



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

**(Invalidating Absentee Ballots Distributed By JKW, Inc.)**

- WHEREAS,** pursuant to Article IV, Section 1(a) and 1(s) of the Constitution of the White Mountain Apache Tribe, *inter alia*, the Tribal Council has the authority to represent the Tribe and act in all matters that concern the welfare of the Tribe; and
- WHEREAS,** the Tribal Council of the White Mountain Apache Tribe has been approached by numerous political candidates and their supporters about allegations of impropriety that has occurred during the 2010 primary election process; and
- WHEREAS,** candidates and their supporters heard rumors that a corporation was in receipt of absentee ballots that were requested by voters residing on the Fort Apache Indian Reservation and the Tribal Elections Commission confirmed that such requests were made; and
- WHEREAS,** according to the Election Commission Chairman, eligible Tribal Member voters submitted their signatures via standard form fax request to the Tribal Elections Commission and requested that their ballot be sent to the PO Box Address of JKW, Inc. and the requests were consistent with the measures instituted and accepted pursuant to the Tribal Election Code; and
- WHEREAS,** the Tribal Council of the White Mountain Apache Tribe find that the absentee ballot requests were improper and finds it in the best interest of the Tribe to direct the Elections Commission to separate the absentee ballots that were directed to the JKW, Inc. PO Box address and invalidate the votes submitted through JKW, Inc.; and
- WHEREAS,** the Tribal Attorney advised the Tribal Council against passing this Resolution because it usurps the authority granted to the Tribal Election Commission by the Tribal Elections Code and for this reason, the Tribal Council should not interfere in that process.

**BE IT RESOLVED** by the Tribal Council of the White Mountain Apache Tribe that despite the advice of its Legal Counsel, it hereby directs the Tribal Elections Commission to separate and invalidate the absentee ballots that were sent to the PO Box of JKW, Inc.

**BE IT FURTHER RESOLVED** by the Tribal Council of the White Mountain Apache Tribe that in the event that this Resolution conflicts with a prior Resolution or Policy, this Resolution shall govern.

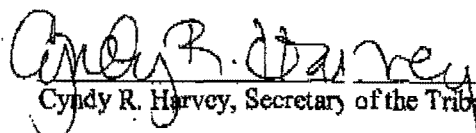
**BE IT FURTHER RESOLVED** by the Tribal Council of the White Mountain Apache Tribe that the Chairman, or in his absence, the Vice Chairwoman, is hereby authorized to execute any and all documents necessary to effectuate the intent of this Resolution.

The foregoing resolution was on February 1, 2010, duly adopted by a vote of NINE for and ZERO against by the Tribal Council of the White Mountain Apache Tribe, pursuant to the authority vested in

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it by Article IV, Section 1 (a), (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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Ronnie Lupe, Chairman of the Tribal Council

  
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Cindy R. Harvey, Secretary of the Tribal Council