



WHITE MOUNTAIN APACHE TRIBE

A Sovereign Tribal Nation

(Approving Collaborative Agreement No. PHX-CA-21-0051 between the Tribe and Phoenix Area Indian Health Service Whiteriver Service Unit)

WHEREAS, The Constitution of the White Mountain Apache Tribe (“Tribe”) of the Fort Apache Indian Reservation provides, at Article IV, Section 1(b) that the Tribal Council (“Council”) shall exercise the power, “To negotiate, make and perform contracts of every description, not inconsistent with Federal law or this constitution with... the United States...”; and

WHEREAS, Pursuant to the authority of 25 USC 13 and 24 USC 2001, the Indian Health Service (“IHS”) is authorized to provide for the conservation of the health of eligible American Indian/Alaskan Native community members, in part, through the usage of collaborative agreements between IHS and eligible tribal governments; and

WHEREAS, The Tribe’s last Collaborative Agreement with IHS (No. PHX-CA-10-0029), authorized via Resolution No. 11-2010-311 has expired; and

WHEREAS, IHS has proposed a new collaborative agreement, whereby IHS may utilize Tribally-owned buildings and offices, if necessary, for the rendition of healthcare to the community; and

WHEREAS, The term of the new Collaborative Agreement is 36 months, and it does not require any allocation of Tribal funds, nor any waiver of the Tribe’s immunity; and

WHEREAS, The Council have reviewed the new Collaborative Agreement, and finds that its approval will help facilitate healthcare services 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 Collaborative Agreement No. PHX-CA-21-0051 between the Tribe and Phoenix Area Indian Health Service Whiteriver Service Unit is hereby approved.

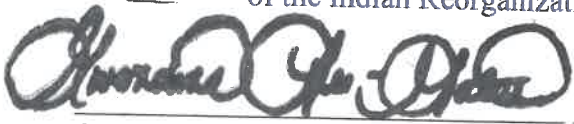
BE IT FURTHER RESOLVED by the Tribal Council of the White Mountain Apache Tribe that it hereby directs that in the event this Resolution directly conflicts with the Tribal Constitution, Tribal Ordinances, or any material facts concerning the issues presented are later found to be false, this Resolution shall be deemed null and void and have no legal effect.

Resolution No. 08-2021-142

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 AUGUST 4, 2021 duly adopted by a vote of EIGHT 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).



Gwendena Lee-Gatewood, Chairwoman

8/9/21
Date



Doreen T. Numkena, Tribal Secretary

8-10-2021
Date