

RESOLUTION NO. 156 -21  
OF THE GOVERNING BODY OF THE  
YAVAPAI-APACHE NATION

**A Resolution Accepting Bureau of Indian Affairs One-Time, Non-Recurring  
Housing Improvement Funds and Requesting Waivers of the Housing  
Improvement Program's Regulations**

- WHEREAS:** The Yavapai-Apache Tribal Council (“Council”) is authorized to represent the Yavapai-Apache Nation (“Nation”) and act on all matters that concern the health and welfare of the Nation, and to make decisions not inconsistent with or contrary to the Constitution of the Yavapai-Apache Nation (Constitution”) as provided by Article V(a) of the Constitution; and
- WHEREAS:** The Council is authorized to accept grants and donations from any person, organization, state, or the United States as provided under Article V(s) of the Constitution; and
- WHEREAS:** The Council is authorized to manage all tribal economic affairs and to appropriate and regulate the use of the Nation’s funds as provided under Article V (i) and (k), respectively, of the Constitution; and
- WHEREAS:** The Bureau of Indian Affairs, Western Regional Office (BIA) has notified the Nation of a one-time, non-recurring allocation of Housing Improvement Funds to the Nation in the amount of \$124,322.00 that have been made available pursuant to the American Rescue Plan Act of 2021 (*Notice attached to this Resolution as Exhibit A and incorporated herein by reference*); and
- WHEREAS:** The Nation does not have a current ISDEAA Housing Improvement contract in effect, but funds may be distributed through a grant if the Nation provides this authorizing tribal resolution and a budget for the funds (*budget attached to this Resolution as Exhibit B and incorporated herein by reference*); and
- WHEREAS:** The Nation desires waivers of the Housing Improvement Program’s Regulations at 25 CFR Part 256 (*as set forth in the Notice attached to this Resolution as Exhibit A*) to allow the Nation to exercise greater flexibility in program execution and provision of services in response to the COVID-19 pandemic; and
- WHEREAS:** The Council finds it in the best interest of the Nation to accept the one-time, non-recurring Housing Improvement Funds and to request waivers of the Housing Improvement Program’s Regulations at 25 CFR Part 256.
- NOW THEREFORE BE IT RESOLVED** that the Yavapai-Apache Tribal Council, in Council assembled, at which a quorum is present, hereby accepts, on behalf of the Yavapai-Apache Nation, the one-time, non-recurring allocation of Housing Improvement Funds through a grant from BIA in the amount of \$124,322.00.

**BE IT FURTHER RESOLVED** that said grant funds shall be used for roof repairs as set forth in the budget attached to this Resolution as Exhibit B.

**BE IT FURTHER RESOLVED** that the Council, on behalf of the Yavapai-Apache Nation, requests waivers of the Housing Improvement Program's Regulations at 25 CFR Part 256 (*as set forth in the Notice attached to this Resolution as Exhibit A*) to allow the Nation to exercise greater flexibility in program execution and provision of services in response to the COVID-19 pandemic.


**BE IT FINALLY RESOLVED** that the Chairman, and Vice-Chairwoman, or either of them, are hereby authorized to take such further action as deemed necessary to carry out the intent and purposes of this Resolution.

### CERTIFICATION

I hereby certify that the foregoing resolution was adopted by an affirmative vote of the Tribal Council, with a quorum in attendance, presented for approval on August 19 2021, by a vote of 8 8 in favor, 0 opposed and 0 abstaining, pursuant to the authority contained under the Constitution of the Yavapai-Apache Nation as cited above.

  
Jon Huey, Chairman

ATTEST:

  
Karla Reimer, Council Secretary

Approved as to Form:

  
Office of the Attorney General

## EXHIBIT A

Notice from Bureau of Indian Affairs, Western Regional  
Office, of One-Time, Non-Recurring Allocation of  
Housing Improvement Funds  
Pursuant to the American Rescue Plan Act



## United States Department of the Interior

BUREAU OF INDIAN AFFAIRS

Western Regional Office

2600 N. Central Avenue

Phoenix, AZ 85004

IN REPLY REFER TO:

Indian Self-Determination Services

MS-303

JUN 03 2021

Honorable Jon Huey  
Chairman, Yavapai-Apache Nation  
2400 W. Datsi Street  
Camp Verde, Arizona 86322

Dear Chairman Huey:

I am pleased to announce our plans for the distribution of one-time, non-recurring Housing Improvement funds in the amount of \$124,322 to the Yavapai Apache Nation. These funds have been made available pursuant to the American Rescue Plan (ARP) Act of 2021, H.R. 1319, Public Law 117-2.

The following waivers of the Housing Improvement Program's Regulation, CFR 25, Part 256, will allow the Tribal governments to exercise greater flexibility in program execution and provision of services in response to the COVID-19 pandemic:

<b>Citation</b>	<b>[Subject] Language</b>	<b>Effect of Waiver</b>
25 C.F.R. § 256.6(b)	[Eligibility] You live in an approved tribal service area;	Residency would not be required for eligibility for ARP funds used for HIP activities in addressing coronavirus concerns.
25 C.F.R. § 256.6(c)	[Eligibility] Your annual income is 150 percent or less of the Department of Health and Human Services poverty income guidelines, which are available from your servicing housing office or the Department of the Interior Web site at <a href="http://www.bia.gov">www.bia.gov</a> ;	Household income would not be considered in determining eligibility for ARP funds used for HIP activities in addressing coronavirus concerns.
25 C.F.R. § 256.6(f)	[Eligibility] You have no other resource for housing assistance;	Beneficiaries would not be required to seek alternative resources before becoming eligible for ARP funds used for HIP activities in

		addressing coronavirus concerns.
25 C.F.R. § 256.6(h)	[Eligibility] You did not acquire your present housing through past participation in a Federal government-sponsored housing program over the previous 20 year period.	Homes acquired under other Federal government-sponsored housing programs would become eligible for ARP funds used for HIP activities in addressing coronavirus concerns.
25 C.F.R. § 256.23(b)(2)	[Participant Liabilities] Paying all costs associated with vacating and living away from the house;	Beneficiaries receiving assistance from ARP HIP funds would not be responsible for paying for costs associated with vacating or living away from the home during the project period.

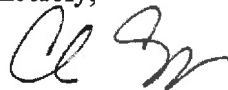
Further details and guidance relating to use and reporting requirements will be forthcoming.

The Yavapai Apache Nation is eligible to receive ARP funding via contract or compacts awarded under the Indian Self-Determination & Education Assistance Act (ISDEAA). The distribution of ARP funds may be through modifications to existing ISDEAA Housing Improvement contracts; a Grant with an authoring Tribal Resolution; or a term contract with a proposal in accordance with 25 CFR 900.8.

If the Tribe does not have a current ISDEAA Housing Improvement contract in effect, we are asking the Tribe to provide an authorizing Tribal Resolution and Budget for these funds within 20 days from the issuance of this letter. The Tribal Resolution and Budget or Proposal will be used as Tribal authorization to prepare a Grant or contract for the Tribe's review and approval under Title I of ISDEAA.

If there are any questions or concerns, please contact Ms. Nancy Jones at 602-376-6265 or Glenn Shafer at 602-379-4189, Ext. 1.

Sincerely,



Glenn Shafer  
Regional Awarding Official  
BIA-2019-L2-000042

cc: Superintendent, Truxton Canon Agency

## EXHIBIT B

Budget for One-Time, Non-Recurring Allocation of  
Housing Improvement Funds  
Pursuant to the American Rescue Plan Act

**Yavapai-Apache Nation**

**Grant Funding - 2021 Budget**

**Department:** YANTH

**Grant Name:** HIP BIA - American Rescue Plan (ARP) 2021

**Grant Amount:** \$124,322.00

**Purpose of Grant:** To provide housing improvement services.

Fund	Prog	GL	Project	Account Name	Detailed Description of grant by line item	Budget Amount
37	99	7214	999	Special Projects	Housing: Repair/Replace a minimum of 12 damaged roofs on the Yavapai-Apache Nation, based on an estimate of \$8,000-10,000 per roof	\$ 124,322.00
					<b>TOTAL</b>	<b>\$124,322.00</b>

**Required Match if Any (Monetary or In Kind):**

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