



# WHITE MOUNTAIN APACHE TRIBE

A Sovereign Tribal Nation

## (Permitting Certain Activities for Non-Residents and Implementing Safer-at-Home Initiative)

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**WHEREAS,** The Constitution of the White Mountain Apache Tribe (“Tribe”) of the Fort Apache Indian Reservation (“Constitution”) provides, at Article IV, Section 1(a) that the Tribal Council (“Council”) shall exercise the power “[t]o represent the tribe and act in all matters that concern the welfare of the Tribe, and to make decision not inconsistent with or contrary to this constitution”; and

**WHEREAS,** The Tribe made an Emergency Declaration on March 12, 2020 in response to the world wide novel coronavirus 2019 (COVID-19); and

**WHEREAS,** As of September 23, 2020 the total amount of COVID-19 positive cases is 2,435 since April 1, 2020 with 41 confirmed COVID-19 related deaths; and

**WHEREAS,** The Tribe implemented a COVID-19 Alarm System and a Phased Re-Opening Plan with Phase One commencing on August 10, 2020 and Phase Two commencing on September 3, 2020 with varying activities being allowed; and

**WHEREAS,** In the days since the initiation of Phase II reopening, there has been a slight uptick in the number of new cases; and

**WHEREAS,** The Tribe’s Emergency Operations Center (“EOC”), this day, recommends implementing certain restrictions for non-Residents of the Fort Apache Indian Reservation, with the permitted non-resident activities noted below; and

**WHEREAS,** After review and consideration, the Council finds that the EOC’s recommendations are necessary and reasonably calculated to halt the increase in new infections, and are in the best interests of the Tribe and its members.

**NOW THEREFORE BE IT RESOLVED** by the Tribal Council of the White Mountain Apache Tribe that, effective immediately, it hereby permits non-residents of the Fort Apache Indian Reservation to participate in the following limited activities on the Fort Apache Indian Reservation, subject to Tribal law and regulations:

1. Outdoor recreation activities, to be confirmed with a permit from Game and Fish;
2. Patrons of Hon-Dah Resort Casino and Hotel, subject to Hon-Dah’s guidelines and restrictions;
3. Graveside Services, with guidelines and restrictions as outlined in the appropriate resolutions;
4. Tribal employees and employees of other programs and businesses who must work or otherwise conduct business on the Reservation may enter; and

**Resolution No. 10-2020-235**

5. Members of tribes other than the Tribe may enter the Reservation to seek and obtain medical care.

The Reservation is hereby closed to non-residents of the Fort Apache Indian Reservation for all other activities not listed above until further notice or otherwise noted.

**BE IT FURTHER RESOLVED** by the Tribal Council of the White Mountain Apache Tribe that these measures apply only to nonmembers of the Tribe.

**BE IT FURTHER RESOLVED** by the Tribal Council of the White Mountain Apache Tribe that it hereby recognizes that the Reopening Plan allows for a phased reopening plan with each phase allowing for certain activities to resume, with appropriate guidelines and restrictions, but current guidance from the Center for Disease Control and Prevention shows that the safest place to be is at home with limited visitors.

**BE IT FURTHER RESOLVED** by the Tribal Council of the White Mountain Apache Tribe that it hereby encourages all residents to stay home as much as possible, especially those residents with high risk conditions, even while the phased reopening plan allows certain activities to resume.

**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 **OCTOBER 7, 2020** duly adopted by a vote of **EIGHT** for, **TWO** 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).



Gwendena Lee-Gatewood, Chairwoman

11/4/2020  
Date



11-5-2020  
Date

Doreen T. Numkena, Tribal Secretary