



United States Department of the Interior

Bureau of Indian Affairs

Anadarko Agency

P. O. Box 309

Anadarko, Oklahoma 73005

August 13, 2008

Federal Government Services

No. 5589

Honorable Alonzo Chalepah, Chairman
Apache Tribe of Oklahoma
P.O. Box 1220
Anadarko, OK 73005

Dear Chairman Chalepah:

The role of the Superintendent of the Anadarko Agency, Bureau of Indian Affairs (BIA), is to recognize and promote a government-to-government relationship with the Apache Tribe of Oklahoma as well as insure a trust responsibility for the protection of trust lands and trust assets.

This relationship allows the Apache Tribe of Oklahoma to establish an interpretation of its constitutional provisions such as the manner and approval of an agenda, the procedure for conducting a hearing, temporary appointments, personnel policies and procedures, etc. Unless there are business transactions occurring within the tribal government which pose a threat to trust properties or trust funds, the Superintendent must observe the sovereignty and judgment of the Apache Tribe of Oklahoma.

There is a growing concern regarding the actions taken at the Annual Apache Tribal Council Meeting held June 21, 2008, specifically, purported recalls that took place following the adjournment by Chairman Chalepah of the tribal council meeting. By letter dated June 24, 2008, three Apache Business Committee members requested this office recognize the recall of the Chairman and Vice-Chairman.

The Constitution of the Apache Tribe of Oklahoma, Article IX-Removal of Officers, states that upon the signed petition of fifty (50) members of the Apache Tribe, the Chairman shall call a special meeting to act upon complaints of misconduct. On November 5, 2006, the Apache Tribe of Oklahoma adopted an Apache Removal Ordinance to codify procedures for Removal of Business Committee Members and Officers to avoid tribal unrest, discord, or lawsuits for determination and enforcement of matters concerning removal. On June 15, 2007, the Apache Tribe of Oklahoma reaffirmed the passage of the Apache Recall and Removal Regulations as amended.

Apache Tribe

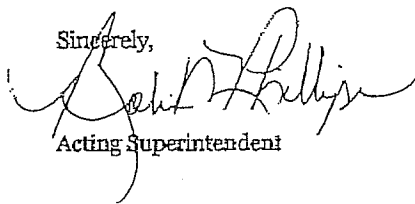
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According to the Apache Constitution, Article VI-Meetings-Sec. 1, the Annual Apache Tribal Council Meeting shall be held on the 3rd Saturday in June for the purpose of receiving reports and transacting any other business which may come regularly (emphasized) before the Apache Tribal Council.

In light of the above, the Apache Tribe of Oklahoma has specific internal procedures to follow in order to remove a member of the business committee as reflected in Article IX of the Constitution of the Apache Tribe of Oklahoma as well as Resolution No. 11-1-2-06 and Resolution No. 000-0016-0012-07 which adopted and reaffirmed, as amended, the Apache Recall Regulations and Procedures, respectively. This agency finds no basis to recognize the recall of the Chairman and Vice-Chairman at the June 21, 2008, Annual Apache Tribal Council Meeting.

For the above reasons, the Bureau of Indian Affairs, for its purposes, will continue to recognize Alonzo Chalepah as Chairman and Mary Rivera as Vice-Chairperson of the Apache Business Committee.

Sincerely,



Acting Superintendent

cc: Apache Business Committee
Michael Smith, CO, Wash. DC
Regional Director, SPRO
Terry Bruner, Deputy RD, SPRO
TGS, SPRO