



WHITE MOUNTAIN APACHE TRIBE

A Sovereign Tribal Nation

(Request for Bureau of Indian Affairs Western Regional Office New Regional Awarding Official and Notice to Begin the Process to a Program Agreement with the Federal Highway Administration)

- WHEREAS,** the Tribal Council finds it in the best interest of the Tribe to request to the Bureau of Indian Affairs (“BIA”) Western Regional Office (“WRO”) for Rebecca Smith Regional Awarding Official to be replaced with a new Regional Awarding Official for the Public Law 93-638 Contracts under the Division of Transportation; and
- WHEREAS,** Regional Awarding Official Rebecca Smith has delayed reimbursements to the Tribe, dismissed letters from Chairman Ronnie Lupe, and demanded work outside of the signed Public Law 93-638 Contracts; and
- WHEREAS,** the Tribal Council also finds it in the best interested to begin the process of moving the DOT to a Program Agreement with the Federal Highway Administration; and
- WHEREAS,** a Program Agreement with the FHWA will not impact the amount of funding the DOT receives nor will it change the Federal Regulations the DOT currently follows; and
- WHEREAS,** as a step to begin the process, Tribal Council directs the DOT Director to have a Financial Audit complete on all DOT contracts; and
- WHEREAS,** the New Regional Awarding Official will oversee DOT Public Law 93-638 Contracts until the Tribe is fully established in a Program Agreement with FHWA.

BE IT RESOLVED by the Tribal Council of the White Mountain Apache Tribe that it hereby approves the request for a new Regional Awarding Official for the Bureau of Indian Affairs Western Regional Office Public Law 93-638 Contracts with the Tribe’s Division of Transportation.

BE IT FURTHER RESOLVED by the Tribal Council of the White Mountain Apache Tribe that it hereby approves the Division of Transportation to begin the process of moving towards a Program Agreement with the Federal Highway Administration, starting with a Financial Audit of the Division of Transportation Program.


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 any material facts concerning the issues presented are later found to be false, this Resolution shall be deemed null and void and have no legal effect.

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.

Resolution No. 03-2018-60

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 MARCH 7, 2018 duly adopted by a vote of NINE for, ZERO against, and ONE abstentions by the Tribal Council of the White Mountain Apache Tribe, pursuant to authority vested in it under the enumerated powers listed in Article IV, Section 1 of the WMAT Constitution, so ratified on September 30, 1993, and federally recognized pursuant to Section 16 of the Indian Reorganization Act of June 18, 1934 (48 Stat. 984).

	<u>3/12/18</u>		<u>3/13/2018</u>
Ronnie Lupe, Tribal Chairman	Date	Doreen T. Numkena, Tribal Secretary	Date