



# WHITE MOUNTAIN APACHE TRIBE

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

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## **Resolution No. 04-2014-38**

### **( Approving the Application and Accepting Grant Award for the SMART FY 2014 Support for Adam Walsh Act Implementation Grant Program )**

**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 Adam Walsh Child Protection and Safety Act of 2006, P.L. 109-248, the “Adam Walsh Act,” created a National Sex Offender Registration and Notification System in which Congress required all jurisdictions to implement this legislation by July 27, 2009; and

**WHEREAS,** Section 127 of the Adam Walsh Act mandated that the State in which the Tribe is located is granted jurisdiction for that State to enter onto tribal lands to enforce the Act if a Tribe did not affirmatively elect to comply by July 27, 2007; and

**WHEREAS,** the Tribe has largely met the requirements of SORNA; and

**WHEREAS,** the Tribe recognizes a need to continue the program created with and supported by a precious grant from the Department of Justice Office, Office of Justice Programs, Sentencing, Monitoring, Apprehending, Registering and Tracking (SMART) Office; and

**WHEREAS,** a funding opportunity exists in the form of a grant solicitation from the SMART Office; and

**WHEREAS,** this funding, if granted, would be used to maintain and expand the Tribe’s compliance with the requirements of the Adam Walsh Act as it pertains to tribal jurisdictions, and to expand the program to meet the needs of the White Mountain Apache Tribe.

**BE IT RESOLVED** but the Tribal Council of the White Mountain Apache Tribe that the Tribe’s Office of Planning and Development and Police Department is authorized to submit a grant proposal for the SMART Office FY2014 Support for Adam Walsh Act Implementation Grant Program.

**BE IT FURTHER RESOLVED** by the Tribal Council of the White Mountain Apache Tribe that this grant from the Department of Justice (DOJ), Office of Justice Programs (OJP), SMART Office is hereby accepted in the event that it is approved by the DOJ, OJP, SMART subject to a review by the Tribe’s Office of Attorney General.

**BE IT FURTHER RESOLVED** by the Tribal Council of the White Mountain Apache Tribe that a budget for the expenditure of the Tribal funds is hereby approved for purposes of cost reimbursement for the DOJ's SMART Grant, if approved by the DOJ and subject to Tribal funds as they may be appropriated and available.

**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.

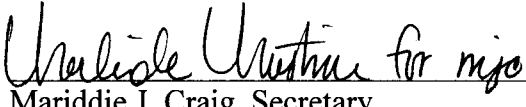
**BE IT FURTHER RESOLVED** by the Tribal Council of the White Mountain Apache Tribe that it hereby directs that in the event this Resolution directly conflicts with the Tribal Constitution, Tribal Ordinances or Federal Laws, or any material facts concerning the issues presented are later found to be false, 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 APRIL 9, 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), (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).

  
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Ronnie Lupe, Chairman

4/14/14  
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Date

  
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Mariddie J. Craig, Secretary

04/14/2014  
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Date