



# WHITE MOUNTAIN APACHE TRIBE

## A Sovereign Tribal Nation

**(Approving P.L. 638-Agreement Between the Tribe and United States Department of Agriculture, United States Forest Service, Coronado National Forest, in the Amount of \$250,000.00 for Archeological Surveys)**

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**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, perform contracts and agreements of every description, not inconsistent with federal law or this constitution, with any person, association, or corporation, with any municipality or any county, or with the State of Arizona or the United States...”; and

**WHEREAS,** Section 3115(b) of The Tribal Forest Protection Act (Public Law No. 108-278) and Section 8703 of the Farm Bill set aside funds for cooperative cross-boundary projects involving Tribal personnel on Tribal and National Forest lands; and

**WHEREAS,** The United States Department of Agriculture (“USDA”) United States Forest Service (“USFS”) Coronado National Forest (“CNF”) and the Tribe have negotiated a PL 93-638 agreement (“Agreement”) attached and incorporated herein by reference, in the amount of \$250,000.00 whereby the Tribe would contract to complete two archeological survey projects in the Limestone and Soldier Flat areas of CNF, both of which are located on ancestral Apache territories; and

**WHEREAS,** The Tribal contractor under the Agreement would be the White Mountain Apache Game and Fish, and the contract could be modified after successful completion of these initial projects to amend the scope of work and amount, enabling continuing partnership between the Tribe and CNF on ancestral Apache territories located on National Forest and tribal lands; and

**WHEREAS,** Council has reviewed the Agreement and finds that its approval will enable the Tribe to contract these projects in cooperation with CNF, 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 attached agreement between the Tribe and the United States Forest Service - Coronado National Forest, in the amount of \$250,000.00, for archeological surveys in the Limestone and Soldier Flat areas of the Coronado National Forest is hereby approved.

**BE IT FURTHER RESOLVED** by the Tribal Council of the White Mountain Apache Tribe that all future amendments and modifications to this Agreement are also approved, provided that such modifications are limited to additions to the scope of work and increases in funding.



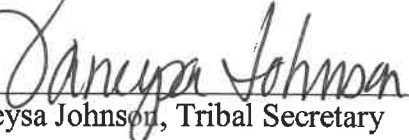

***Resolution No. 09-2023-207***

**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.

**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 SEPTEMBER 13, 2023 duly adopted by a vote of SEVEN for, ONE 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 Velasquez, Chairman	Date	Vaneyssa Johnson, Tribal Secretary	Date