



WHITE MOUNTAIN APACHE TRIBE

A Sovereign Tribal Nation

(Extending COVID-19-Related Regulations Until At Least May 23rd and Implementing Gating Criteria Recommendations)

- 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 manners that concern the welfare of the Tribe, and to make decisions not inconsistent with or contrary to this constitution”; and
- WHEREAS,** The World Health Organization declared a Public Health Emergency of international concern regarding COVID-19 on January 30, 2020; U.S. Department of Health and Human Services declared a Public Health Emergency related to COVID-19 on January 31, 2020; and the Tribe issued an Emergency Declaration due to COVID-19 on March 12, 2020; and
- WHEREAS,** Worldwide, there is a total of 4,013,728 confirmed cases of COVID-19 and 278,993 fatalities as of May 11, 2020, with no current treatment available; and
- WHEREAS,** The most effective strategies for containment and mitigation of this pandemic are 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,** Today, Johns Hopkins Center for American Indian Health (“JHCAIH”) presented two reports for the Tribe’s consideration: (1) COVID-19 Data Briefing for WMA Tribe; and (2) Considerations for Re-Opening the Fort Apache Indian Reservation; and
- WHEREAS,** The objectives the of the data report are to: (1) understand the conditions of the state of COVID-19 on the FAIR and testing patterns; (2) monitor the trends and death rates on the FAIR; and (3) provide information that will assist the Tribe in its determination whether to lift restrictions; and
- WHEREAS,** The Gating Criteria, outlined by JHCAIH, to loosen restrictions has not yet been met on the FAIR within the past 14 days because: (1) daily infections have not decreased; (2) cumulative cases continue to grow and have not leveled off; and (3) doubling rates have increased without flattening the curve; and

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WHEREAS, In light of the continued growth of COVID-19 on the Fort Apache Indian Reservation, the Tribal Council has a compelling government interest to take additional measures to protect the health and safety of the public.

BE IT RESOLVED by the Tribal Council of the White Mountain Apache Tribe that, in the interest of protecting the health and safety of all Tribal members, the Gating Criteria provided by Johns Hopkins Center for American Indian Health is hereby implemented for the next two weeks.


BE IT FURTHER RESOLVED by the Tribal Council of the White Mountain Apache Tribe that all current restrictions and guidelines effectuated by all prior resolutions related to the WMAT COVID-19 pandemic are hereby extended until May 23, 2020, effective immediately.

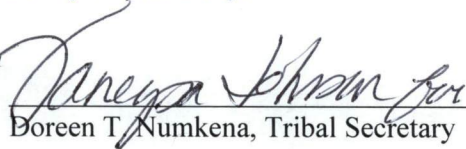
BE IT FURTHER RESOLVED by the Tribal Council of the White Mountain Apache Tribe that it hereby directs that in the event this Resolution directly conflicts with the Tribal Constitution, Tribal Ordinances, or any material facts concerning the issues presented are later found to be false, this Resolution 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 **MAY 8, 2020** duly adopted by a vote of **NINE** for, **ONE** against, and **ONE** 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).


Gwendena Lee-Gatewood, Chairwoman 05/12/20 Date


Doreen T. Numkena, Tribal Secretary 5/12/2020 Date