



WHITE MOUNTAIN APACHE TRIBE

A Sovereign Tribal Nation

(Allocating \$3,245,324.62 of CARES Act Funds to Reimburse Apache Behavioral Health Services for Salary and Benefit Costs Incurred During COVID-19 Pandemic Due to Business Interruptions)

WHEREAS, The Constitution of the White Mountain Apache Tribe (“Tribe”) of the Fort Apache Indian Reservation provides, at Article IV, Section 1(k) that the Tribal Council (“Council”) shall exercise the power, “To appropriate tribal funds for tribal purposes...; and

WHEREAS, The Tribe received funding from the Coronavirus Aid, Relief, and Economic Security Act of 2020 (the “CARES Act”) to assist in mitigating and responding to the threat of COVID-19; and

WHEREAS, CARES Act funds are permitted to be allocated on salary and benefit reimbursements for periods during which business operations were interrupted because of COVID-19; and

WHEREAS, Apache Behavioral Health Services (“ABHS”) provided salaries and benefits to its employees through the pandemic, even though it was unable to recoup such costs in the ordinary course of business due to interruptions of service because of COVID-19; and

WHEREAS, The Council finds that allocating \$3,245,324.63 of CARES Act funds for the purpose of reimbursements to ABHS of salary and benefit costs incurred during the pandemic 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 \$3,245,324.63 of the Tribe’s CARES Act funds are hereby allocated to Apache Behavioral Health Services for the purpose of reimbursing salary and benefit costs incurred during the pandemic, which ABHS was not able to recoup through its ordinary course of business because of interruptions to service on account of the COVID-19 pandemic.

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.

Resolution No. 11-2020-283

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 NOVEMBER 17, 2020 duly adopted by a vote of TEN for, ZERO 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).



Gwendena Lee-Gatewood, Chairwoman

5/7/2021

Date



Doreen T. Numkena, Tribal Secretary

5-7-2021

Date