



# WHITE MOUNTAIN APACHE TRIBE

## A Sovereign Tribal Nation

### (Authorizing Application by Ndee Bikiyaa for DOE Clean Energy Tech on Tribal Lands Grant)

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**WHEREAS,** The Constitution of the White Mountain Apache Tribe (“Tribe”) of the Fort Apache Indian Reservation (“Constitution”) provides, at Article IV, Section 1(j) that the Tribal Council (“Council”) shall exercise the power “To accept grants and donations from any person, State, or the United States”; and

**WHEREAS,** The Tribal Council has declared development of Ndee Bikiyaa, Tribal Farm, and partners for development of the farm programming and production as a high priority, and one which the Council have determined to be beneficial and productive; and

**WHEREAS,** Funding assistance is needed by Ndee Bikiyaa for salaries, benefits, supplies, equipment, and consultants, and the Department Of Energy (“DOE”) grant program has announced availability of a grant up to \$5,000,000 that support energy projects, for which the Tribal Farm is eligible (“Grant”); and

**WHEREAS,** The grant does not require matching funds; and

**WHEREAS,** The Tribal Council has reviewed Ndee Bikiyaa’s request, and finds that authorizing the Tribal Farm to apply for the DOE Grant 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 authorizes and instructs Ndee Bikiyaa to make a timely and complete submission of the DOE grant application for spring 2024.

**BE IT FURTHER RESOLVED** by the Tribal Council of the White Mountain Apache Tribe that in the event that the Tribe receives grant funds, Ndee Bikiyaa and the Grants & Contracts Department are instructed to create a budget for receipt and expenditure of said funds, subject to the terms and conditions of any application funding agreement and review by the Tribe’s Office of Attorney General.

**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. 04-2024-077***

**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 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 April 23, 2024 duly adopted by a vote of TEN for, ONE 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 November 10, 2021, and federally recognized pursuant to Section 16 of the Indian Reorganization Act of June 18, 1934 (48 Stat. 984).

Kasey Velasquez 4-24-2024  
Kasey Velasquez, Chairman Date

Vaneyssa Johnson 4/29/2024  
Vaneyssa Johnson, Tribal Secretary Date