



# WHITE MOUNTAIN APACHE TRIBE

## A Sovereign Tribal Nation

### (Authorizing an Updated Fire Cooperative Agreement with the Bureau of Indian Affairs)

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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(a) that the Tribal Council (“Council”) shall exercise the power “[t]o represent the Tribe and act in all matters that concern the welfare of the Tribe”, and in Article IV, Section 1(b), “[t]o 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 United States Department of the Interior, Bureau of Indian Affairs (“BIA”), is authorized by 25 C.F.R. 136.21 to manage fire preparedness, suppression, and post suppression activities, as well as to provide funding, equipment and supplies, and to provide technical oversights and training to Tribal and Bureau employees working in any fire activities; and
- WHEREAS,** the Tribe has personnel, equipment, supplies, and facilities to assist the BIA in a variety of wildland fire programs at the tribal, local, state, and national levels, including fire suppression, training, prescribe burning, and response to other incidents as requested under the National Interagency Incidents Management Systems (“NIIMS”); and
- WHEREAS,** the Tribal Forestry Department has developed the capacity and employees to provide assistance in fire suppression and other incidents managed through the NIIMS systems; and
- WHEREAS,** utilizing qualified tribal employees for fire suppression and related activities directly enhances the Tribe’s goals of providing increased employment opportunities for qualified tribal members; and
- WHEREAS,** an updated Fire Cooperative Agreement provides an avenue for Tribal Forestry to participate as full partners in the participation of fire response incidents, as well as providing the mechanism for financial reimbursement to the Tribe when qualified Tribal employees, equipment, and facilities are pre-approved and utilized through NIIMS; and
- WHEREAS,** the Tribal Council determines that authorizing an updated Fire Cooperative Agreement between the Tribe and the Bureau 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 it hereby supports and authorizes an updated Cooperative Agreement between the Tribe and the Bureau of Indian Affairs to provide financial reimbursement to the Tribe for all fire related activities and emergency response.

**Resolution No. 02-2024-032**

**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 **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).

<i>Kasey Velasquez</i>	<i>2.6.2024</i>	<i>Vaneysa Johnson</i>	<i>02/07/2024</i>
Kasey Velasquez, Chairman	Date	Vaneysa Johnson, Tribal Secretary	Date