

**RESOLUTION OF THE
WHITE MOUNTAIN APACHE TRIBE OF THE
FORT APACHE INDIAN RESERVATION**

- WHEREAS,** the Tribal Council by previous resolution authorized a \$7 million bond issue of the White Mountain Apache Tribe for the purpose of funding certain governmental construction projects on the Fort Apache Indian Reservation; and
- WHEREAS,** one of the projects funded was the authorization of up to \$1.5 million for repair and restoration of the Theodore Roosevelt Boys Dorm, which lies within the Fort Apache Historic District; and
- WHEREAS,** pursuant to the Historic Preservation Act, federal agencies are required to use historic buildings rather than secure new space, if at all possible; and
- WHEREAS,** the proposed plan was to lease the Theodore Roosevelt Boys Dorm to the Bureau of Indian Affairs, Fort Apache Agency, so that all BIA offices on the Reservation could be consolidated in one building, and further, that said lease would satisfy the BIA's obligation to use historic buildings pursuant to the Historic Preservation Act and Executive Orders issued pursuant thereto; and
- WHEREAS,** the Fort Apache Agency Superintendent has awaited support and response from the Phoenix Area Office which has the responsibility to contact the General Services Administration (GSA) to negotiate a lease by the Bureau of the Theodore Roosevelt Boys Dorm from the Tribe for Bureau Agency purposes; and
- WHEREAS,** to the best of the Tribal Council's information, there has been no movement by the Phoenix Area Office to contact GSA and to initiate lease negotiations for the TR Boys Dorm building; and
- WHEREAS,** inaction by the Phoenix Area Office has caused interference and delay with the Tribe's Master Plan for the Fort Apache Historic District as well as planned moves of the Tribal Police Department into the current quarters of the Fort Apache Agency, thereby freeing up desperately needed space for expansion of the Whiteriver Jail and related facilities; and
- WHEREAS,** the Tribal Council concludes that the Phoenix Area Office should be given a time of not more than ten (10) days in which to contact GSA and to initiate substantial negotiations for a lease of the Boys Dorm.

BE IT RESOLVED by the Tribal Council of the White Mountain Apache Tribe that it hereby gives notice to the Phoenix Area Office Director that it expects the Phoenix Area Office to contact the General Service Administration within ten (10) days of receipt of this resolution for the purpose of negotiating and making substantial steps for a lease between the White Mountain Apache Tribe and the Bureau of Indian Affairs to lease the Theodore Roosevelt Boys Dorm for BIA agency purposes.

BE IT FURTHER RESOLVED by the Tribal Council that in the event the Phoenix Area Office does not make substantial progress with the General Service Administration within ten (10) days of the receipt of this resolution for a lease between the Tribe and BIA for the use of Theodore Roosevelt Boys Dorm for agency purposes, that it hereby directs Fort Apache Agency Superintendent Ben Nuvamsa to communicate directly with GSA for the foregoing purposes.


BE IT FURTHER RESOLVED by the Tribal Council that it views the Phoenix Area Offices delay in utilizing the Theodore Roosevelt Boys Dorm, an historic building, registered as such pursuant to the Historic Preservation Act and Register of Historic Buildings, as a violation of the Historic Preservation Act and Executive Orders issued pursuant thereto, and directs the office of the Tribal Attorney to pursue its investigation as to the liability of the Bureau of Indian Affairs for its neglect of buildings within the Fort Apache Historic District, including but not limited to those comprising the Theodore Roosevelt School.

The foregoing resolution was on August 3, 1995 duly adopted by a vote of eight for and zero against by the Tribal Council of the White Mountain Apache Tribe, pursuant to authority vested in it by Article IV, Section 1 (a), (b), (c), (f), (g), (h), (i), (n), (q), (s), (t) and (u) of the Constitution of the Tribe, ratified by the Tribe September 30, 1993, and approved by the Secretary of the Interior on November 12, 1993, pursuant to Section 16 of the Act of June 18, 1934 (48 Stat. 984).



Chairman of the Tribal Council

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Secretary of the Tribal Council