



WHITE MOUNTAIN APACHE TRIBE

A Sovereign Tribal Nation

(Approving Modifications to Several of the Tribe's Public Law 93-638 Contracts with the Bureau of Indian Affairs)

WHEREAS, The Constitution of the White Mountain Apache Tribe ("Tribe") of the Fort Apache Indian Reservation provides, at Article IV, Section 1(b) that the Tribal Council ("Council") shall exercise the power, "To negotiate, make and perform contracts and agreements of every description, not inconsistent with federal law or this constitution...with the State of Arizona or the United States..."; and

WHEREAS, The Tribe and the Bureau of Indian Affairs ("BIA") have a number of Public Law 93-638 contracts, by which the Tribe contracts programs, services and functions of federal programs and performs them using funds provide by the BIA for that purpose; and

WHEREAS, BIA has proposed several modifications to existing contracts that will provide supplemental funding (proposals attached and incorporated herein by reference), including:

- Agriculture, Contract No, A22AV00036 (Mod 2) \$12,447.00;
- Agriculture, Contract No, A22AV00036 (Mod 3) \$180,583.00;
- Community Fire Protection, A22AV00152 (Mod 2) \$1,922.00;
- Community Fire Protection, A22AV00152 (Mod 3) \$32,947.00;
- Historic Preservation, A22AV00153 (Mod 2) \$1,476.00;
- Hydrologic, Evaluation and Design, A22AV00154 (Mod 2) \$1,492.00;
- Hydrologic, Evaluation and Design, A22AV00154 (Mod 3) \$23,701.00;
- Probate, A22AV00155 (Mod 3) \$1,000.00;
- Probate, A22AV00155 (Mod 4) \$17,000.00;
- Realty Services, A22AV00156 (Mod 2) \$1,153.00;
- Realty Services, A22AV00156 (Mod 3) \$17,463.00;
- Tribal Courts, A22AV00157 (Mod 3) \$92,387.00;
- Tribal Courts, A22AV00157 (Mod 4) \$198,223.00;
- Fisheries, Wildlife & Sensitive Species, A22AV00158 (Mod 3) \$72,648.00;
- Fisheries, Wildlife & Sensitive Species, A22AV00158 (Mod 4) \$80,230.00;
- Education, A22AV00181 (Mod 3) \$2,647.00;
- Social Services, A22AV00269 (Mod 1) \$56,506.00; and

Resolution No. 07-2022-175

WHEREAS, The contract modifications do not alter the scope of works for the program, but merely provide additional funding; and

WHEREAS, Council finds that approving these contract modifications will secure additional needed funding for these programs, and is in the best interests of the Tribe and its members.

BE IT RESOLVED by the Tribal Council of the White Mountain Apache Tribe that the following attached modifications to the Tribe's P.L. 93-638 contracts are hereby approved:

- Agriculture, Contract No, A22AV00036 (Mod 2) \$12,447.00;
- Agriculture, Contract No, A22AV00036 (Mod 3) \$180,583.00;
- Community Fire Protection, A22AV00152 (Mod 2) \$1,922.00;
- Community Fire Protection, A22AV00152 (Mod 3) \$32,947.00;
- Historic Preservation, A22AV00153 (Mod 2) \$1,476.00;
- Hydrologic, Evaluation and Design, A22AV00154 (Mod 2) \$1,492.00;
- Hydrologic, Evaluation and Design, A22AV00154 (Mod 3) \$23,701.00;
- Probate, A22AV00155 (Mod 3) \$1,000.00;
- Probate, A22AV00155 (Mod 4) \$17,000.00;
- Realty Services, A22AV00156 (Mod 2) \$1,153.00;
- Realty Services, A22AV00156 (Mod 3) \$17,463.00;
- Tribal Courts, A22AV00157 (Mod 3) \$92,387.00;
- Tribal Courts, A22AV00157 (Mod 4) \$198,223.00;
- Fisheries, Wildlife & Sensitive Species, A22AV00158 (Mod 3) \$72,648.00;
- Fisheries, Wildlife & Sensitive Species, A22AV00158 (Mod 4) \$80,230.00;
- Education, A22AV00181 (Mod 3) \$2,647.00;
- Social Services, A22AV00269 (Mod 1) \$56,506.00.

BE IT FURTHER RESOLVED by the Tribal Council of the White Mountain Apache Tribe that all future modifications to these contracts are deemed approved, provided that the modifications are limited to increases in funding.

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 any material facts concerning the issues presented are later found to be false, this Resolution shall be deemed null and void and have no legal effect.

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.

Resolution No. 07-2022-175

BE IT FURTHER RESOLVED by the Tribal Council of the White Mountain Apache Tribe that the Chairman, or in his absence, the Vice-Chairman, is hereby authorized to execute any and all documents necessary to effectuate the intent of this Resolution.

The foregoing resolution was on JULY 6, 2022 duly adopted by a vote of TEN for, ZERO against, and ZERO abstentions by the Tribal Council of the White Mountain Apache Tribe, pursuant to authority vested in it under the enumerated powers listed in Article IV, Section 1 of the WMAT Constitution, so ratified on November 10, 2021, and federally recognized pursuant to Section 16 of the Indian Reorganization Act of June 18, 1934 (48 Stat. 984).

Kasey B. Velasquez 7/8/22
Kasey Velasquez, Chairman Date
White Mountain Apache Tribe

Vaneyza Johnson 7/8/22
Vaneyza Johnson, Tribal Secretary Date