



WHITE MOUNTAIN APACHE TRIBE

A Sovereign Tribal Nation

(Allocating \$2M of the Tribe's American Rescue Plan Act Funds for District III)

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 ("Council") shall exercise the power, "To appropriate Tribal funds for Tribal purposes..."; 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 the impacts of COVID-19, and in their efforts to contain the spread of this disease amongst their communities; and

WHEREAS, The Tribe has funds remaining in its allocation of revenue replacement monies that may be expended on the eligible use category of provision of government services under 42 U.S.C. § 802(c)(1)(C), and the U.S. Department of the Treasury ("Treasury") has stated that such funds may be used for "any service traditionally provided by a government unless Treasury has stated otherwise"; and

WHEREAS, The Council finds that making an allocation of \$2M of ARPA funds to District III, is an appropriate usage of these revenue replacement funds, and is in the best interests of the Tribe and its members; and

WHEREAS, The Council finds that financially supporting governmental subdivisions is a service traditionally provided by government, and further finds that it is an expenditure not prohibited by Treasury.

BE IT RESOLVED by the Tribal Council of the White Mountain Apache Tribe that it hereby allocates \$2M of the Tribe's ARPA funds for District III, to be expended on government services consistent with restrictions in the ARPA statute and regulations, Treasury guidance, and any applicable federal and Tribal procurement requirements.

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.

Resolution No. 01-2024-007

The foregoing resolution was on **JANUARY 3, 2024** duly adopted by a vote of **TEN** for, **ZERO** against, and **ONE** 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 3-26-2024

Kasey Velasquez, Chairman

Date

Vaneysa Johnson 3/26/2024

Vaneysa Johnson, Tribal Secretary

Date