



WHITE MOUNTAIN APACHE TRIBE

A Sovereign Tribal Nation

(Authorizing an Intergovernmental Agreement between the White Mountain Apache Tribe Community Health Representatives Program and the Arizona Health Care Cost Containment System’s Advisory Council on Indian Health Care and Limited Waiver of Sovereign Immunity for the Same)

- WHEREAS,** The Constitution of the White Mountain Apache Tribe (“Tribe”) of the Fort Apache Indian Reservation provides, at Article IV, Section 1(b) that the Tribal Council (“Council”) shall exercise the power, “To negotiate, make and perform contracts and agreements of all descriptions... with any person, associations, or corporation, with any municipality or any county, or with the State of Arizona or the United States, including agreements with the State of Arizona for rendition of public services... ”; and
- WHEREAS,** The Arizona Health Care Cost Containment System/Arizona Advisory Council on Indian Health Care (“AHCCCS/AACIHC”) has approached the Community Health Representative Program/Division of Health Programs (“CHR/DHP”) with an Agreement to provide grant funding from the Center for Disease Control to address health inequities that contribute to increasing COVID-19 disparities, and to reduce COVID-19 related deaths within the Fort Apache Indian Reservation; and
- WHEREAS,** The goal of this grant funding is to enhance and expand training and deployment of Community Health Workers in their response to COVID-19 and future public health emergencies, to decrease the impact of COVID-19 on at-risk populations, and to decrease the health disparities and increase health equity in target populations; and
- WHEREAS,** The Agreement contains a limited waiver of the Tribe’s sovereign immunity from suit, after completion of all arbitration processes; and
- WHEREAS,** CHR/DHP, this day, requests approval of the above-specified Agreement with AHCCCS/AACIHC; and
- WHEREAS,** The Council has reviewed and considered the Agreement, with the limited waiver of sovereign immunity, and finds that approving their request 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 it hereby approves the above-specified Agreement, with the limited waiver of sovereign immunity, between CHR/DHP and AHCCCS/AACIHC.



Resolution No. 04-2022-86

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 APRIL 14, 2022 duly adopted by a vote of ELEVEN 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).

 4.21.22  4-21-2022
Gwendena Lee-Gatewood, Chairwoman Date Doreen T. Numkena, Tribal Secretary Date