

WHITE MOUNTAIN APACHE TRIBE

A Sovereign Tribal Nation

(Approval of IHS PL 93-638 Contract Provisions by Division of Health)

- WHEREAS, the White Mountain Apache Tribe is a federally recognized Indian Tribe established by Executive Order on November 9, 1891, whose tribal lands span across Apache, Gila and Navajo Counties, totaling 1.6 million acres located on parts of their ancestral homelands; and
- WHEREAS, pursuant to Article IV, Section 1 (a) and 1 (s) of the Constitution of the White Mountain Apache Tribe, *inter alia*, the Tribal Council has the authority to represent the Tribe and act in all matters that concern the welfare of the Tribe; and
- **WHEREAS**, the Tribal Council has created and directed the Division of Health Programs to oversee the public health departments on the Ft. Apache Indian Reservation; and
- **WHEREAS**, the Division of Health Programs has comprehensive plans to improve services to Tribal members, including continuing programs in progress and to include expanding services in the communities of Whiteriver, Cibecue and McNary; and
- **WHEREAS**, the Division of Health Programs has established the foundation and infrastructure to continue these services to the members of the White Mountain Apache Tribe; and
- WHEREAS, the Division of Health Programs supports the White Mountain Apache Tribe as a sovereign nation and Indian Self-Determination and Education Assistance Act of 1975 (Public Law 93-638) authorized by the Secretary of the Interior, the Secretary of Health, Education, and Welfare, and some other government agencies to enter into contracts with, and make grants directly to, federally recognized Indian Tribes. The Tribes have authority to determine how they choose to administer those funds; and
- **WHEREAS**, with permission of the Tribal Council, the Division of Health Programs will begin new IHS contracts with a retroactive approval start date of October 1, 2015; and
- **WHEREAS**, with permission of the Tribal Council, the Division of Health Programs is recommending the following programs remain separate:

HHSI247200700055C Community Health Representatives
HHSI247200700056C Emergency Medical Service
HHSI247200700058C Rainbow Treatment Center
HHSI247200700059C Division of Health Education
HHSI2471010009C Patient Transportation; and

- **WHEREAS**, with permission of the Tribal Council, the Division of Health Programs will enter into an agreement to change fiscal year from (May 1 April 30) to coincide with the federal fiscal year (October 1- September 30); and
- WHEREAS, with permission of the Tribal Council, the Division of Health Programs Executive Director should be made Point of Contact for IHS PL-638 Contracts with decision making authority; and
- WHEREAS, upon careful review, the Tribal Council has determined that the proposals set forth above are in the best interest of the Tribe.
- **BE IT RESOLVED,** by the Tribal Council of the White Mountain Apache Tribe that it hereby approves new IHS Contracts with the retroactive start date being October 1, 2015.
- **BE IT FURTHER RESOLVED** by the Tribal Council of the White Mountain Apache Tribe that it hereby approves the IHS PL93-638 contracts to remain separate.
- **BE IT FURTHER RESOLVED** by the Tribal Council of the White Mountain Apache Tribe that it approves the change of the fiscal year to Oct. 1/Sept. 30 cycle.
- **BE IT FURTHER RESOLVED** by the Tribal Council of the White Mountain Apache Tribe that it hereby approves the Point of Contact for IHS PL93-638 contracts with decision making authority be granted to the Division of Heath Programs, Executive Director.
- **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 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 **NOVEMBER 12, 2015** 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 September 30, 1993, and federally recognized pursuant to Section 16 of the Indian Reorganization Act of June 18, 1934 (48 Stat. 984).

Ronnie Lupe, Tribal Chairman

Date

oreen T. Numkena, Tribal Secretary

Date