



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

(Approving the Application and Accepting the Grant Award for the SMART Office FY 2008 Support for Adam Walsh Act Implementation Grant Program and Authorizing the WMAT Director of Public Safety to Manage the Program)

- WHEREAS,** the Tribal Council has the authority to represent the Tribe and act in pursuant to Article IV, Section 1(a) of the Constitution of the White Mountain Apache Tribe, *inter alia*, all matters that concern the welfare of the Tribe; and
- WHEREAS,** the Adam Walsh Child Protection and Safety Act of 2006, P.L. 109-248, the "Adam Walsh Act" was signed into federal law by President George W. Bush on July 27, 2006; without consultation with the Tribes; and
- WHEREAS,** the Adam Walsh Act created a National Sex Offender Registration and Notification System in which Congress required all jurisdictions to implement this legislation by July 27, 2009; and
- WHEREAS,** Section 127 of the Adam Walsh Act mandated that the state in which the Tribe is located is granted jurisdiction for the state to enter onto tribal lands to enforce the Act if a Tribe did not affirmatively elect to comply by July 27, 2007; and
- WHEREAS,** the Tribal Council, on behalf of the White Mountain Apache Tribe, elected to preserve its sovereignty and maintain its jurisdiction by agreeing to carry out the Sex Offender Registration and Notification Act (SORNA) functions specified in the Adam Walsh Act on June 6, 2007; and
- WHEREAS,** that grant funding is available from the Department of Justice for help in implementing the SORNA from the SMART Office which requires a twenty five (25) per cent match which could include "in kind" services and the White Mountain Apache Tribe is eligible to apply for such funding; and
- WHEREAS,** the White Mountain Apache Tribe finds that it is in the Tribe's best interest to apply for a grant under this program to plan the Tribe's strategy and project which will be to develop capacity in the Tribal Police Department to provide for a SORNA which will coordinate with other agencies and jurisdictions to carry out the Adam Walsh Act mandates; and
- WHEREAS,** the White Mountain Apache Tribe finds that it is in the Tribe's best interest to revise the Tribe's Law and Order Code to establish policies and procedures for registering sex offenders on the Fort Apache Indian Reservation; and
- WHEREAS,** the White Mountain Apache Tribe finds that it is in the Tribe's best interest to develop a SORNA program for registering sex offenders on the Fort Apache Indian Reservation for public safety reasons; and
- WHEREAS,** the White Mountain Apache Tribe finds that consultation and collaboration with other Tribes and entities on SORNA agreements is in the Tribe's best interest; and
- WHEREAS,** the White Mountain Apache Tribe finds that implementation of a SORNA program should be tailored to fit the Tribe's needs while complying with the requirements of the Adam Wash Act; and

WHEREAS, the White Mountain Apache Tribe finds that the position of the Director of the Department of Public Safety is the position best suited to manage this project; and

WHEREAS, the White Mountain Apache Tribe finds that the Director of the Department of Public Safety shall serve as the grant administrator whose responsibilities shall include compliance with the grant program goals and objectives, submission of the Office of Justice Program's required reports, as well as coordination of a Steering Committee; and

WHEREAS, the White Mountain Apache Tribe finds that this grant funding is necessary to help the Tribe to carry out its responsibilities under the Adam Walsh Act; and

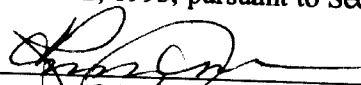
BE IT RESOLVED by the Tribal Council of the White Mountain Apache Tribe that:

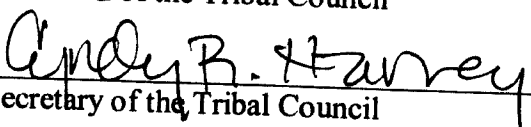
1. The Tribe's Department of Public Safety is authorized to submit a grant proposal for the SMART Office FY 2008 Support for Adam Walsh Implementation Grant Program.
2. This grant from the Department of Justice (DOJ), Office of Justice Programs, is hereby accepted in the event it is approved by the Department of Justice, subject to a review by the Tribe's Legal Department.
3. A budget for the expenditure of tribal funds is hereby approved for purposes of cost reimbursement for DOJ's SMART grant, if approved by the DOJ and subject to tribal funds as they may be appropriated and available.
4. The Director of the Department of Public Safety is hereby authorized to manage The SMART Office FY 2008 Support for Adam Walsh Implementation Grant on behalf of the Tribe.

BE IT FURTHER RESOLVED by the Tribal Council of the White Mountain Apache Tribe that given the urgency of the request described herein, this Resolution may be voted upon as follows: (a) signature of a member of the Tribal Council, including the Chairman of the Tribal Council and the Vice-Chairwoman of the Tribal Council, where a signature indicates a vote for this Resolution, (b) the Tribal Council Secretary shall attempt to obtain signatures for members of the Tribal Council personally, (c) no signature shall mean that the respective Tribal Council member is against this Resolution, (d) the Tribal Council Secretary should wait no longer than a reasonable period of time to obtain a vote by signature or by no signature, and so indicate that this Resolution was presented to the respective member of the Tribal Council for a vote.

BE IT FURTHER RESOLVED by the Tribal Council of the White Mountain Apache Tribe that the Chairman, or in his absence, the Vice Chairwoman, is hereby authorized to execute any and all document necessary to effectuate the intent of this Resolution.

The foregoing resolution was on May 6, 2008, duly adopted by a vote of SEVEN for and ZERO against by the Tribal Council of the White Mountain Apache Tribe, pursuant to the authority vested in it by Article IV, Section 1 (a), (b), (d), (j), and (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

