



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

**(Authorizing Application for an OVC (Tribal Victim Assistance Discretionary Grant Program), Through the Office for Victims of Crime, U.S. Department of Justice)**

- 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,** the Tribal council of the White Mountain Apache Tribe recognizes that domestic violence, child abuse and elder abuse on the Fort Apache Indian Reservation has a serious negative impact on our Apache people; and
- WHEREAS,** the Prosecution Unit of the Tribe's Legal Department this day presented a proposal for funding domestic violence, child abuse, and elder abuse prevention; and has developed a domestic violence plan which envisions the delivery of certain services to improve the community and criminal justice system's response to violence against Apache women; and
- WHEREAS,** the U.S. Indian Health Service, Whiteriver Police Department, Apache Behavioral Health Services, and White Mountain Safe House have been consulted in the development of the Prosecution Unit's proposed plan and support its implementation; and
- WHEREAS,** the Tribal Council understands that the U.S. Indian Service has separately agreed to cover the cost of forensic medical examinations for members of the Tribe who are the victims of sexual assaults; and
- WHEREAS,** the Prosecution Unit seeks to submit an application for funding under the Office for Victims of Crime (OVC), U.S. Department of Justice, and the United States Department of Justice requires that the grant application make certain assurances which are outlined herein; and
- WHEREAS,** the grant funds will be for a 12 month period; and
- WHEREAS,** upon careful review and consideration, the Tribal Council finds that the Prosecution Unit's plan for domestic violence, child abuse, and elder abuse prevention is in the best interests of the Tribe, and that the application for federal funding should be supported; and
- WHEREAS,** the Tribal Council further finds that this authorization needs to be considered and made outside of its regularly scheduled meeting; and
- WHEREAS,** the Tribal Council further finds that: (1) this Resolution may be voted upon by signature of a member of the Tribal Council where a signature indicates a vote for this Resolution, (2) the Tribal Council Secretary should attempt to obtain signatures for members of the Tribal Council personally, (3) no signature would mean that the respective Tribal Council member is against this Resolution, (4) the Tribal Council Secretary should wait no longer than a reasonable period of time to obtain a vote by signature or by no signature and so indicate that this Resolution was presented to the respective member of the Tribal Council for a vote.

**Resolution No. 04-2009-93**

**BE IT RESOLVED** by the Tribal Council of the White Mountain Apache Tribe that the application for a Tribal Victim Assistance Discretionary Grant Program is approved, through the Office for Victims of Crime.

**BE IT FURTHER RESOLVED** by the Tribal Council of the White Mountain Apache Tribe that in the event that the Department of Justice awards a grant to the Tribe, the following conditions shall be complied with:

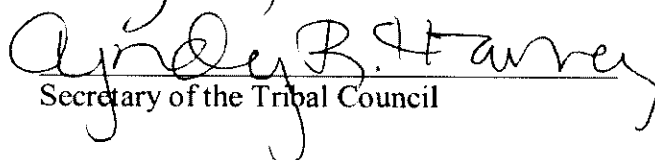
1. Upon receipt of any federal funds, authority is hereby given to budget and expend said funds over a 12 month period according to the terms and conditions of the grant.
2. The Prosecution Unit will coordinate the domestic violence, child abuse, and elder abuse plan, together with U.S. Indian Health Service, White Mountain Apache Police Department, Apache Behavioral Health Services, and the White Mountain Safe House.
3. Any federal funds received under the grant will be used to supplement, not supplant non-federal funds otherwise available.
4. The Tribe shall secure a separate agreement with the U.S. Indian Health Service to cover the cost of forensic medical examinations for tribal members who are victims of sexual assault;
5. The Tribe shall agree that grant funds shall not be used for lobbying, fundraising, research, investigative services unrelated to domestic violence, or building renovation; and
6. In connection with the prosecution of any tribal domestic violence, child abuse and elder abuse offense, the Tribal Council does hereby represent and agree that the Tribe's laws, policies and practices do not require that the victim bear the costs associated with filing criminal charges against a domestic violence, child abuse and elder abuse offender, or the costs associated with the issuance or service of a warrant, protection order, and witness subpoena.

**BE IT FURTHER RESOLVED** by the Tribal Council of the White Mountain Apache Tribe that given the urgency of the request described herein, this Resolution may be voted upon as follows: (a) by signature of a member of the Tribal Council, including the Chairman and the Vice Chairwoman of the Tribal Council, where a signature indicates a vote for this Resolution, (b) the Tribal Council Secretary shall attempt to obtain signatures for members of the Tribal Council personally, (c) no signature shall mean that the respective Tribal Council member is against this Resolution, (d) the Tribal Council Secretary should wait no longer than a reasonable period of time to obtain a vote by signature or by no signature, and so indicate that this Resolution was presented to the respective member of the Tribal Council for a vote.

**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 and agreements necessary to effectuate the intent of this Resolution, subject to review by the Tribe's Legal Department.

The foregoing resolution was on April 15, 2009, duly adopted by a vote of EIGHT for and ZERO against by the Tribal Council of the White Mountain Apache Tribe, pursuant to the authority vested in it by Article IV, Section I (a), (b), (i), (k), (m), (q), (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

Signatures of the members of the Tribal Council represent their approval of Tribal Council Resolution No. 04-2009-93 initiated the 15th day of April 2009.

Presented Personally by Tribal Council  
Secretary (TCS)-Indicated by Initials  
TCS Initials

Ronnie Lupe  
Tribal Chairman

Date Signed



 TCS Initials

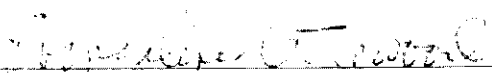
Margaret Baha-Walker  
Vice Chairwoman

Date Signed

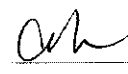
TCS Initials

Arnold Beach, Sr.  
District I Council Member

Date Signed



4/17/09


 TCS Initials

Evangeline Gatewood  
District I Council Member


Date Signed

  
Victoria Brewer  
District II Council Member


7/16/09

 TCS Initials

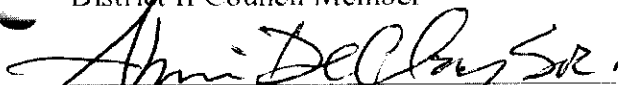
Date Signed

  
Rubert Lupe, Sr.  
District II Council Member

4-16-09

 TCS Initials

Date Signed

  
Alvin DeClay, Sr.  
District III Council Member

04/16/09

 TCS Initials

Date Signed

TCS Initials

Kirk Massey, Sr.  
District III Council Member

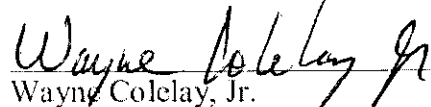
Date Signed

  
Nolan Clay  
District IV Council Member

4/15/09

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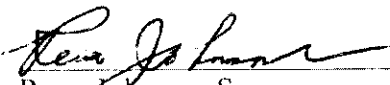
Date Signed

  
Wayne Colelay, Jr.  
District IV Council Member

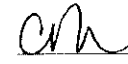
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Date Signed

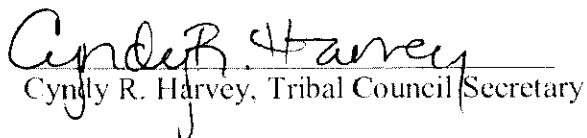
  
Reno Johnson, Sr.  
District IV Council Member

4-17-09

 TCS Initials

Date Signed

ATTEST:

  
Cynly R. Harvey, Tribal Council Secretary

4.21.09

Date Signed