



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

(Establishing P.L. 93-638 Commission to Regulate Federal Programs)

- WHEREAS,** pursuant to Article IV, Section 1(a) and 1(s) of the Constitution of the White Mountain Apache Tribe, *inter alia*, the Tribal Council has the authority to represent the Tribe and act in all matters that concern the welfare of the Tribe; and
- WHEREAS,** the Bureau of Indian Affairs ("BIA") has communicated to the White Mountain Apache Tribe's ("Tribe") Legal Department that concerns exist over the lack of reporting and compliance concerns with respect to the Tribe's Public Law 93-638 Programs; and
- WHEREAS,** among other issues, the BIA has expressed disappointment with the lack of communication and failure of the Tribe to regulate its own P.L. 93-638 programs to ensure full compliance with all Tribal and Federal Laws; and
- WHEREAS,** the BIA has also requested that the Tribe expedite the 2009 and 2010 Fiscal Year (FY) audits, as the Tribe has been cited for its delinquency in submitting the documentation, as required by Federal Law; and
- WHEREAS,** the Legal Department, with the consensus of the Tribal Council, authorized attorney Fred Soto to open communications and begin building a stronger relationship with the BIA at the local level; and
- WHEREAS,** it is critical, however, for the Tribe to take additional steps to assure the Federal Government that the Tribal leadership is acting in good faith in trying to resolve any and all outstanding federal compliance matters and resolving the delinquency of the outstanding 2009 and 2010 FY audits; and
- WHEREAS,** the Tribal Chairman, acting under his Executive Authority, assigned three commissioners, including the Director of Planning, Joe Waters, Treasurer Edwin Kane, and Tribal Attorney Jim Palmer, to monitor and regulate the Tribe's Public Law 93-638 programs and to ensure that all compliance matters are dealt with in a timely and appropriate manner and to further alleviate any concerns that the federal government may have with the Tribe's management of its federally funded programs; and
- WHEREAS,** after much deliberation, the Tribal Council concurs with the Tribal Chairman that it would be in the best interest of the White Mountain Apache Tribe to establish and delegate authority to the commission in a manner consistent with this Resolution.

Resolution No. 05-2011-91

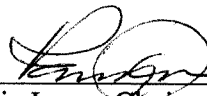
BE IT RESOLVED by the Tribal Council of the White Mountain Apache Tribe that it hereby establishes a P.L. 93-638 commission ("Commission"), to consist of Tribal Planner Joe Waters, Treasurer Edwin Kane, and Tribal Attorney Jim Palmer, to monitor, regulate, and help the Tribe correct any deficiencies that may exist in complying with Tribal or Federal Regulations pertaining to federally funded programs.

BE IT FURTHER RESOLVED by the Tribal Council of the White Mountain Apache Tribe that it hereby delegates authority to the Commission to communicate directly with the Bureau of Indian Affairs and work in a concerted effort to meet Federal and Tribal regulations.

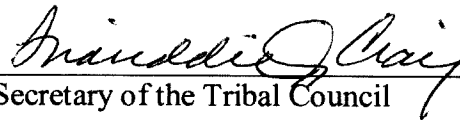
BE IT FURTHER RESOLVED by the Tribal Council of the White Mountain Apache Tribe that it hereby directs that in the event that this Resolution conflicts with a prior Resolution or Policy, this Resolution shall govern.

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 **APRIL 18, 2011** duly adopted by a vote of **TEN** 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), (c), (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).



Ronnie Lupe, Chairman of the Tribal Council



Secretary of the Tribal Council