



# WHITE MOUNTAIN APACHE TRIBE

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

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## **Resolution No. 07-2013-158**

### **(Authorizing the Issuing of the Applicable Tribal Credit/Fuel Cards to the Appropriate Tribal Departments for Usage while Responding to Fire and Other Assignments under the Cooperative Agreement)**

- 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 United States Department of the Interior, Bureau of Indian Affairs (the “Bureau”), is authorized by 25 C.F.R. 163.21 to manage fire preparedness, suppression, post suppression activities, and responding to and operating emergencies and non-emergency incidents, both natural and human caused, as well as to provide funding, equipment and supplies, and to provide technical oversight and training to Tribal and Bureau employees working in any fire activity; and
- WHEREAS,** the White Mountain Apache Tribe has personnel, equipment, supplies, and facilities to assist the Bureau in a variety of wildland fire and public safety programs at the Tribal, local, state, and national levels including fire suppression, training, prescribed burning, and response to other emergency and non-emergency incidents as requested under the National Interagency Incident Management System/Incident Command System (NIIMS); and
- WHEREAS,** various departments of the White Mountain Apache Tribe have developed the capacity, employees, resources, and facilities to provide assistance in such emergency and non-emergency incidents managed through the NIIMS; and
- WHEREAS,** utilizing tribal employees, resources, and facilities for such emergency and non-emergency incidents directly enhances Tribal goals of providing increased employment opportunities for Tribal members; and
- WHEREAS,** the Tribal-BIA Cooperative Agreement provides an avenue for Tribal departments to participate as full partners in the participation of such emergency and non-emergency incidents and thus assisting employees to maintain and/or enhance their qualifications, as well as to provide the mechanism for financial reimbursement to the Tribe when qualified Tribal employees and resources are preapproved and utilized through NIIMS.

**WHEREAS**, the Tribal Council of the White Mountain Apache Tribe has authorized and supports a Cooperative Agreement between the White Mountain Apache Tribe and the Bureau to provide financial reimbursement to the Tribe for their response to emergency and non-emergency incidents as requested under the NIIMS; and

**WHEREAS**, the terms of the Cooperative Agreement state that the responding Tribal employees are to be financial responsible for the transportation costs, fuel, and maintenance and repairs costs throughout the assignments, and for the meals and lodging costs to and from the incidents which are reimbursable according to the current state/federal travel policies; and

**WHEREAS**, in recent years the Tribal Departments have been unable to obtain or use Tribal credit and/or fuel cards that are needed for traveling to and from the incidents for purchasing fuel, supplies, equipment, potential repairs, food and lodging.

**BE IT RESOLVED** by the Tribal Council of the White Mountain Apache Tribe that it hereby authorizes the issuance and use of the applicable Tribal credit and/or fuel cards to the appropriate Tribal Departments that are responding to fire and other assignments under the Cooperative Agreement.

**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.

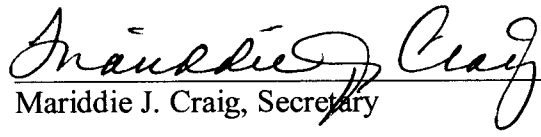
**BE IT FURTHER RESOLVED** by the Tribal Council of the White Mountain Apache Tribe that it hereby directs that in the event this Resolution directly conflicts with the Tribal Constitution, Tribal Ordinances or Federal Laws, this Resolution shall be declared null and void and have no legal effect.

**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 **JULY 16, 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), (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

7/19/13  
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Date

  
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Mariddie J. Craig, Secretary

07/18/2013  
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Date