guilty of public intoxication, ~~or is~~ guilty of consuming any alcoholic beverages while attending a

meeting of the Council in session, or during any daytime recess period, the Council shall declare his or her position vacant. The following crimes, and no others, shall be considered crimes involving moral integrity: adultery, bribery, embezzlement, extortion, fraud, forgery, misbranding, perjury, theft or public intoxication.

ARTICLE XII - QUALIFICATION OF COUNCIL MEMBERS

Section 1. Qualifications. Any member of the Tribe who has reached the age of twenty-five years, and who can speak Apache, and who is a resident of the district which he or she is to represent, who operates cattle within the said district or who has farm land assigned to him or her in said district, shall be qualified to be a candidate for election to the Council. No person who has been convicted of a felony shall be eligible to hold office in the Council. No person who within the past four years ~~year~~ preceding the election has been convicted of a misdemeanor crime involving moral integrity, domestic violence, aggravated assault, operating a motor vehicle under the influence of an intoxicating substance, or an election offense shall be eligible to hold office in the Council. The following crimes, and no others, shall be considered crimes involving moral integrity: adultery, bribery, embezzlement, extortion, fraud, forgery, misbranding, perjury, theft or public intoxication.