

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

- WHEREAS,** the Native American Housing and Self Determination Act of 1996 (NAHASDA) replaces the old HUD - Indian Housing Authority mechanism which excluded tribes from any active role in providing housing on Indian reservations with a block grant to a Tribally Designated Housing Entity (TDHE); and
- WHEREAS,** NAHASDA contains a implementation date of October 1, 1997; and
- WHEREAS,** NAHASDA also contains the provisions that if the Tribe does not designate a Housing Entity, the Indian Housing Authority will be the TDHE; and
- WHEREAS,** HUD had participated in a negotiated rule making Committee composed of representatives of Indian Tribes, Indian Housing Authorities, and HUD; and
- WHEREAS,** HUD has subsequently existing published proposed rules and regulations to implement NAHASDA which are contrary to the Negotiated Rule Making Committee's recommendations; and
- WHEREAS,** HUD's unprecedented unilateral action generated an outcry from Indian Country over HUD's attempt to restore the status quo, replacing the new self-determination in Indian Housing with the old HUD determination, contrary to the Act; and
- WHEREAS,** the impasse created by HUD's action leaves the rules, regulations, amount and timing of the block grants, and overall implementation schedule of NAHASDA in a state of confusion; and
- WHEREAS,** the White Mountain Apache Tribal Council has often informally expressed its opinion that the Tribe itself should be the TDHE to receive and administer the housing block grant with the specific organization structure to be included in the Tribal Housing Plan currently in preparation with the joint participation of the Housing Authority, the Planning Department, and the involvement of all 19 organizations having some responsibility for housing on the Fort Apache Indian Reservation; and
- WHEREAS,** the uncertainty created by the lack of rules, regulations, and timing of date for the Housing Plan, combined with NAHASDA's provision that the Tribe act or the Indian Housing Authority be designated by default as the TDHE; and
- WHEREAS,** the preliminary indications are that the Fort Apache Indian Reservation will receive approximately \$5.5 million annually in block grants for housing, as opposed to the current annual average of approximately \$3.5 million; and

Resolution No. 09-97-310

WHEREAS, the White Mountain Apache Indian Housing Authority has accumulated reserves of over \$1 million that can be used to carry out housing functions, the WMAT Housing Plan with a detailed organizational structure, is enacted and implemented by the Tribal Council, and the block grant money is received; and


WHEREAS, to preclude HUD refusing to acknowledge Tribal action taken to designate TDHE after the NAHASDA effective implementation date of October 1, 1997 and to continue the provision of housing services to members of the White Mountain Apache Tribe, the Tribal Council wishes to take formal action prior to the effective date of NAHASDA to designate a TDHE and to assure that the White Mountain Apache Indian Housing Authority is fully authorized to continue to carry out its duties and responsibilities until the Tribal Housing Plan is adopted and implemented.

BE IT RESOLVED by the Tribal Council of the White Mountain Apache Tribe that the Tribe be hereby designated as the Tribally Designated Entity for NAHASDA purposes.

BE IT FURTHER RESOLVED by the Tribal Council that the White Mountain Apache Indian Housing Authority be instructed to continue to carry out housing duties on the Fort Apache Indian Reservation, operating on accumulated reserve funds if necessary, but maintaining staff and services at the same level and at the same magnitude it currently provides until such time as the Tribal Council directs otherwise.

The foregoing resolution was on September 25, 1997, duly adopted by a vote of seven 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, Section 1 (a), (c), (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).

Signatures of the members of the Tribal Council represent their approval of Tribal Resolution No. 09-97-310.



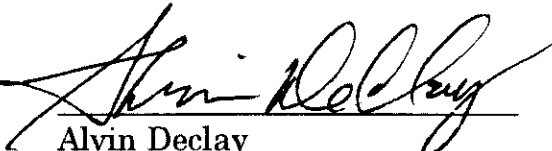
Ronnie Lupe
Tribal Chairman

NOT AVAILABLE

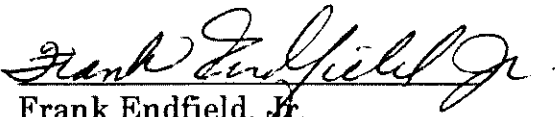
Judy DeHose
District I Council Member

NOT AVAILABLE

Lynn Cody
District II Council Member




Alvin DeClay
District III Council Member



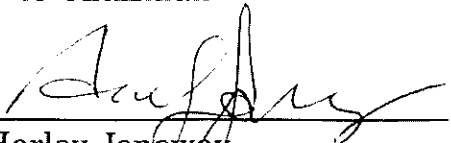
Frank Endfield, Jr.
District IV Council Member

NOT AVAILABLE


Herbert Tate
District IV Council Member




Cafe Alaha
Vice Chairman



Harley Janeway
District I Council Member



Romeo Dazen
District II Council Member

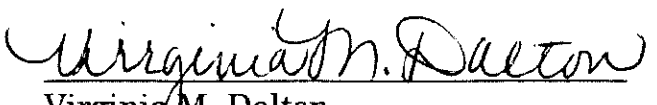


Margaret Baha-Walker
District III Council Member

NOT AVAILABLE

Guy Massey, Jr.
District IV Council Member

ATTEST:



Virginia M. Dalton
Tribal Council Secretary
WHITE MOUNTAIN APACHE TRIBE