



# WHITE MOUNTAIN APACHE TRIBE

*A Sovereign Nation Exercising Self-Governance  
Over the Fort Apache Indian Reservation*

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## **Resolution No. 01-2013-14**

### **(Authorizing Transfer of WMAT Road Construction Funds to BIA Roads Maintenance Program)**

**WHEREAS,** the Tribal Council of the White Mountain Apache Tribe (“Tribe”) is entrusted by the Tribe’s Constitution to act in all matters that concern the welfare of the Tribe, to manage all economic affairs and enterprises of the Tribe, and to regulate subordinate organizations for economic and other purposes; and

**WHEREAS,** the Bureau of Indians Affairs, Fort Apache Agency, (“BIA”) Road Maintenance program’s (“Program”) has for years been underfunded and would benefit from any additional available resources in order to help carry out the objectives of the Program on the Fort Apache Indian Reservation (“FAIR”); and

**WHEREAS,** FAIR, Road Maintenance program funding allocations have not increased to reflect the actual amount needed to offset inflation, costs associated with materials, supplies and road maintenance equipment; and

**WHEREAS,** this lack of funds has forced the BIA to downsize their Roads Maintenance Program and has severely limited services available to the Reservation; and

**WHEREAS,** this reduction of services has reduced emergency response services and has resulted in serious and potentially unsafe road conditions for Tribal Members and non-Tribal members alike that travel throughout the Reservation; and

**WHEREAS,** P.L. 112-141 titled “moving ahead for progress into the 21<sup>st</sup> Century (WAP.21)”, has provisions for Tribes to use up to 25% of its road construction fund allocation and others in order to tackle such deficiencies in funding; and

**WHEREAS,** the Tribal Council of the White Mountain Apache Tribe recognizes the immediate need and impact this will create for the Tribe and therefore recommends and supports the use of Tribal Transportation Facilities Construction Funds in the amount of \$200,000 to help create out the objectives of the Fort Apache Agency’s Road Maintenance program.

**BE IT RESOLVED** by the Tribal Council of the White Mountain Apache Tribe that it hereby request that the BIA transfer the amount of \$200,000 of the Tribe’s Road Construction funds to the Bureau of Indian Affairs, Fort Apache Agency’s Roads Maintenance Program for roads maintenance purposes.

**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 it hereby directs that in the event this Resolution directly conflicts with the Tribal Constitution, Tribal Ordinances or Federal Laws, this Resolution shall be declared null and void and have no legal effect.

**BE IT FURTHER RESOLVED** by the Tribal Council of the White Mountain Apache Tribe that the Chairman, or in his absence, the Acting Chairman, is hereby authorized to execute any and all documents necessary to effectuate the intent of this Resolution. In the event that the Chairman fails to delegate signatory authority to an Acting Chairman, the Vice-Chairman may sign.

The foregoing resolution was on **JANUARY 2, 2013** duly adopted by a vote of **SIX** 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), (i), (k), (s), (t) and (u) of the Tribal Constitution, 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).

  
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Ronnie Lupe, Chairman

1-29-13  
Date

  
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Mariddie J. Craig, Secretary

01/25/2013  
Date