



WHITE MOUNTAIN APACHE TRIBE
A Sovereign Tribal Nation

(Authorizing an Agreement with Sophos for Rapid Response Service)

WHEREAS, Pursuant to Article IV, Section 1(a) of the Constitution of the White Mountain Apache Tribe (“Tribe”), *inter alia*, the Tribal Council has the authority to represent the Tribe and act in all matters that concern the welfare of the Tribe; and

WHEREAS, The Tribe has experience an active security breach to its network servers and drives during the weekend of April 29, 2023; and

WHEREAS, The MIS Department has reached out to Sophos as a vender for Rapid Response Services to identify and neutralize the active threats, and to provide a summary report of their findings, actions, and future recommendations; and

WHEREAS, the MIS Department recommends moving forward with a Sophos agreement at the following quoted rate; and

Rapid Response Service – Up to 499 endpoints and servers - \$48,400.00

WHEREAS, the Tribal Council concurs with the MIS Department’s recommendation as it 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 it hereby authorizes entering into a professional service agreement with Sophos, which includes a limited waiver of sovereign immunity in the courts of the Commonwealth of Massachusetts for disputes arising under the agreement, to provide Rapid Response Service for the following amount:

Rapid Response Service – Up to 499 endpoints and servers \$48,400.00

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 Chairman, or in his absence, the Vice-Chairman, is hereby authorized to execute any and all documents necessary to effectuate the intent of this Resolution.

Resolution No. 05-2023-112

The foregoing resolution was on MAY 3, 2023 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 November 10, 2021, and federally recognized pursuant to Section 16 of the Indian Reorganization Act of June 18, 1934 (48 Stat. 984).

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| <u>Kay BVA</u> | <u>6.30.2023</u> | <u>Vaneysa Johnson</u> | <u>07/05/2023</u> |
| Kasey Velasquez, Chairman | Date | Vaneysa Johnson, Tribal Secretary | Date |