



WHITE MOUNTAIN APACHE TRIBE

A Sovereign Tribal Nation

(Postponing Religious Gatherings on the Fort Apache Indian Reservation, Effective Immediately)

WHEREAS, The Constitution of the White Mountain Apache Tribe (“Tribe”) of the Fort Apache Indian Reservation provides, at Article IV, Section 1(a) that the Tribal Council (“Council”) shall exercise the power, “To 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, Worldwide, novel Coronavirus (“COVID-19”) has, to date, infected more than 513,000 people, and caused over 24,000 deaths; and

WHEREAS, Arizona is currently experiencing an exponential spike in cases as the federal government has been unable to control growth or provide adequate and timely testing of those exhibiting symptoms; and

WHEREAS, The most effective strategies for containment and mitigation of this pandemic are proving to be social distancing and quarantine; and

WHEREAS, Chapter Two of the Tribe’s Health and Safety Code provides the Tribe with authority to institute measures to prevent the spread of infectious disease; and

WHEREAS, The Council has already acted to take precautionary measures, among others, by enacting Resolution 03-2020-67, which closed all public places, imposed a curfew, and prohibited the gathering of more than 10 people, except in residential circumstances; and

WHEREAS, Pursuant to Resolution 03-2020-65, the Tribal Council also closed all forests, except for areas designated for Tribal members to gather firewood; and

WHEREAS, Additionally, by Resolution 03-2020-64, the Tribal Council temporarily closed the Fort Apache Indian Reservation to entry by non-members for recreational purposes; and

WHEREAS, In light of the continued growth of COVID-19 worldwide, including within Navajo County, the Tribal Council has a compelling government interest to take additional measures to protect the health and safety of the public; and

Resolution No. 03-2020-68

WHEREAS, The Tribal Council now finds that postponing all religious gatherings, as a way to prevent congregation and mitigate the spread of COVID-19, is in the best interests of the Tribe and its members and is the least restrictive means by which the public can be protected from the transmission of COVID-19.

BE IT RESOLVED by the Tribal Council of the White Mountain Apache Tribe that all religious gatherings on the Fort Apache Indian Reservation, including but not limited to traditional dances and ceremonies, faith-based, and church-related gatherings, shall be immediately postponed in the interest of protecting the health and safety of all Tribal members.

BE IT FURTHER RESOLVED by the Tribal Council of the White Mountain Apache Tribe that the language of this Resolution shall not be construed so as to prevent immediate family and household members from engaging in personal and family worship, prayer, study, fasting, or other exercises of religious devotion that do not require the breaking of quarantine and social distancing practices.

BE IT FURTHER RESOLVED by the Tribal Council of the White Mountain Apache Tribe that persons found by law enforcement to be in violation of this measure may be subject to fines of up to \$1,000.00 and the revocation of Tribal member privileges.

BE IT FURTHER RESOLVED by the Tribal Council of the White Mountain Apache Tribe that this measure shall remain in effect until such time that the Council acts to lift or modify it, or until lifted by the Tribe's Incident Commander.

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 MARCH 27, 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).

 3/27/2020  3/27/2020
Gwendena Lee-Gatewood, Chairwoman Date Doreen T. Numkena, Tribal Secretary Date