



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

(Authorizing Use of Segregated, Special Revenue Bank Account for all Advance Funded Grant Transactions)

- WHEREAS,** pursuant to Article IV, Section 1(a) 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,** a segregated checking account, known as the White Mountain Apache Tribe – 638 Grants Account, was established by the Tribe’s Treasurer and Controller at Wells Fargo pursuant to Resolution No. 08-2006-262, with internal controls for approving expenditures and disbursements of the funds based on the submission of SF-269 forms; and
- WHEREAS,** the U.S. Department of Interior, Bureau of Indian Affairs, has been funding P.L. 93-638 (25 U.S.C. §450 *et seq.*) programs on a cost re-imbusement basis, which has significantly and adversely affected the cash flow for the government operations of the Tribe because the Tribe has to fund the P.L. 93-638 programs prior to receiving re-imbusement funds from the BIA; and
- WHEREAS,** for some time, the Tribe has advocated advance funding of P.L. 93-638 programs because of the adverse impact on the Tribe’s cash flow; and
- WHEREAS,** the BIA has recently agreed to advance funding of P.L. 93-638 programs; and
- WHEREAS,** the Tribe’s Treasurer and Controller have this day proposed to utilize the 638 Grants Account for all P.L. 93-638 programs that will be advance funded; and
- WHEREAS,** it appears that the paybacks (tribal funded expenses) reported on the Bureau’s SF-269 forms were to be credited to active contracts, but the contracts credited were beyond the 365-day recovery period, and the reimbursement phase (cash advances) were to begin with Contract No. CTH52T60783 in FY 2002, and since the credits were applied to earlier contracts, the Tribe’s reimbursement resulted in a carryover, because FY 2002 was not fully expensed, resulting in a UDO increasing every year; and
- WHEREAS,** the Tribal Council finds establishment of the segregated, special revenue bank account for P.L. 93-638 advance funds to be in the best interests of administering such programs, those receiving assistance from said programs, and the Tribe.

BE IT RESOLVED by the Tribal Council of the White Mountain Apache Tribe that:

1. The segregated, special revenue bank account, known as the White Mountain Apache Tribe – 638 Grants Account is hereby authorized to be utilized for all P.L. 93-638 advance funded programs.

Resolution No. 01-2007-10


2. The 638 Grants Account shall continue to be subject to written internal controls for approving expenditures and disbursements of the funds, based on the submission of the Bureau's SF-269 forms.

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 document necessary to effectuate the intent of this Resolution.

The foregoing resolution was on January 11, 2007, duly adopted by a vote of FIVE for and ONE against by the Tribal Council of the White Mountain Apache Tribe, pursuant to the authority vested in it by Article IV, Section 1 (a), (b), (c), (h), (j), (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).



Chairman of the Tribal Council



Secretary of the Tribal Council