



# WHITE MOUNTAIN APACHE TRIBE

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

## **Resolution No. 02-2013-49**

### **( Authorizing WMAT Application for DOJ Grant Funding to Assist With Juvenile Detention Center )**

- 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 Tribal Council has been advised in the past of numerous concerns regarding the Tribe’s ability to house juveniles locally and various obstacles, one being financial support, that have made it difficult for the Tribe to meet its objectives; and
- WHEREAS,** members of the governing body have discussed the Tribe’s prior inability to secure funding, through grants or otherwise, to promote the Juvenile Detention Center and are excited about the opportunity available through the United States Department of Justice (“USDOJ”) provided for under the Tribal Juvenile Accountability Discretionary Program (“TJADG”) grant promoting juvenile justice; and
- WHEREAS,** the competitive grant is intended to assist Tribes with the implementation of programs that would increase accountability for delinquent youth and strengthen the Tribal juvenile systems in place; and
- WHEREAS,** among the grant objectives, is a desire to help Tribe’s build, expand, renovate, or operate temporary or permanent juvenile correction, detention, or community correction facilities; and
- WHEREAS,** the Tribe is in desperate need of funding that would assist with salaries for detention staff, training, consulting, computer equipment and telecommunications, as well as other office supplies. The Tribe would also highly benefit from funding to assist with additional construction and/or renovation of current facilities in order to adequately provide for the juvenile detention needs of the Tribe; and
- WHEREAS,** the Tribal Council finds it in the best interest of the Tribe to direct the Planning Department to apply for funds, consistent with the direct needs of the Tribe’s juvenile detention efforts. If an award is granted, the Tribe would accept the award and administer the funding consistent with all federal regulations and contract stipulations, as negotiated and finalized through the Tribal Legal Department.

**BE IT RESOLVED** by the Tribal Council of the White Mountain Apache Tribe that it hereby directs the Planning Department to apply for the Juvenile Justice competitive grant through the Tribal Juvenile Accountability Discretionary Program, under the United States Department of Justice for purposes consistent with the needs of the Tribe's juvenile detention efforts.

**BE IT FURTHER RESOLVED** by the Tribal Council of the White Mountain Apache Tribe that if an award is granted, the Tribe hereby accepts the award on behalf of the Juvenile Detention Center and agrees to allocate such funding specifically for juvenile detention improvements as described under the Tribe's juvenile detention plan and grant application.

**BE IT FURTHER RESOLVED** by the Tribal Council of the White Mountain Apache Tribe that it hereby approves of the Memorandum of Agreement, as presented on this day, and directs the Legal Department to provide a final review prior to the agreement's execution by the Chairman.

**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 **FEBRUARY 21, 2013** duly adopted by a vote of **EIGHT** for and **ZERO** against and **ZERO** abstentions by the Tribal Council of the White Mountain Apache Tribe, pursuant to the authority vested in it by Article IV, Section 1 (a), (b), (j), (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

3/19/13  
\_\_\_\_\_  
Date

  
\_\_\_\_\_  
Mariddie J. Craig, Secretary

03/19/2013  
\_\_\_\_\_  
Date