



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

(Authorizing Transfer of Funds From BIA to Social Services)

- 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 White Mountain Apache Tribe is responsible for protecting the children of the Tribe and to advocate for the best interest and welfare of all tribal members and the Tribe must act in accordance with relevant federal laws; and
- WHEREAS,** the Department of Tribal Social Services is funded under the contract of CFR 25, P.L. 93-698 Bureau of Indian Affairs, Department of the Interior and the Indian Child Welfare Act of 1978 P.L. 95-608 and is obligated to provide services to eligible Indian children and to look out for their best interest and welfare; and
- WHEREAS,** the funding for the I.C.W.A. has been maintained separately from Social Services funding within the contracts and is used for the purpose of protecting Indian children from losing their identity and/or contact with the White Mountain Apache Tribe due to circumstances beyond their control; and
- WHEREAS,** the Bureau of Indian Affairs changed its policy on awarding Indian Child Welfare Act funds by combining it with 638 administration funds or applying for grant funding on a yearly basis; and
- WHEREAS,** Tribal Social Services will adopt this change to combine I.C.W.A. and Social Services 638 Administration funding to ensure the continued use of funds for the purpose of promoting Indian child welfare; and
- WHEREAS,** given the urgency of P.L. 93-638 funding and the quickly approaching deadline, the Tribal Council finds that the proposed funding consolidation for Tribal Social Service should be considered and made outside the 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.

BE IT RESOLVED by the Tribal Council of the White Mountain Apache Tribe that it hereby authorizes the consolidation of the ICWA and P.L. 93-638 Administration funds, thereby placing both funds under the umbrella of the current P.L. 93-638 Human Services Program contract.

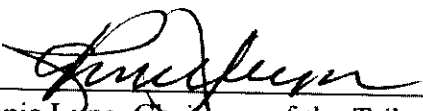
BE IT FURTHER RESOLVED by the Tribal Council of the White Mountain Apache Tribe that it hereby directs that this action shall be completed expeditiously so that this contract may operate as agreed upon and explained herein.

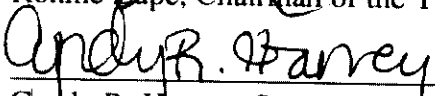
BE IT FURTHER RESOLVED by the Tribal Council of the White Mountain Apache Tribe that given the urgency of the request described herein, this Resolution may be voted upon as follows: (a) by signature of a member of the Tribal Council, including the Chairman of the Tribal Council and the Vice-Chairwoman 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 in the event of any inconsistency between this Resolution and any other 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 August 20, 2009, duly adopted by a vote of 7 for and 0 against by the Tribal Council of the White Mountain Apache Tribe, pursuant to authority vested in it by Article IV, Section 1 (a), (b), (c), (k), (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).



Ronnie Lupe, Chairman of the Tribal Council


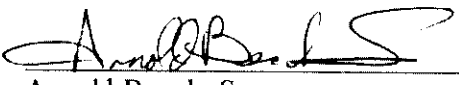
Cyndy R. Harvey, Secretary of the Tribal Council

Signatures of the members of the Tribal Council represent their approval of Tribal Council Resolution No. 08-2009-287 initiated the 20th day of August 2009.

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

 Ronnie Lupe
 Tribal Chairman
 _____ Date Signed
 _____ TCS Initials

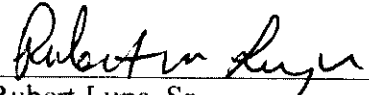
 Margaret Baha-Walker
 Vice Chairwoman
 _____ Date Signed
 _____ TCS Initials



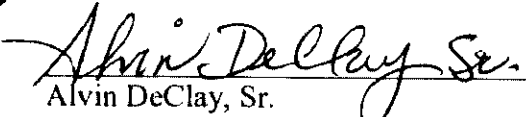
 Arnold Beach, Sr.
 District I Council Member
 _____ 08/21/09
 _____ Date Signed
 _____ CM TCS Initials

 Evangeline Gatewood
 District I Council Member
 _____ Date Signed
 _____ TCS Initials

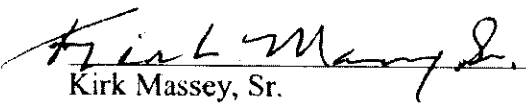
 Victoria Brewer
 District II Council Member
 _____ Date Signed
 _____ TCS Initials



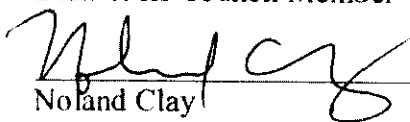
 Rubert Lupe, Sr.
 District II Council Member
 _____ 8-20-09
 _____ Date Signed
 _____ CM TCS Initials



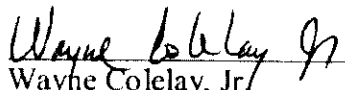
 Alvin DeClay, Sr.
 District III Council Member
 _____ 08-20-09
 _____ Date Signed
 _____ CM TCS Initials



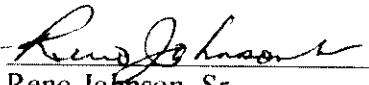
 Kirk Massey, Sr.
 District III Council Member
 _____ 8/20/09
 _____ Date Signed
 _____ CM TCS Initials



 Noland Clay
 District IV Council Member
 _____ 8/24/09
 _____ Date Signed
 _____ CM TCS Initials

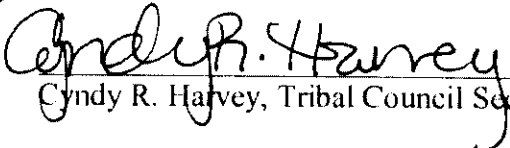


 Wayne Colelay, Jr.
 District IV Council Member
 _____ 8-20-09
 _____ Date Signed
 _____ CM TCS Initials



 Reno Johnson, Sr.
 District IV Council Member
 _____ 8.21.09
 _____ Date Signed
 _____ CM TCS Initials

ATTEST:



 Cindy R. Harvey, Tribal Council Secretary
 _____ 8.25.09
 _____ Date Signed