



WHITE MOUNTAIN APACHE TRIBE

A Sovereign Tribal Nation

(Requesting that the U.S. Department of Health and Human Services Renew the Tribe's Existing P.L. 93-638 Patient Transportation Services Contract)

WHEREAS, The Constitution of the White Mountain Apache Tribe ("Tribe") of the Fort Apache Indian Reservation ("Constitution") 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 every description, not inconsistent with federal law or this constitution, with ... the United States ... for rendition of public services"; and

WHEREAS, The Tribe has managed the Patient Transportation Services program pursuant to a P.L. 93-638 (25 U.S.C. §450 et seq.) contract with the Secretary of the U.S. Department of Health and Human Services; and

WHEREAS, With the contracts set to expire, the Council now finds that requesting that the Department of Health and Human Service renew the P.L. 93-638 contract for the Patient Transportation Services program will help the Tribe be able to continue to provide necessary public services, 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 the Secretary of the U.S. Department of the Health and Human, is hereby requested to contract the federal functions identified for the Patient Transportation Services, pursuant to the Indian Self-Determination and Education Assistance Act (P.L. 93-638, 25 U.S.C. §450 et seq.).

BE IT FURTHER RESOLVED by the Tribal Council of the White Mountain Apache Tribe that it hereby authorizes the Grants and Contracts Department or the Division of Health Executive Director to process modifications throughout the fiscal year for Contract Support Costs, Direct Contract Support Costs, and Indirect Costs funding, with the understanding that all modifications are subject to legal review.

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. 10-2023-231

BE IT FURTHER RESOLVED by the Tribal Council of the White Mountain Apache Tribe that the Chairman, or in his 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 05, 2023** duly adopted by a vote of **SIX** 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 November 10, 2021, and federally recognized pursuant to Section 16 of the Indian Reorganization Act of June 18, 1934 (48 Stat. 984).


Kasey Velasquez, Chairman

06 OCT 23
Date


Vaneysa Johnson, Tribal Secretary

10/6/23
Date