

Resolution No. 04-2005-117

**RESOLUTION OF THE
WHITE MOUNTAIN APACHE TRIBE OF THE
FORT APACHE INDIAN RESERVATION**

**(Objecting to Bureau of Indian Affairs Ft. Apache Agency Budget Deficit and the
Tribe's Subsidizing P.L. 93-638 Programs)**

- WHEREAS**, the Tribal Council has been informed by the U.S. Bureau of Indian Affairs Superintendent for the Ft. Apache Agency that there is a projected budget deficit for Fiscal Year 2005, which could be as high as \$134,932, according to the Agency budget as attached and incorporated by this reference; and
- WHEREAS**, this would be the first time in the history of the Ft. Apache Agency in which a budget deficit has occurred; and
- WHEREAS**, a total of \$236,831 in short-falls is projected for Tribal Services (\$58,010), GIS (\$94,418), Environmental Quality Services (\$36,288), Executive Direction (\$48,115), programs that provide vital services to the White Mountain Apache Tribe; and
- WHEREAS**, at the same time, the Agency projects a savings of \$101,899 for Agriculture (\$7,613) and Forestry (\$94,286); and
- WHEREAS**, the projected budget deficit for the Ft. Apache Agency is a direct result of the President's Budget for FY 2005, which cut the U.S. Department of Interior's budget overall by \$23 million or 0.6 percent, which in turn resulted in decreases in P. L. 93-638 funds budgets for Tribes being cut; and
- WHEREAS**, while Tribal P.L. 93-638 budgets were cut, budgets for Regional Area Offices and the Office of the Special Trustee were increased, which is especially ironic given the fact that P.L. 93-638 funds provide a large share of the services that Tribes depend on; and
- WHEREAS**, the proposed FY 2006 Tribal Priority Allocation base funding shows a cut of \$265,225 or 1.1 percent for P.L. 93-638 contract funds that the Tribe will receive; and
- WHEREAS**, exacerbating the Ft. Apache Agency's deficit is the transmittal of P.L. 93-638 funds, which are typically delayed until December, March, or even May, which results in the Tribe spending its own revenues, in effect subsidizing the federal government's responsibility with the Tribe's own scarce resources; and

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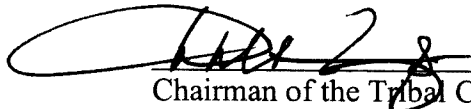
WHEREAS, in Fiscal Year 2005, the Tribe subsidized its P.L. 93-638 programs by \$4.27 million due to the late transmittal of federal funds, including Fire and Rescue (\$748,151), Law Enforcement (\$2.34 million), Education (\$423,335), Land Operations (\$267,930), Forestry (\$107,265) and Summer Camp (\$136,202); and

WHEREAS, both the Agency deficit and the Tribe's subsidizing P.L. 93-638 defeat the trust responsibility of the U.S. Secretary of Interior to the White Mountain Apache Tribe.

BE IT RESOLVED by the Tribal Council of the White Mountain Apache Tribe that:

1. A decrease in FY 2006 Tribal Priority Allocation for P.L. 93-638 funds that the Tribe will receive is unacceptable.
2. The U.S. Congress must recognize the trust responsibility of the U.S. Secretary of Interior under P.L. 93-638 and increase Tribal Priority Allocation appropriations accordingly.
3. The Tribal Council hereby directs the Secretary of Interior to immediately make available \$236,831 to the Ft. Apache Agency in order to meet the trust responsibility of the U.S. Department of Interior.
4. The Tribal Council further directs the Secretary of Interior to timely disbursement of P.L. 93-638 contract funds.

The foregoing resolution was on April 13, 2005, duly adopted by a vote of NINE for and ZERO against by the Tribal Council of the White Mountain Apache Tribe, pursuant to authority vested in it by Article IV, Section 1 (a), (i), (k), (s), (t) and (u) of the Constitution of the Tribe, ratified by the Tribe September 30, 1993, and approved by the Secretary of the Interior on November 12, 1993, pursuant to Section 16 of the Act of June 18, 1934 (48 Stat. 984).


Chairman of the Tribal Council


Secretary of the Tribal Council

April 9, 2005

ENrolled
FY05
Proposed

39220	TRIAL Co	213726-	211746-	<	580102	*	
39605	GIS	285582-	250644-	<	34957-	*	
	with Inman-Marke		380000-	<	94418-	*	
39610	Agriculture	289115-	201502-		7613-		TIP
39630	Forestry	247166-	2377400-		94526-	*	
39790	Probate	7615-	70618-				
	combined with Real Estate						
3940	EQDS	171146-	207434-	<	36288-	*	
	Salaries only		159148-	<	18202-	*	
39810	EX Directions	215579-	255577-	<	48115-	*	
		215579-	245576-				
39820	ADM	215579-	225946-			*	
				<	13187-	*	

DEC 2 2004

B3/H 05H52101-04
DATE: 12-20-2004

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Branch Chief
copy - Supt

ORGANIZATION: FT APACHE AGENCY
ORG CODE: H52100

PROG. CODE	PROGRAM TITLE	FY 2005 President's Budget	C.R.#1 Oct.1-Nov.20 13.97%	Late Additions to Base	FY 2005 Conference Mark	Interior ATB Red. -0.594%	Subtotal	Omnibus ATB Red. -0.800%	FY 2005 Conf w/ATBs [Enacted]	288 90.0% Distribution	Funds to Distribute
3922	Aid to Tribal Government	216.758	30.281		216.758	-1.288	215.470	-1.734	213.736		183.455
3923	Modernized Tribal Gov't Prom-GTGP										
39240	Self Governance										
39250	New Tribes										
39280	Tribal Courts										183.455
	TRIBAL GOVERNMENT	216.758	30.281		216.758	-1.288	215.470	-1.734	213.736		
39310	Social Services										
39320	Indian Child Welfare Act										
39330	Welfare Assistance										
39390	Other, Human Services										
	HUMAN SERVICES										
39370	Housing Improvement Program										
	HUMAN SERVICES - NO YR.										
39110	Scholarships										
39140	Johnson O'Malley										
39130	Adult Education										
39120	Tribally Controlled Comm. Colleges										
39190	Other, Education										
	EDUCATION										
39430	Community Fire Protection										
	PUBLIC SAFETY & JUSTICE										
39535	Job Placement & Training										0.009
39510	Economic Development	0.010	0.001		0.010		0.010		0.010		0.009
	COMMUNITY DEVELOPMENT	0.010	0.001		0.010		0.010		0.010		0.009
3955	Maintenance										
	NO YR. COMMUNITY DEVELOP.										
39605	Natural Resources, General	289.619	40.460		289.619	-1.720	287.899	-2.317	285.582		245.122
39610	Agriculture	232.354	32.460		232.354	-1.380	230.974	-1.859	229.115		198.655
39630	Forestry	2,356.628	329.221	150.000	2,506.628	-14.889	2,491.739	-20.053	2,471.686		2,142.465
39640	Water Resources										
39650	Wildlife and Parks										
39660	Minerals and Mining										
	RESOURCES MANAGEMENT	2,878.601	402.141	150.000	3,028.601	-17.989	3,010.612	-24.229	2,986.383		2,584.242
39710	Trust Services, General										
39720	Other Rights Protection										
39770	Real Estate Services	5.894	0.823		5.894	-0.035	5.859	-0.047	5.812		4.989
39780	Real Estate Appraisals										
39790	Probate	65.722	9.181		65.722	-0.390	65.332	-0.526	64.806		55.625
39740	Environmental Quality Services	173.566	24.247		173.566	-1.031	172.535	-1.389	171.146		146.899
39760	ANILCA										
39760	ANCSA										
	TRUST SERVICES	245.182	34.251		245.182	-1.456	243.726	-1.962	241.764		207.513
39810	Executive Direction	213.376	29.609		213.376	-1.267	212.109	-1.707	210.402	189.362	180.593
39820	Administrative Services	279.842	39.094		279.842	-1.662	278.180	-2.239	275.941	248.347	236.847
39830	Safety Management										
39840	Common Support Services										
	GENERAL ADMINISTRATION	493.218	68.903		493.218	-2.929	490.289	-3.946	486.343	437.709	417.440
	GRAND TOTAL	3,833.769	535.577	150.000	3,983.769	-23.662	3,960.107	-31.871	3,928.236	437.709	3,392.659

2-yr 39002: 535.577
No-yr 39008:

2-yr 39002: 3,392.658
No-yr 39008:

REMARKS: These funds are authorized under H.R. 4818, P.L. 108-477, 118 Stat. 2809, the Department of the Interior and Related Agencies Appropriations Act, 2005. Funds are available until September 30, 2006.

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Statement of Need

Information Management Services (Geographic Information System) Branch

H52400-05-39605 Natural Resources General

The program funding for this service branch at the Fort Apache Agency has been under-funded FY-03, FY-04 (the Branch ended up nearly \$30,000 in the red), and FY-05 (which starts the year without funding to even meet salaries)

The primary reason for this deficit is the addition of two staff members without adding funding to cover their salaries and EBC.

An IT Specialist (Mr. Mike Markle) was hired without adding salaries, and Ms. Faith Beatty-Johnson (GIS Specialist) was brought back from a tribal IPA without adding any funding to the program to cover her salary and EBC.

Although Mr. Inman and Mr. Markle were re-organized to lines of authority under the OCIO, funding will continue to be provided by the local branch program. If Herdon could be persuaded to fund all their positions, that would end our crisis.

In a nominal year the GIS Branch spends around \$40-50,000 on non-salary costs of training/travel, office supplies, maintenance, and equipment.

The budget needed to run the GIS Branch would be around \$380,000. Since our allocation is around \$285,000 that leaves us almost \$100,000 in the Red at the start of the fiscal year.

Reprogramming from other programs and fire assignment lapse has helped the branch stay in the black in FY03 and reduce the deficit in FY04.

The depth of the deficit in FY-05 is such that there are no quick fixes that can be applied that will keep the branch out of deficit.

For FY-06 either the branch will need to be sufficiently funded or RIF actions initiated to keep from another year of deficit spending.

R.Inman 3/14/05

330.0 needed
? salaries (does not show)
285.0 actual allocation