



WHITE MOUNTAIN APACHE TRIBE

A Sovereign Tribal Nation

Approving the 2019 ATNI/Commnet Application for Broadband Funding through the USDA Reconnect Grant Program to Provide Service to the White Mountain Apache Tribe on the Fort Apache Indian Reservation

- WHEREAS,** The Constitution of the White Mountain Apache Tribe (“Tribe”) of the Fort Apache Indian Reservation provides, at Article IV, Section 1(a) that the Tribal Council (“Council”) shall exercised the power “...to represent the tribe and act in all matters that concern the welfare of the Tribe, and to make decisions not inconsistent with or contrary to this constitution”; and
- WHEREAS,** The Tribe desires to promote and increase access to broadband internet on the Fort Apache Indian Reservation (the “Reservation”); and
- WHEREAS,** The United States Department of Agriculture (“USDA”) is currently offering funding to support such services through its “Reconnect Program”; and
- WHEREAS,** ATNI/Commnet is a broadband service provider working in the White Mountains and with other tribes outside the region, and is already pursuing this funding for improvements to system service in portions of Apache County; and
- WHEREAS,** If the Council approves, ATNI/Commnet will add the Tribe and the Reservation to its existing Reconnect program application; and
- WHEREAS,** If approved, the application plans include expansion of service to McNary, HonDah, Whiteriver, Canyon Day, and Cibecue; and
- WHEREAS,** System installation and subsequent operation will continuously prioritize the employment of Tribal members over non-member/non-tribal workers, including the provision of relevant training to those individuals as needed; and
- WHEREAS,** The Tribe will accordingly benefit substantially from this additional technology infrastructure on the Reservation; and
- WHEREAS,** If approved and constructed, the Tribe will initially access these services through subscription agreements but, after five years, could elect to assume at least partial ownership of the system or execute a revenue-sharing agreement; and
- WHEREAS,** The Council has reviewed the proposal to add the Tribe to ATNI/Commnet’s application for inclusion in the USDA’s Reconnect Program, and finds that inclusion of the Tribe

Resolution No. 05-2019-103

could help expand the provision of broadband wireless service on the Reservation, and its approval is in the best interests of the Tribe and its members.

BE IT RESOLVED by the Tribal Council of the White Mountain Apache Tribe that it hereby approves inclusion of the Tribe and the Reservation in the ATNI/Commnet 2019 USDA Reconnect funding application.

BE IT FURTHER RESOLVED by the Tribal Council of the White Mountain Apache Tribe that it hereby directs the Chairwoman or, in her absence, the Vice-Chairman, to execute any necessary agreements for this purpose.

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.

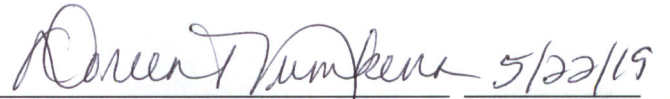
The foregoing resolution was on **MAY 14, 2019** duly adopted by a vote of **TEN** for, **ZERO** against, and **ZERO** abstentions by the Tribal Council of the White Mountain Apache Tribe, pursuant to authority vested in it under the enumerated powers listed in Article IV, Section 1 of the WMAT Constitution, 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).



5/22/19

Gwendena Lee-Gatewood, Chairwoman

Date



5/22/19

Doreen T. Numkena, Tribal Secretary

Date