



WHITE MOUNTAIN APACHE TRIBE

A Sovereign Tribal Nation

(Adopting COVID-19-Related Halloween Restrictions)

WHEREAS, The Constitution of the White Mountain Apache Tribe (“Tribe”) of the Fort Apache Indian Reservation (“Constitution”) provides, at Article IV, Section 1(a) that the Tribal Council (“Council”) shall exercise the power “[t]o represent the tribe and act in all matters that concern the welfare of the Tribe, and to make decision not inconsistent with or contrary to this constitution”; and

WHEREAS, The World Health Organization declared a Public Health Emergency of International Concern regarding COVID-19 on January 30, 2020; US Department of Health and Human Services declared a Public Health Emergency related to COVID-19 on January 31, 2020; and the Tribe an Emergency Declaration due to COVID-19 on March 12, 2020; and

WHEREAS, As of October 28, 2020, there have been 2,631 community members who have tested positive for COVID-19 since April 1, 2020, with cases continuing to increase, in part, due to community COVID-19 fatigue and family gatherings; and

WHEREAS, The Tribe’s Emergency Operations Center (“EOC”) recommended, and the Council adopted, the United States Center for Disease Control and Prevention’s guidance in September 2020, when the number of active cases were in a steady decline; and

WHEREAS, The Whiteriver Service Unit of the Indian Health Services and the EOC are concerned with the recent uptick in COVID-19 cases in the community, the EOC therefore recommends canceling all Halloween-related activities on the Fort Apache Indian Reservation (“Reservation”); and

WHEREAS, In light of the continued growth of COVID-19 worldwide, including within the State of Arizona, Navajo County, and within the boundaries of the Fort Apache Indian Reservation, the Tribal Council has a compelling government interest to take additional measures to protect the health and safety of the public.

NOW THEREFORE BE IT RESOLVED by the Tribal Council of the White Mountain Apache Tribe that it hereby prohibits the following Halloween-related activities:

1. Traditional door-to-door trick-or-treating;
2. Trunk-or-treat community events;
3. In-person costume contests; and
4. Family or community parties, except among residents of individual households.



Resolution No. 10-2020-256

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 **OCTOBER 30, 2020** duly adopted by a vote of **SIX** for, **TWO** 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).

 11/2/2020  11-2-2020

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