



MESCALERO *Apache* **TRIBE**

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PROCLAMATION
STATE OF EMERGENCY
IN RESPONSE TO COVID-19 PANDEMIC

WHEREAS, pursuant Section 10-16-10 of the Mescalero Apache Tribal Code, upon request of a majority of the members of the Mescalero Apache Tribal Council and after finding that a public disorder, disaster or emergency which affects life or property exists on the Mescalero Apache Reservation, the Tribe's President may proclaim a state of emergency, and;

WHEREAS, the Mescalero Apache Tribal Council passed Resolution No. 20-32 requesting that the Tribal President declare a state of emergency due to the coronavirus (COVID-19) pandemic; and

WHEREAS, the Tribal President does hereby find that a public disorder, disaster or emergency which affects life or property exists on the Mescalero Apache Reservation caused by coronavirus (COVID-19) pandemic and; that these conditions are or are likely to be beyond the control of the services, personnel, equipment, and facilities of the Mescalero Apache Tribe.

NOW, THEREFORE, IT IS HEREBY PROCLAIMED that a state of emergency now exists throughout the Mescalero Apache Reservation.

IT IS FURTHER PROCLAIMED AND ORDERED that during the existence of said state of emergency the powers, functions, and duties of the President shall be those prescribed by the Revised Constitution of the Mescalero Apache Tribe, Section 10-16-10 of the Mescalero Apache Tribe, and any other applicable Tribal laws and that the President will seek FEMA Public Assistance and other federal and state funding and issue restrictions and plans intended to mitigate, prepare and respond to the coronavirus (COVID-19) pandemic immediately.

BE IT FINALLY PROCLAIMED that this emergency proclamation shall expire in fourteen (14) days after issuance unless extended by the Tribal President.

By: Gabe Aguilar
Gabe Aguilar, President

Dated: 03/19/20

**MESCALERO APACHE TRIBE
MESCALERO, NEW MEXICO**

RESOLUTION NO. 20-32

WHEREAS, the Mescalero Apache Tribe, an Indian Tribe organized under the Indian Reorganization Act of June 18, 1934 (25 U.S.C. § 5123) and under its Revised Constitution has full power to act for the Tribe; and

WHEREAS, the Mescalero Apache Tribal Council has the power to act for the Tribe, and to represent the Tribe in all matters under powers vested in it by Article XI, Section 1(i) of the Revised Constitution of the Mescalero Apache Tribe; and

WHEREAS, the Mescalero Apache Tribal Council wishes to protect the health, safety, and welfare of the Tribe and its members, and to address conduct relating to the same on all lands on or in proximity to the exterior boundary of its Reservation that may affect the Tribe and its members; and

WHEREAS, in December 2019, an outbreak of respiratory illness due to a novel coronavirus (a disease now known as COVID-19), was first identified in Wuhan City, Hubei Province, China, and has spread outside of China, impacting other countries, including the United States; and

WHEREAS, as of today, March 19, 2020, across the globe, there are more than 240,000 confirmed cases of COVID-19, tragically resulting in close to 10,000 deaths worldwide, and there are 35 confirmed cases of COVID-19 in New Mexico; and

WHEREAS, the number of persons requiring medical care may exceed locally available resources, and controlling outbreaks minimizes the risks to the public, maintains the health and safety of the people of the Mescalero Apache Tribe, and limits the spread of infection in our communities and within the healthcare delivery system; and

WHEREAS, it is imperative for the Mescalero Apache Tribe to prepare for COVID-19 cases within the Mescalero Apache Reservation and surrounding areas, to implement measures to mitigate the spread of COVID-19 and to prepare for the number of tribal members needing medical care; and

WHEREAS, the Mescalero Apache Tribal Council finds it necessary to request that the President declare a state of emergency, pursuant to Section 10-16-10, to minimize and mitigate the effects of potential spread of COVID-19 onto the Mescalero Apache Reservation, to make Tribal resources available, help formalize emergency actions already underway within tribal government, and help the Mescalero Apache Tribe prepare for the potential spread of COVID-19.

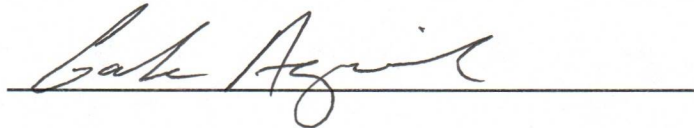
NOW THEREFORE BE IT FURTHER RESOLVED that the Mescalero Apache Tribal Council does hereby request that the Tribal President declare a state of emergency and authorize, activate, and enact emergency measures to utilize tribal resources, including personnel, and equipment and to request FEMA Public Assistance and other federal and state funding to mitigate the effects of this emergency for the protection of the Mescalero Apache Tribal people.

BE IT FINALLY RESOLVED that the Mescalero Apache Tribal Council does hereby authorize and approve the President to execute any and all documents as may be necessary and appropriate to carry out the terms, conditions and intent of this Resolution.

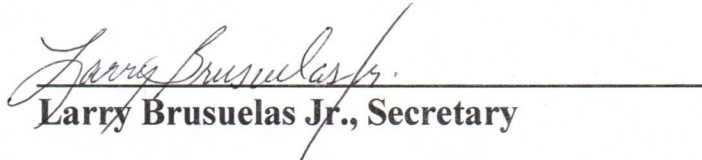
RESOLUTION 20-32

CERTIFICATION

The foregoing enactment of the Mescalero Apache Tribal Council is duly adopted and approved on the 19th day of March 2020, at a legally called session of the Mescalero Apache Tribal Council, by a vote of 7 in favor, 0 opposed, 0 abstaining and 0 absent at which a quorum was present and at which a majority of the members voted in favor thereof. This enactment is approved by the President of the Mescalero Apache Tribe under authority of Article XII, Section 1, of the Revised Constitution.

A handwritten signature in cursive script, appearing to read "Gabe Aguilar", is written over a horizontal line.

Robert Gabe Aguilar, President

A handwritten signature in cursive script, appearing to read "Larry Brusuelas Jr.", is written over a horizontal line.

Larry Brusuelas Jr., Secretary