



WHITE MOUNTAIN APACHE TRIBE

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

Resolution No. 06-2013-131

(Authorizing Application for Inter Tribal Trust Fund Award)

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 Tribal Council of the White Mountain Apache Tribe has received a request by the Director of the Department of Education to approve the receipt and disbursal of a portion of the Arizona Inter Tribal Trust Fund, established pursuant to the Arizona-Florida Land Exchange, P.L. 100-696, and made available to Tribes that were members of the Inter Tribal Council of Arizona on January 1, 1988; and

WHEREAS; the Tribal Council is aware that the White Mountain Apache Tribe is entitled to over three million dollars from the Inter Tribal Trust Fund, for the purpose of supplementing education programs, and activities and services for the benefit of Tribal members; and

WHEREAS, the White Mountain Apache Tribe is currently, and was in 1988, a member of the Inter Tribal Council of Arizona and therefore qualifies to receive seven payments of \$400,000 and one payment of \$357,000 over a thirty year period and in order to be eligible for this award, the Tribe must submit a proposal explaining the use of funds and additionally, the plan must meet the objectives required under the grant; and

WHEREAS, the Department of Education's Director Harrisen DeClay, has proposed a Plan (attached and incorporated by reference) to the Tribal Council that would meet the educational needs of the White Mountain Apache Tribe; and

WHEREAS, the Tribal Council strongly supports the educational needs and goals of all Tribal members and finds it in the best interest of the Tribe to authorize the Director of Education to submit his proposal for Inter Tribal Trust Fund consideration.

BE IT RESOLVED by the Tribal Council of the White Mountain Apache Tribe that it hereby authorizes the Department of Education's Director, Harrisen DeClay, to submit a plan for Inter Tribal Trust Fund consideration so that the Tribe may obtain the \$400,000 dollars it is entitled to under the relevant grant requirements.

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. This Resolution shall not be subject to Judicial Interpretation, only the Tribal Attorney, with the assistance of the Tribal Council Secretary, may opine on Tribal Council intent and the meaning of the language as used herein.

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 provided that the Tribal Secretary and a Tribal Attorney attest to the veracity of the subject matter of this Resolution.


The foregoing resolution was on **JUNE 5, 2013** duly adopted by a vote of **FIVE** for and **ZERO** against and **TWO** 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 Lupo, Chairman

6/21/13

Date



Mariddie J. Craig, Secretary

06/21/2013

Date