

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

- WHEREAS**, the Tribal Council is advised that there may be up to \$150,000 in unexpended Facilities Improvement and Repair (FI&R) Funds available from other Bureau of Indian Affairs (BIA) agencies that could be reprogrammed for use on the Fort Apache Indian Reservation, specifically, for the improvement and repair of facilities at Theodore Roosevelt School; and
- WHEREAS**, the utilization of BIA Agency FI&R Funds to improve and repair the Theodore Roosevelt School which lies within the Fort Apache Historic District is appropriate and may partially satisfy the obligations of the Bureau of Indian Affairs pursuant to the Historic Preservation Act to maintain the Theodore Roosevelt School which has been utilized since 1924 for Bureau Agency purposes, specifically the education of tribal members, a trust obligation of the United States; and
- WHEREAS**, the Tribal Council concludes that the Superintendent should be requested to reprogram said funds for the benefit of the Theodore Roosevelt School; and
- WHEREAS**, by previous resolution, the Tribal Council authorized a 638 procurement contract in the amount of \$800,000 for the purchase of portable classrooms for the Theodore Roosevelt School, and also adopted a resolution for the procurement of a portable cafeteria in the amount of \$395,000 from Facilities Improvement and Repair Funds; and
- WHEREAS**, the Tribal Council's purpose of procuring the portable classrooms and cafeteria was to augment the portable dormitories and provide a continuing educational facility at the Theodore Roosevelt School on a temporary basis with the hope of obtaining Congressional funding for construction of a new school to be located somewhere in the Canyon Day Community area; and
- WHEREAS**, improving and repairing the Theodore Roosevelt School is of paramount interest to the Tribal Council of the White Mountain Apache Tribe and the Bureau as a federal agency is mandated to maintain, repair and protect, pursuant to the Historic Preservation Act, historic buildings; and

WHEREAS, the Tribal Council concludes that the Tribal Chairman should be directed to take whatever steps are necessary to reprogram or obtain a decision as to whether or not the \$800,000 in portable classroom funds and the \$395,000 in facility improvement and repair funds may be reprogrammed for the improvement and repair of the Theodore Roosevelt School without jeopardizing said funding.

BE IT RESOLVED by the Tribal Council of the White Mountain Apache Tribe that it hereby directs the Fort Apache Agency Superintendent Ben Nuvamsa to request reprogramming of up to \$150,000 of unexpended FI&R funds from other BIA agencies for the purpose of utilizing said monies for the repair and improvement of the Theodore Roosevelt School of those health and safety concerns identified in the BIA funded Wyatt Rhodes Architect Report.

BE IT FURTHER RESOLVED by the Tribal Council that it directs the Tribal Chairman to take whatever steps are necessary to reprogram or obtain a decision as to whether or not the \$800,000 and portable classroom funds and the \$395,000 in Facility Improvement and Repair Funds may be reprogrammed and utilized to correct health and safety concerns identified in the BIA funded Wyatt Rhodes Architect Report on the Theodore Roosevelt School without jeopardizing the loss of said funds.

The foregoing resolution was on August 10, 1995 duly adopted by a vote of seven 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), (h), (i), (j), (k), (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



Secretary of the Tribal Council

SEP 19 1995