



WHITE MOUNTAIN APACHE TRIBE

*A Sovereign Nation Exercising Self-Governance
Over the Fort Apache Indian Reservation*

Resolution No. 02-2013-45

(Accepting 28 Housing Units from Indian Health Services)

- WHEREAS,** the Tribal Council of the White Mountain Apache Tribe ("Tribe") is entrusted by the Tribe's Constitution to act in all matters that concern the welfare of the Tribe, to manage all economic affairs and enterprises of the Tribe, and to regulate subordinate organizations for economic and other purposes; and
- WHEREAS,** the Whiteriver Service Unit of the Indian Health Service ("IHS") has indicated that the twenty-eight (28) government owned housing units located at city center will be demolished; and
- WHEREAS,** the Tribal Council is aware of the current housing shortage on the reservation; and
- WHEREAS,** IHS has identified lead based paint and asbestos containing materials in varying amounts throughout the buildings. The IHS will abate the lead based paint and asbestos containing materials but will not replace the abated materials and some units will require extensive abatement to result in the absence of drywall, flooring, siding and shingles; and
- WHEREAS,** the Tribal Council recognizes that the twenty-eight (28) housing units are in need of a range of repairs from minor maintenance to major repair such as settling issues and roof repairs; and
- WHEREAS,** the Tribal Council recognizes that the IHS will not address the these repairs but that such repairs will be the responsibility of the Tribe; and
- WHEREAS,** IHS cannot transfer the 28 housing units directly to the White Mountain Apache Tribe as there is existing P.L. 93-638 contracting for housing between the IHS and the Tribe; and
- WHEREAS,** the Tribal Council finds it in the best interest of the Tribe to request the Bureau of Indian Affairs to accept the IHS houses as described herein on behalf of the Tribe.

BE IT RESOLVED by the Tribal Council of the White Mountain Apache Tribe that it hereby requests the Bureau of Indian Affairs to accept the transfer of houses assumed previously by the Indian Health Service.

BE IT FURTHER RESOLVED by the Tribal Council of the White Mountain Apache Tribe that it hereby directs that in the event that this Resolution conflicts with a prior Resolution or Policy, this Resolution shall supersede and govern over the conflicting subject matter.

BE IT FURTHER RESOLVED by the Tribal Council of the White Mountain Apache Tribe that it hereby directs that in the event this Resolution directly conflicts with the Tribal Constitution, Tribal Ordinances or Federal Laws, this Resolution shall be declared null and void and have no legal effect.

BE IT FURTHER RESOLVED by the Tribal Council of the White Mountain Apache Tribe that the Chairman, or in his absence, the Acting Chairman, is hereby authorized to execute any and all documents necessary to effectuate the intent of this Resolution. In the event that the Chairman fails to delegate signatory authority to an Acting Chairman, the Vice-Chairman may sign.

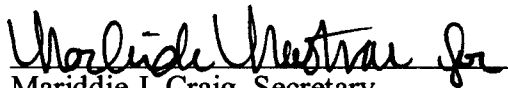
The foregoing resolution was on **FEBRUARY 21, 2013** duly adopted by a vote of **SEVEN** for and **ZERO** against and **ZERO** abstentions by the Tribal Council of the White Mountain Apache Tribe, pursuant to the authority vested in it by Article IV, Section 1 (a), (b), (k), (s), (t) and (u) of the Tribal Constitution, 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

3/28/13

Date



Mariddie J. Craig, Secretary

3/28/13

Date