



WHITE MOUNTAIN APACHE TRIBE

A Sovereign Tribal Nation

(Allocating \$4 Million of the Tribe’s American Rescue Plan Act Funds to the White Mountain Apache Timber Company to Fund Operations)

WHEREAS, The Constitution of the White Mountain Apache Tribe (“Tribe”) of the Fort Apache Indian Reservation provides, at Article IV, Section 1(k) that the Tribal Council shall exercise the power “[t]o appropriate tribal funds for tribal purposes and to expend such funds in accordance with an annual budget”; and

WHEREAS, The Tribe received Fiscal Recovery Funds from the federal government as provided by the American Rescue Plan Act (Pub. L. 117-2) (“ARPA”), which are intended to provide support of state, local, and tribal governments in responding to and mitigating the impacts of COVID-19; and

WHEREAS, White Mountain Apache Timber Company (“WMATCO”), is a wholly-owned economic enterprise of the Tribe; and

WHEREAS, Via Resolution No. 06-2021-119, the Tribe initially allocated \$6 million of its ARPA funds to pay for much needed equipment upgrades for the mill under the “Government Services” allowable usage of the ARPA funding; and

WHEREAS, WMATCO’s General Manager, this day, requested an additional allocation of \$4 million to help the mill continue to operate and shift toward production of rough green lumber; and

WHEREAS, The Tribe’s Treasurer advised the Council that the Tribe has the necessary remaining ARPA funds, upon the deobligation of certain unspent ARPA funds and that it can, likewise, make this allocation as an allowable expenditure of ARPA funds; and

WHEREAS, Council finds that making the requested additional expenditure of the Tribe’s ARPA funds for the purpose of shifting WMATCO’s operations and to allow the mill to concentrate on production of rough green lumber and continue to serve as a vital economic enterprise, 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 \$4 Million of the Tribe’s American Rescue Plan Act of 2021 funds is hereby reallocated to the White Mountain Apache Timber Company for the purpose of concentrating mill operations on the production of rough green lumber.

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.

Resolution No. 05-2023-119

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 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 **MAY 3, 2023** duly adopted by a vote of **ELEVEN** 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).

	5.26.2023		5/30/2023
Kasey Velasquez, Chairman	Date	Vaneysa Johnson, Tribal Secretary	Date