



WHITE MOUNTAIN APACHE TRIBE

A Sovereign Tribal Nation

(Allocating \$6 Million of the Tribe's American Rescue Plan Act Funds to the White Mountain Apache Timber Company for the Purpose of Purchasing Equipment)

WHEREAS, The Constitution of the White Mountain Apache Tribe ("Tribe") of the Fort Apache Indian Reservation provides, at Article IV, Section 1(b) that the Tribal Council ("Council") shall exercise the power, "To negotiate, make and perform contracts and agreements of every description, not inconsistent with Federal law or this constitution, with any person, association, or corporation..."; and

WHEREAS, The Tribe has received funding from the American Rescue Plan Act ("ARPA") of 2021 to assist in mitigating and responding to the threat of COVID-19 ; and

WHEREAS, The White Mountain Apache Timber Company, a wholly-owned economic enterprise of the Tribe, has requested an allocation of \$6 million for ARPA funds for the purchase of badly-needed equipment; and

WHEREAS, "Government Services" is allowable use of the ARPA funding, through the Revenue Loss recovery provision. The Tribe is in the process of finalizing its Revenue Loss amount, which the Tribal Treasurer estimates will total around 4 times more that the requested amount of \$6M. As a result, the Tribal Council feels the request from WMATCO should be honored as it will allow the mill to stay operation longer, which will be benefit to the tribe and its members; and

WHEREAS, The Tribal Council finds that approving WMATCO equipment request of \$6M will help the mill run better and 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 an allocation of \$6 million of the Tribe's ARPA funds for WMATCO's purchase of equipment.

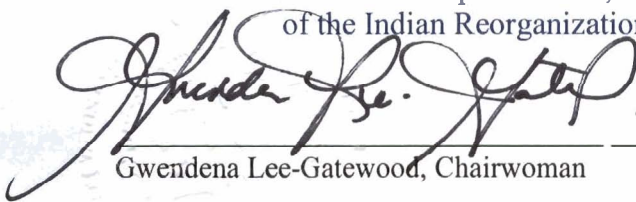
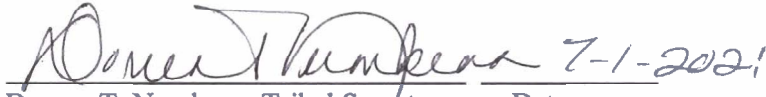
BE IT FURTHER RESOLVED by the Tribal Council of the White Mountain Apache Tribe that it hereby directs that in the event this Resolution directly conflicts with the Tribal Constitution, Tribal Ordinances, or any material facts concerning the issues presented are later found to be false, this Resolution shall be deemed null and void and have no legal effect.

Resolution No. 06-2021-119

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 JUNE 29, 2021 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>7.1.21</u>		<u>7-1-2021</u>
Gwendena Lee-Gatewood, Chairwoman	Date	Doreen T. Numkena, Tribal Secretary	Date