



# WHITE MOUNTAIN APACHE TRIBE

A Sovereign Tribal Nation

## **(Conditioning Eligibility for Emergency Financial Assistance Payment on Compliance with Applicable Regulations)**

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- 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 exercise the power, “To represent the tribe and to act in all matters that concern the welfare of the tribe...”; and
- WHEREAS,** The Novel Coronavirus (COVID-19) pandemic continues to spread worldwide, including on the Fort Apache Indian Reservation (“Reservation”); and
- WHEREAS,** As of this week, over 1,100 persons on the Reservation have tested positive for COVID-19; and
- WHEREAS,** No vaccine nor other effective treatment for this disease has yet been developed, making quarantine and social distancing best available mitigation strategy; and
- WHEREAS,** As a response to this unprecedented pandemic, the Council has enacted a number of regulations intended to enforce social distancing and slow the spread of this dangerous and destructive disease, including moratoriums on all public gatherings, a curfew, restrictions for businesses and Tribal departments, mask-wearing requirements, and closing the Tribe’s forests, among others; and
- WHEREAS,** Non-compliance with these measures has endangered, and continues to endanger, the health and lives of all of our Tribal members, especially those who are most vulnerable due to age, economic status, or existing health conditions; and
- WHEREAS,** The Tribe has received emergency funding through the Coronavirus Aid, Relief, and Economic Security Act (“CARES Act”), to address the economic hardships caused by the COVID-19 pandemic, a portion of which has been allocated for payments to individual Tribal members in need; and
- WHEREAS,** It has been proposed that, as a way to encourage compliance with the measures instituted by the Council, eligibility for the emergency financial assistance payments be conditioned upon responsible actions; and
- WHEREAS,** The Council have reviewed the proposal and find that conditioning eligibility for the emergency relief payment on compliance with applicable Tribal COVID-19 related

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regulations will help encourage social distancing, slow the spread of the virus, 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, from this date forward, any Tribal member who is found to be in violation of any provision of the applicable regulations intended to enforce social distancing shall be rendered ineligible for emergency financial assistance payments from the Tribe, including but not limited to the Tribal COVID-19 Emergency Relief Assistance payment scheduled for this month.

**BE IT FURTHER RESOLVED** by the Tribal Council of the White Mountain Apache Tribe that “applicable regulations”, as referenced above, includes all resolutions and provisions thereof that impose: moratoriums on public gatherings, curfew, restrictions for businesses and Tribal departments, mask-wearing requirements, closure of the Tribe’s forests, all other COVID-19 related regulations and restrictions enacted through Tribal Council Resolution.

**BE IT FURTHER RESOLVED** by the Tribal Council of the White Mountain Apache Tribe that individuals who have tested positive who fail to remain quarantined at home or at a designated Isolation and Quarantine Site for the duration of their quarantine period, as confirmed by home or site visits by the Tribe’s Community Health Representatives, the Whiteriver Police Department, Public Health Nurses, and/or contact tracing workers, will forfeit their eligibility for the Tribal COVID-19 Emergency Relief Assistance.

**BE IT FURTHER RESOLVED** by the Tribal Council of the White Mountain Apache Tribe that Tribal law enforcement agencies and other Tribal Departments tasked with enforcing this resolution shall deliver a written Notice of Violation to Tribal members found to be non-compliant that documents the nature of their non-compliance. The Tribal Treasurer shall be notified, not more than 24 hours after the Notice of Violation is issued, and shall remove the individual’s name from the payment disbursement list.

**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.


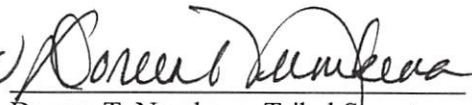

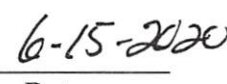
**BE IT FURTHER RESOLVED** by the Tribal Council of the White Mountain Apache Tribe that it hereby directs that in the event that this Resolution conflicts with a prior Resolution or Policy, this Resolution shall supersede and govern over the conflicting subject matter.

**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 **JUNE 11, 2020** duly adopted by a vote of **EIGHT** for, **ZERO** against, and **THREE** 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

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ratified on September 30, 1993, and federally recognized pursuant to Section 16 of the Indian Reorganization Act of June 18, 1934 (48 Stat. 984).

	
_____ Gwendena Lee-Gatewood, Chairwoman	_____ Doreen T. Numkena, Tribal Secretary
	
_____ Date	_____ Date