



WHITE MOUNTAIN APACHE TRIBE

A Sovereign Tribal Nation

(Reopening Certain Tribal Enterprises to Full Operation)

- WHEREAS,** The Constitution of the White Mountain Apache Tribe (“Tribe”) of the Fort Apache Indian Reservation provides, at Article IV, Section 1(i) that the Tribal Council (“Council”) shall exercise the power, “To manage all economic affairs and enterprises of the Tribe”; and at subsection (s) “...to regulate subordinate organizations for economic and other purposes”; and
- WHEREAS,** Throughout the COVID-19 pandemic, the Tribe has taken proactive public health measures to mitigate the spread of this virus; and
- WHEREAS,** The Tribe’s renowned contact tracing program has been instrumental in slowing the spread of COVID-19; and
- WHEREAS,** The Tribe is working with the Indian Health Services (“IHS”) to vaccinate as many Tribal members as possible and its workforce; and
- WHEREAS,** In recent months, the Tribe’s COVID indicator numbers have steadily dropped, signaling progress against the virus; and
- WHEREAS,** Many of the Tribe’s COVID-19 precautionary measures restricted Tribal enterprises, causing loss of important revenue, while similar businesses in some neighboring jurisdictions have not been restricted by state or local governments and have continued to operate, causing sustained lost revenue to Tribal enterprises; and
- WHEREAS,** Based on the decline of COVID-19 cases, the increase in Reservation-wide vaccinations, and aggressive contact tracing, the Council finds enacting a limited exception to the Tribe’s gated reopening criteria and plan for those certain Tribal Enterprises listed below is warranted and will help the Tribe manage an economic recovery at this time, 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, pursuant to this limited exception, the following named Tribal enterprises shall, effective immediately, reopen and resume full operations:

- Seven-Mile Store;
- Apache Service Station;
- Cibecue Stores;
- Tire Shop;
- Hay Store;
- Apache Auto; and
- Apache Enterprise administrative personnel.

BE IT FURTHER RESOLVED by the Tribal Council of the White Mountain Apache Tribe that all operations and departments of Hon-Dah Resort-Casino shall be re-opened, provided that alcohol may not be served until Council Resolution so allows.

BE IT FURTHER RESOLVED by the Tribal Council of the White Mountain Apache Tribe that the Tribe's Emergency Operations Center shall continually inspect the above-named locations to ensure their compliance with public health and safety regulations.



BE IT FURTHER RESOLVED that all other Tribal Enterprises, departments, offices and programs shall continue to be subject to the Tribe's Phased Reopening Plan and its gating criteria.

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 **FEBRUARY 23, 2021** duly adopted by a vote of **ELEVEN** 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).

 2/24/21  2/24/2021
Gwendena Lee-Gatewood, Chairwoman Date Doreen T. Numkena, Tribal Secretary Date