



WHITE MOUNTAIN APACHE TRIBE

A Sovereign Tribal Nation

(Approving a Memorandum of Agreement Between the White Mountain Apache Tribe and the Arizona Department of Child Safety, for the Indian Child Welfare Act)

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 United States, including agreement with the State of Arizona for rendition of public services”; and

WHEREAS, Arizona Department of Child Safety (“AZDCS”) and the Tribe’s Social Services Department have been negotiating a new draft Indian Child Welfare Act (“ICWA”) Memorandum of Agreement (“Draft Agreement”)(attached and incorporated herein by reference), which they present, this day, to Council for approval; and

WHEREAS, The Draft Agreement requires the Tribe’s Social Services Department and the AZDCS to work cooperatively in all child custody proceedings to protect the best interests of each White Mountain Apache child and the legal rights of their parents or Indian custodian(s); and

WHEREAS, After careful review and consideration, the Council finds that approving the Draft Agreement will allow the Tribe to protect and further the best interests of White Mountain Apache children and their families, 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 Memorandum of Agreement between the Tribe and the Arizona Department of Child Safety for the Indian Child Welfare Act is hereby approved.

BE IT FURTHER RESOLVED by the Tribal Council of the White Mountain Apache Tribe that it hereby authorizes the Tribal Social Services Department to modify the MOU as needed, provided that any substantive changes are subject to review and approval by the Tribal Council.

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. 02-2024-021

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 **FEBRUARY 6, 2024** duly adopted by a vote of **SEVEN** 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 Velasquez 2.6.2024
Kasey Velasquez, Chairman Date

Vaneysa Johnson 02/07/2024
Vaneysa Johnson, Tribal Secretary Date