



WHITE MOUNTAIN APACHE TRIBE

A Sovereign Tribal Nation

(Resuming the Tribe's COVID-19 Alert System and Adopting and Implementing Indian Health Service Recommendations)

- 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 decisions not inconsistent with or contrary to this constitution"; and
- WHEREAS,** On March 12, 2020 in response to the COVID-19 worldwide pandemic, the Tribe made an Emergency Declaration, and has subsequently responded to this public health emergency through various stay-at-home orders, Lock Downs, and other precautionary measures; and
- WHEREAS,** Resolution No. 01-2021-01 amended the Tribe's Alert System for COVID-19 with the understanding that the EOC has authority to activate a Lockdown/Shelter-in-Place; and
- WHEREAS,** Resolution No. 08-2021-156 "Amending the Tribe's Phased Reopening Plan and Pausing the Tribe's Alert System" paused the Alert System until such a time that it could be reintroduced by the EOC in consultation with health officials; and
- WHEREAS,** After low case numbers in May, June, July, and August 2021, the Fort Apache Indian Reservation has seen an increase in COVID-19 cases, most notably on November 3, 2021 when the active cases reached 206; and
- WHEREAS,** The EOC met with the Whiteriver Indian Health Service ("IHS") on Wednesday, November 3, 2021, during which IHS recommended the following:
1. Reinstating a Lock Down System;
 2. Encouraging COVID-19 vaccinations;
 3. Prohibiting large indoor gatherings;
 4. Weekend lockdowns on November 6-7 and 13-14;
 5. Cancelling and restricting all non-essential indoor activities;
 6. Reimpose restrictions on children in business places and workplaces; and
 7. Encouraging sanitizing of homes and offices.
- WHEREAS,** EOC, this day, recommends that the Council implement IHS' above recommendations; and grant the EOC with the authority to pause and resume the Alert System for COVID-19 in consultation with the Whiteriver IHS; and

Resolution No. 11-2021-222

WHEREAS, The Council concurs with the recommendations of the EOC and IHS, and finds that adopting them is in the best interests of the Tribe and its members.

NOW THEREFORE BE IT RESOLVED by the Tribal Council of the White Mountain Apache Tribe that it hereby amends the Tribe's Phased Reopening Plan to include:

1. COVID-19 vaccinations and booster shots are strongly encouraged;
2. Non-essential large indoor gatherings are prohibited;
3. Weekend lockdowns shall be effect from November 6-7 and 13-14, consistent with the guidelines and regulations utilized during previous lockdowns;
4. All non-essential indoor activities are prohibited;
5. Children are hereby restricted from entering non-school and non-daycare related businesses workplaces; and
6. All are encouraged to renew efforts to sanitize homes and offices.

BE IT FURTHER RESOLVED by the Tribal Council of the White Mountain Apache Tribe that it hereby grants the EOC with the authority to pause and resume the Alert System after consulting with Whiteriver IHS and notifying the Tribal Council.


BE IT FURTHER RESOLVED that the Tribe further mandates all persons within a home be placed on quarantine when one member of their household has been diagnosed with COVID-19.


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 **NOVEMBER 4, 2021** duly adopted by a vote of **SIX** for, **THREE** 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).

 11.5.21
Gwendena Lee-Gatewood, Chairwoman Date

 11-5-2021
Doreen T. Numkena, Tribal Secretary Date