THE HOPI TRIBE

HOPI EMERGENCY RESPONSE PLAN

Prepared by:
HOPI EMERGENCY RESPONSE TEAM
August 2005
HOPI EMERGENCY RESPONSE PLAN

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Section 1-101 Introduction

The Hopi Tribal Council, pursuant to the Constitution and By-Laws of the Hopi Tribe, has the authority to represent and speak for the Hopi Tribe in all matters for the welfare of the Tribe. Hopi Const., Article VI, Section 1(a).

The Hopi Emergency Response Plan (Plan) addresses the consequences of any emergency/disaster in which there is a need for Tribal response and recovery assistance, and describes the methods the Tribe will use to respond and conduct recovery assistance. The Plan is applicable to any natural and man-caused disasters that may impact and effect the Hopi Reservation, such as hazardous material spills, multiple vehicle crashes, aircraft crashes, severe winter storms, sewer lagoon breaks, and any other incidents that will require Tribal assistance.

The Tribe acknowledges that pre-planning is the optimal way to respond and provide recovery assistance in any emergency/disaster incident, that emergency planning must be a cooperative effort between all entities involved, that without a coordinated effort, any disaster effort may become fragmented and dangerously unsuccessful, and that a strong working partnership among all emergency responders must be established for implementation of an effective Emergency Plan.

The development and implementation of an Emergency Preparedness Plan requires the formation of a Hopi Emergency Response Team (HERT). The HERT is comprised of tribal entities, as well as, state and federal agencies, which will provide public services relative to emergency response on the Hopi Reservation.

In an effort to minimize the impact of any given emergency situation the Plan will include assignment of responsibilities and provide planning guidance among the HERT for mitigation, preparedness, response, and recovery assistance.

Section 1-102 Purpose

The purpose of this Plan is to:

1. Develop and implement a Response Readiness Plan that details the Tribe’s procedures to implement response activities in a timely and efficient manner, and to address, and contain any emergency situation that may occur on the Hopi Reservation.

2. Establish and Organize the Tribe’s emergency response and recovery methods for any emergency/disaster.

3. Describe the assignment of responsibilities and provide guidance to outside Tribal entities for emergency/disaster response and/or recovery assistance.

4. Describe the responsibilities and duties of the HERT.
Section 1-103 Mission of HERT

The mission of the HERT is to provide effective, coordinated, and planned response and recovery efforts for any emergency/disaster, or other emergency incident that occurs on the Hopi Reservation.

Section 1-104 Scope of Plan

This Plan applies to the HERT and all other Hopi Tribal Agencies which are tasked to provide response and recovery assistance on the Hopi Reservation. Emergency response assistance includes any actions and activities which will save lives, protect the public health and safety, and protect property. Emergency response assistance and recovery assistance may be conducted simultaneously and may overlap.

This plan is applicable to all emergency incidents or disasters of such magnitude as to require a response above that which is part of the normal role of the first responder. This Plan will utilize the Incident Command System.

Section 1-105 Definitions

The following definitions apply in the interpretation and application of this Plan:

1. "Agency or Private Entity" - any organization (i.e., Tribal, Village, County, State, or Federal) that contributes resources to an emergency/disaster incident on the Hopi Reservation.

2. "Agency Representative" - means the individual assigned to an emergency/disaster incident from an assisting or cooperating Agency that has been delegated full authority to make decisions on matters affecting that Agency's participation in response and recovery assistance.

3. "Allocated Resources" - means all resources committed to responding to an emergency/disaster incident.


5. "Command" - the act of directing, ordering, and/or controlling personnel and resources by virtue of explicit, legal, agency, or delegated authority.

6. "Command Post" - the primary location for exercise of an Incident command.

7. "Incident/Emergency" - means the existence of conditions which cause extreme peril to the safety of persons or property within the boundaries of the Hopi Reservation which require the combined efforts of all responding agencies on the Hopi Reservation and HERT Members.

8. "First Responder" - means any Tribal, County, State or Federal personnel who is first on the scene of a disaster, or emergency incident.

9. "Major Emergency" - means any hurricane, tornado, storm, flood, high-water, wind-driven water, earthquake, volcanic eruption, landslide, mudslide, snowstorm, drought, fire, explosion, or other catastrophe in any part of the Hopi Reservation which requires federal emergency assistance to supplement
state and/or tribal efforts to save lives and protect property, public health, and safety, or to avert or lessen the threat of a disaster.

10. "Major Disaster" - means any hurricane, tornado, storm, flood, high-water, wind-driven water, earthquake, volcanic eruption, landslide, mudslide, snowstorm, drought, fire, explosion, or other catastrophe in any part of the United States which in the determination of the President, causes damage of sufficient severity and magnitude to warrant major disaster assistance under the Disaster Relief Act of 1974, above and beyond emergency services by the Federal Government, to supplement the efforts and available resources of the States, local governments, and disaster relief organizations in alleviating the damage, loss, hardship, or suffering caused thereby.

11. "Mutual Aid" - means assistance from an outside agency (i.e., Federal, State, County, Tribal, and Private) that may include written agreement.

12. "State of Emergency" - means the duly proclaimed existence of conditions which cause extreme peril to the safety of persons or property within the boundaries of the Hopi Reservation caused by air pollution, fire, flood, storm, epidemic, riot, earthquake or other causes. The State of Emergency will be from the Chairman or his designee.

TYPES OF EMERGENCY SITUATIONS AND DISASTERS

Section 2-201 Types of Emergency Situations and Disasters

The following are some possible hazards that have the potential to disrupt Villages and other Hopi Tribal communities, and which may cause property damage and result in casualties on the Hopi Reservation.

A. Transportation Crashes/Mass Casualty
Local motor vehicle crashes are generally limited in size, area and involve a limited number of victims. However, incidents/accidents involving air or motor vehicles may result in mass casualties of serious injury or death. Major vehicle crashes may produce chemical spills, fires, and other aftermaths requiring special response and recovery assistance such as extrication, rescue evacuation, and Hazardous Materials services. Airplane crashes may create the need for all Tribal HRT members including allocated resources for response operations such as, rescue, evacuation, recovery assistance, and clean-up.

B. Hazardous Material Incident
A hazardous material incident refers to the occurrence of any uncontrolled release of materials capable of posing a risk to health, safety, and property. Hazardous materials are classified as explosives and blasting agents, flammable and inflammable gases, combustible liquid and solids, oxidizers, corrosives, etiologic agents, radioactive agents, and other hazardous waste. The manufacture, transport, storage, use, and disposal of hazardous material can create a substantial risk that a hazardous material incident will transpire, when periodic loss of control of such materials occurs. Generally, such events are confined to the transport of hazardous material. However, a hazardous material incident can present considerable risks to the lives, property, and environment of the Hopi people.
Response. Response refers to the activities and processes involved in responding to conditions which pose a threat to people, livestock, and/or property. A Response process includes, but is not limited to: the assessment of local conditions leading to decision making of whether to declare a state of emergency; decision making regarding deployment of resources at local, regional, and tribal levels; an assessment of whether there is need to request for state and federal agency assistance.

Recovery. Recovery refers to the planned activities that are undertaken once an emergency situation/disaster is under control and the response activities are nearly complete. This may include, but is not limited to: debriefing of the response operation, reporting of financial accounts, road clearing, repair and replacement of damaged properties, and cleaning of debris.

ORGANIZATION

Section 4-401 Organization of HERT

The Hopi Emergency Response Team (HERT) is comprised of several tribal, county, state and federal agencies, which perform services relative to emergency response, on the Hopi Reservation. The following sets forth the order by which response and recovery activities will be directed and undertaken:

1. The Hopi Tribal Chairman, as Chief Executive Officer of the Hopi Tribe, exercises overall direction of Hopi Tribal response.
   a. In the absence of the Chairman, the Vice-Chairman will provide overall direction for Hopi Tribal response
   b. Designee - assigned by the Chairman

2. The Hopi Tribal Chairman is the only official authorized to declare a state of emergency, if the Chairman or Vice Chairman is absent, the designee assigned by the Chairman and two assigned Tribal Council members will carry out this function as the governing body of the tribe.

3. The HERT consists of the following programs and agencies who currently respond to any emergency:

   Tribal Programs:
   Department of Natural Resources: Environmental Protection Office, Office of Range Management, Office of Land Operations, Veterinary Services; Abandoned Mine Land Program, Office of Hopi Lands Administration, Property Dismantling, Resource Enforcement Services, Wildlife & Ecosystem Management Program.
   Department of Health Services: Health Services, Emergency Medical Service Program.
Federal Government:
BIA Roads, Fire/Rescue Service, Police Department.

County Government:
Apache, Navajo and Coconino - Emergency Management, Public Health programs.

State Government: Emergency Management Division

4. The HERT will coordinate the cooperative efforts of all tribal, county, state, federal government(s), and private organizations in order to alleviate suffering and loss resulting from emergency incidents/disaster.

5. Each agency represented in the HERT will assure continuity of emergency planning efforts and the accomplishments of emergency functions herein assigned.

6. Certain agencies, due to their day-to-day functions and expertise, have the operational capability to coordinate an incident command system and are designated as lead First Responders.

7. Certain agencies, due to their day to day functions and expertise, have the operational capability to support the First Responders in accomplishing the mission stated in this plan and are designated as back up resources agencies.

8. Private relief organization(s) who desire to provide assistance within their capabilities to the HERT will be accepted as additional resources and provided training to enhance their capabilities.

This Plan is not intended to limit or restrict a HERT member’s initiative, judgment, or independent action in providing appropriate and effective disaster mitigation, preparation, response, and recovery. However, freedom of initiative cannot be used as an excuse for failure to take necessary coordinated action to successfully accomplish objectives provided for herein.

RESPONSIBILITIES

Section 5-501 Responsibilities of the HERT

1. Hopi Tribal Government

a. The Hopi Tribal Government in coordination with local, federal, and state governments shall plan for the mitigation of, response to, and recovery from any emergency incident/disaster.

b. The Hopi Tribal Government has the responsibility to respond to any emergency situation to the fullest extent possible and to utilize all available resources.

2. County Government

The County Government may provide assistance to the Hopi Tribe in carrying out this Plan upon request by the Hopi Tribe. The Tribe will have a Mutual Aid
Response. Response refers to the activities and processes involved in responding to conditions which pose a threat to people, livestock, and/or property. A Response process includes, but is not limited to: the assessment of local conditions leading to decision making on whether to declare a state of emergency; decision making regarding deployment of resources at local, regional, and tribal levels; an assessment of whether there is need to request for state and federal agency assistance.

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3. The HERT consists of the following programs and agencies who currently respond to any emergency:

   Tribal Programs:

   Department of Natural Resources: Environmental Protection Office, Office of Range Management, Office of Land Operations, Veterinary Services, Abandoned Mine Land Program, Office of Hopi Lands Administration, Property Dismantling, Resource Enforcement Services, Wildlife & Ecosystem Management Program.


   Department of Health Services: Health Services, Emergency Medical Service Program.
Agreement in place before the two entities agree on what their responsibilities will be and when those responsibilities will be acted upon.

3. State Government

The Division of Emergency Services, within the Department of Emergency and Military Affairs, is responsible for developing and coordinating plans for the effective utilization of all available resources to augment personnel and capabilities of the state's political subdivision in response to all disasters whereby the Hopi Tribe request for assistance and the state agrees to assist the tribe.

4. Federal Government

The Federal Government will respond to disasters and emergencies in order to provide assistance to save lives and protect public health, safety, and property upon request by Hopi Tribe and in conformance with any agreements, understandings entered into between the tribe and the Federal Government.

IMPLEMENTATION

Section 6-601 Implementation

A. Pre-emergency Stage - The Hopi Tribe Shall:

1. The Hopi Emergency Response Team (HERT) shall develop and maintain an Incident Command System (ICS) for accomplishing responsibilities assigned under this Plan. The ICS is a management system designed to enable effective and efficient domestic incident management by integrating a combination of facilities, equipment, personnel, procedures, and communications operating within a common organizational structure, designed to enable effective and efficient domestic incident management.

2. Develop cooperative mutual-aid agreements and relationships with federal, state, county, tribal agencies outside of the Hopi Reservation, and private organizations which possess the resources or capabilities that can assist the Hopi Tribe in responding to natural and man-caused disasters.

3. Establish and maintain liaison with the county and state agency counterparts to ensure knowledge of available resources and procedures for coordination in an emergency situation.

4. Within normal capabilities and areas of expertise, HERT will provide guidance to other agencies in planning and coordinating responsibilities. See agency action plans in appendices.

5. HERT will designate an agency representative for preparedness planning and to whom agency personnel will report to for emergency assignment.

6. Assign and train all personnel within the agency to meet agency responsibilities under an emergency situation.

7. Conduct exercises of internal standard operating procedures (SOP). The SOP will be in place for any type on incident.
8. Conduct exercises using the Hopi Emergency Response Plan. The HERT will work with the county, state and other tribes to set up mock emergency incidents/disasters.

B. Emergency Stage

1. Pre-Impact

   a. Upon learning of threatening conditions, the BIA Hopi Law Enforcement (dispatch) and/or Hopi Resource Enforcement Services will notify the Emergency Management Service Office and HERT members. Hopi Law Enforcement will have a list of the names of the contact persons who will evaluate reports of the developing situation, and who will:

      (1) Advise the Hopi Tribal Chairman or his designee of the impending situation; and

      (2) Alert primary tribal, Bureau of Indian Affairs, and Indian Health Service agencies, if necessary, of the developing situation.

   b. Primary tribal agencies and first responders will:

      (1) Alert key personnel in their agency;

      (2) Alert support agencies;

      (3) Coordinate with the villages/communities in the affected area; as whether emergency assistance will be required and advise Emergency Services Office.

2. Impact

   Upon notification by the HERT, agencies will initiate response and recovery operations in accordance with the following priorities:


   b. Providing mass care for individuals separated from their homes, families, or essential services;

   c. Restoration of essential community services.

C. Recovery Stage

1. The Tribe, through the HERT will assist individuals and families in recovering from an emergency incident/disaster by coordinating a disaster application center operation:

   a. Arrange for facility and furnishing;

   b. Provide staffing as required;

   c. Assist the communities and tribal programs on what HERT can assist in by advertising and outreach programs such as (Community Emergency Response Team training, FEMA requirements etc.).
2. Coordinate tribal, county, state, and federal public assistance funding efforts for the repair and replacement of public facilities, by coordinating:
   a. Applicant Agent Briefing; to provide information to assist in filling out required documents.
   b. The Submission Notice of Interest;
   c. The Appointment of Applicants Agents;
   d. The Writing of Damage Survey Reports.

Section 6-602 Continuity of Government

A. Line of Succession
   a. Tribal Chairman
   b. In the absence of the Chairman, the Vice Chairman
   c. Designee appointed by the Chairman

1. Upon declaration of an emergency, the Chairman will exercise administrative direction of the HERT.

2. The HERT will be responsible for the coordination and administration of emergency response operations.

3. The Agencies will exercise direction and control of their response operations from their duty offices until the Incident Command System is activated. Overall coordination will be exercised using the Incident Command System. Upon its activation, each operating agency will provide a liaison at the Incident Command Post (ICP) as appropriate.

4. The BIA Law Enforcement complex is designated as the ICP Center.

5. The ICP Center will:
   a. Be the primary post/site utilized to coordinate emergency operations in any emergency disaster. Constant communications will be maintained at the ICP between the affected villages/communities, and responding Agencies.
   b. Be partially or fully manned on a 24 hour basis as determined by HERT in coordination with the Hopi Tribal Chairman.

6. The Alternate ICP Location will be the Hopi Resource Enforcement Conference Room.

7. Field Office: When necessary, HERT will establish a field office in the emergency area to be staffed by Agency representatives.

B. Administrative

1. The Tribal Emergency Management Office in coordination with the HERT, and other Agencies, will review and revise this Plan as required in accordance to
the National Incident Management System. Also, each agency will review and update internal plans and procedures in support of this Plan as requested by the HERT.

2. Members of HERT will submit reports for every incident and provide to the Hopi Tribal Chairman when requested in order to provide pertinent information regarding response operation or unusual occurrences. Reports may be by telephone, radio, or messenger. Verbal reports should be documented in order to allow for subsequent operational evaluation.

3. Members of HERT will submit “final” written reports to the Hopi Tribal Chairman following the complete recovery of an emergency incident/disaster, in order to evaluate and improve existing plans and procedures undertaken by the governmental Agencies.

C. Training and Exercise

1. The Tribe will work in close coordination with the county, state, and federal divisions of emergency services to determine the availability of, and provide appropriate training for members of each agency and their personnel. Coordination will be at meetings, conference calls and by written memos. The cost of the training will be paid generally by grants from Homeland Security, FEMA or other programs.

2. The HERT will coordinate and conduct periodic exercises to test appropriate portions of this Plan.

3. The HERT will coordinate and conduct cross training with each agency involved in emergency response. This will provide a means to acquire trained personnel in multiple areas and attempt to address manpower shortfalls and budget restraints.

D. Preservation of Records

Each agency involved in disaster response operation will maintain operational control over its personnel, equipment, and supplies at all times. The Tribe will establish a system of record keeping to document personnel and resource commitment in response to disasters and other emergency incidents, during and after catastrophic disasters or national security emergencies.

DECLARATION OF A DISASTER

Section 7-701 Declaration of a Disaster

1. The First Responders will notify the Hopi Law Enforcement dispatcher, who will contact HERT, who will with agency representatives recommend to the Hopi Tribal Chairman that a disaster be declared.

2. When a disaster is declared, the Hopi Tribal Chairman will provide the necessary direction to preserve the peace and order of the Hopi Tribe, including but not limited to:
   a. Imposing a curfew;
   b. Ordering the closing of any business;
C. Closing to the public, access to public buildings, streets, and/or other public areas;

d. Calling upon regular or auxiliary law enforcement agencies and organizations;

e. Requesting mutual-aid from non-Hopi Agencies;

f. Commitment of local resources.

3. A State of Emergency may be declared by the Chairman when conditions of natural and man caused disasters has gone beyond both the Hopi Tribe's and the county government's capabilities and state assistance is necessary. Assistance from the state level of government is predicated on total commitment of resources of the Hopi Tribe, the Navajo County, and the Coconino County. The Hopi Tribal Chairman will initiate a request for assistance from the County Board of Supervisors, who in turn, will request assistance from the Director of the Division of Emergency Services when state assistance is deemed necessary. If the Governor declare a State of Emergency, upon execution of the declaration, the Arizona Division of Emergency Services (ADES) Director will initiate a response by notifying the appropriate State resource Agencies.

4. A presidential declaration of an Emergency may be requested by the Governor to meet specific needs to save lives, protect property, health, and safety or avert or lessen the threat of a disaster. This is a specialized direct assistance to meet a specific need, which must be stipulated by the State in a Federal State Agreement for emergencies. Requests from the Hopi Tribe through Coconino/Navajo County will be directed through HERT, to the Governor, who will request an Emergency Declaration by the President. Such requests will be made through the appropriate Regional Director, of the Federal Emergency Management Agency.

5. If the State National Guard has not been activated, request for activation will be forwarded through the Director of ADES. The Director will evaluate the request and make appropriate recommendations to the Governor.

6. The Governor will make a request for a Major Disaster declaration to the President, through the Regional Director, appropriate region FEMA, when a disaster situation is beyond the coordinated capabilities of local governments and the State Emergency Response Organization. Such a request shall be based on damage assessment and will indicate the degree of commitment of tribal, county, and state resources in attempting to cope with the disaster situation. If the President declares a major disaster, the Chairman can request for federal assistance through the Associate Director of FEMA, pursuant to the Federal-State Agreement for major disasters.

7. The Presidential Declaration of an Emergency of Major Disaster may, during the emergency stage of a disaster, make available:

a. Emergency Mass Care, if not provided by the Red Cross;

b. Emergency Debris Clearance. Clearance of Debris is limited to saving lives and protecting property, and public health and safety;

c. Emergency protective measures, including but not limited to search and rescue, demolition of unsafe structures, warning of further
risks and hazards, public information on health and safety measures and other actions necessary to remove or to reduce immediate threats to public health and safety, or the public property, or to private property when in the public interest;

d. Emergency restorative work, including emergency repairs to essential utilities and other essential facilities as necessary to provide for their continued operation;

e. Emergency communications, intended to supplement but not replace normal communication that remains operable.

8. During the recovery stage of a disaster, and only when a Major Disaster has been declared, the FEMA will prepare for the administrative section of the President's Disaster Relief Program in the affected area. Disaster efforts are usually cost shared: 75% Federal and 25% state and local. Two major categories of benefits are: (1) Individual Assistance—which directly provides for the basic needs of citizens, and (2) Public Assistance—which provides grants to local and state governments for the disaster relief needs of the community.


b. Public Assistance includes: loans to the community and grants for repair and restoration of facilities such as streets, roads, bridges, public utilities, public buildings, and private nonprofit facilities.
WHEREAS, the Constitution and By-Laws of the Hopi Tribe, ARTICLE VI-POWERS OF THE TRIBAL COUNCIL, SECTION 1 (a), (e) and (f) authorize the Hopi Tribal Council, "To represent and speak for the Hopi Tribe in all matters for the welfare of the Hopi Tribe, . . ."; "To raise and take care of a Tribal Council fund by accepting grants and gifts, . . .", and "To use such Tribal Council funds for the welfare of the Tribe, . . ."; and

WHEREAS, Homeland Security Presidential Directive issued 28 Feb. 2003 established the National Incident Management System (NIMS); and

WHEREAS, the NIMS establishes a single comprehensive approach to domestic incident management to ensure that all levels of governments across the U.S. have the capability to work efficiently and effectively together using a national approach to domestic incident management; and

WHEREAS, the NIMS provides a consistent nationwide approach for federal, state, local and tribal governments to work together to prepare for and respond to, and recover from domestic incidents regardless of the cause, size, or complexity; and

WHEREAS, pursuant to the Presidential Directive all federal departments and agencies shall make adoption of the NIMS a requirement, to the extent provided by law, for providing federal preparedness assistance through grants, contracts or other activities to local governments; and

WHEREAS, the Hopi Emergency Response Team (HERT) has developed the attached Hopi Emergency Response Plan (HERP) which is compatible with the National
HOPI TRIBAL COUNCIL
RESOLUTION
H-023-2006

Response Plan and the NIMS and will qualify the Tribe to seek federal funding from federal and state Homeland Security Programs, FEMA or other programs.

NOW THEREFORE BE IT RESOLVED that the Hopi Tribal Council has reviewed the HERP, attached hereto and made a part of and hereby adopts the HERP as the Hopi Tribes incident management system for preparation and response to domestic incidents occurring on the Hopi Reservation.

BE IT FURTHER RESOLVED that the Hopi Tribal Council hereby authorizes the Tribe's Emergency Management Service Office to seek assistance from and to coordinate with federal, state and local governments necessary to implement the HERP and carry out the intent and purpose of this Resolution.

BE IT FURTHER RESOLVED that the Hopi Tribal Council hereby authorizes the Tribal Chairman or his designee to sign, negotiate, enter into, and execute any agreements, and other documents necessary to carry out the intent of this Resolution.

BE IT FINALLY RESOLVED that the Hopi Tribal Council hereby directs the Tribal Treasurer to accept and expend funds in accordance with this Resolution and all applicable financial policies and procedures.
Hopi Tribal Council
Resolution
H-023-2006

Certification

The Hopi Tribal Council duly adopted the foregoing resolution on March 6, 2006, at a meeting at which a quorum was present with a vote of 18 in favor, 0 opposed, 0 abstaining (Chairman presiding and not voting) pursuant to the authority vested in the Hopi Tribal Council by Article VI-Powers of the Tribal Council. Section 1 (a), (e), and (f) of the Hopi Tribal Constitution and By-Laws of the Hopi Tribe of Arizona, as ratified by the Tribe on October 24, 1936, and approved by the Secretary of Interior on December 19, 1935, pursuant to Section 16 of the Act of June 18, 1934. Said resolution is effective as of the date of adoption and does not require Secretarial approval.

[Signature]
Todd Honyema Sr., Vice Chairman
Hopi Tribal Council

Attest:

[Signature]
Mary A. Felker, Tribal Secretary
Hopi Tribal Council