



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

**(Requesting Advanced Funding for P.L. 93-638 Employee Salaries and  
Authorizing Withdrawal from Segregated Grants Account)**

**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,** on November 30, 2009, the Tribal Council was informed by the Accounting Department and Officer of the Treasurer that the process for conducting payroll was heavily encumbered by finances related to Public Law 93-638 program funding; and

**WHEREAS,** Superintendent Nona Tuchawena of the Fort Apache Agency met with the Tribal Council to discuss financial issues that have resulted from a shortage of funding by the Tribe to cover federally funded programs; and

**WHEREAS,** the Superintendent offered a solution for federally funded programs that would allow advanced funding to the Tribe of salaries related to its P.L. 93-638 programs, provided the Tribe submits a written request for such advanced payment; and

**WHEREAS,** the Superintendent requires the Tribe to submit applicable SF-269 forms for each contract within five days of the Tribe's receipt of advanced payment; and

**WHEREAS,** to meet the Tribe's immediate financial needs, the Superintendent offered to allow the Tribe a one-time draw from the Tribe's segregated grants account in order to cover the \$588,000 in federal grant funding that is needed for the upcoming pay cycle, provided that once the Tribe is reimbursed for this cost, it shall deposit this money back into the segregated account; and

**WHEREAS,** the Tribal Council finds that all P.L. 93-638 programs should coordinate with the Grants and Contracts Department and the Tribe's Administrative Manager to fulfill the responsibilities mentioned herein.

**BE IT RESOLVED** by the Tribal Council of the White Mountain Apache Tribe that it hereby directs the Chairman to submit a request to the BIA for advanced funding of all P.L. 93-638 salaries.

**BE IT RESOLVED** by the Tribal Council of the White Mountain Apache Tribe that it hereby directs all P.L. 93-638 programs to coordinate with the Grants and Contracts Department and Administrative Manager to fulfill their federal obligations to secure advanced funding, including submission of SF-269 forms within five days of the Tribe's receipt of advanced payments.

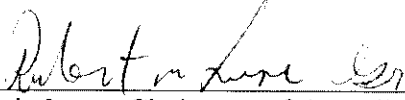
**BE IT FURTHER RESOLVED** by the Tribal Council that it hereby directs the Treasurer to make a one-time withdrawal of \$588,000, from the segregated grants account for the purpose of satisfying the payroll for federally funded program employees and the Council further directs the Treasurer to reimburse the account upon receipt of federal funds.

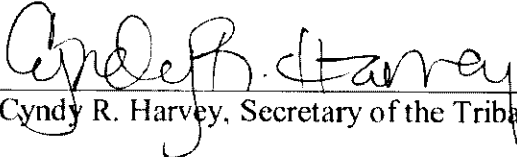
**Resolution No. 11-2009-364**

**BE IT FURTHER RESOLVED** by the Tribal Council of the White Mountain Apache Tribe that in the event that this Resolution conflicts with a prior 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 November 30, 2009 duly adopted by a vote of NINE 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 1 (a), (b), (c), (j), (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).

  
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Ronnie Lupe, Chairman of the Tribal Council **ACTING**

  
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Cyndy R. Harvey, Secretary of the Tribal Council