



WHITE MOUNTAIN APACHE TRIBE

A Sovereign Tribal Nation

(Approving an Intergovernmental Agreement with the U.S. Department of Labor, Employment and Training Administration for the Workforce Innovation and Opportunity Act Program)

WHEREAS, for many consecutive years, the White Mountain Apache Tribe has had an intergovernmental agreement with U.S. Department of Labor, Employment and Training Administration (“USDOL-ETA”) to receive federal grants to operate the Workforce Innovation and Opportunity Act (“WIOA”) Title 1 Program, serving Tribal members on the Fort Apache Indian Reservation; and

WHEREAS, the intergovernmental agreement is in the process of being renewed and it has been recommended that the terms of renewal to be effective from April 1, 2018 through June 30, 2021, unless otherwise amended; and

WHEREAS, the Tribal Council finds it in the best interest of the Tribe to renew the intergovernmental agreement with the U.S. Department of Labor, Employment and Training Administration for the operation of the Workforce Innovation and Opportunity Act Title 1 Program.

BE IT RESOLVED by the Tribal Council of the White Mountain Apache Tribe that it hereby approves the intergovernmental agreement with the U.S. Department of Labor, Employment and Training Administration to receive the grant to operate the Workforce Innovation and Opportunity Act (WIOA) Title 1 Program to serve eligible adults, dislocated worker and youth in accordance with federal and state regulations.

BE IT FURTHER RESOLVED by the Tribal Council of the White Mountain Apache Tribe that it hereby authorizes the WIOA Director to update and modify the intergovernmental agreement as needed, provided that any substantive changes are subject to review by the Office of the Attorney General.

BE IT FURTHER RESOLVED by the Tribal Council of the White Mountain Apache Tribe that it hereby expressly waives its sovereign immunity for the limited purpose of enforcement of this Agreement. This waiver shall not be deemed to authorize consequential damages, punitive damages or lost profits against the White Mountain Apache Tribe in the event of suit.

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.

BE IT FURTHER RESOLVED by the Tribal Council of the White Mountain Apache Tribe that the Chairwoman, or in her 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 **SEPTEMBER 12, 2018** duly adopted by a vote of **ELEVEN** for, **ZERO** against, and **ZERO** 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).

 9/24/18  9/25/2018
Gwendena Lee-Gatewood, Chairwoman Date Doreen T. Numkena, Tribal Secretary Date