

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

- WHEREAS**, the Tribal Council, pursuant to Resolution No. 06-95-201 adopted June 8, 1995, identified that the Bureau of Indian Affairs has been allocated \$800,000 for the procurement of portable classrooms for the Theodore Roosevelt School; and
- WHEREAS**, said Resolution recognized that the need existed to procure the classrooms in the most expedient manner possible which would require the White Mountain Apache Tribe to procure the classrooms pursuant to a 638 contract; and
- WHEREAS**, thereafter, cutbacks in Congress and other considerations led to renewed discussion by the Tribal Council of the possibility of reprogramming the \$800,000 to repair the existing facilities at Theodore Roosevelt School, which had been sorely neglected by the Bureau of Indian Affairs for at least two decades; and
- WHEREAS**, the Tribal Council, at the request of the principal of the Theodore Roosevelt School and the TR Board of Education, has concluded that the purchase of the portable classrooms with the \$800,000 from the Bureau of Indian Affairs should proceed as originally planned so that students attending the school will have safe classrooms pending rehabilitation of the permanent TR School by the Bureau of Indian Affairs; and
- WHEREAS**, the Tribal Council wishes to make it clear to the Bureau of Indian Affairs that procurement of the classrooms shall not in any way be considered an abandonment by the Tribe of the Theodore Roosevelt School, nor a waiver by the Tribe of the trust obligation of the Bureau of Indian Affairs to have maintained and to continue to maintain and rehabilitate the Theodore Roosevelt School for the benefit of Apache and other Indian children's education; and
- WHEREAS**, the Tribal Council reminds the Bureau of Indian Affairs that the National Historic Preservation Act creates and imposes a duty upon the Bureau of Indian Affairs to utilize buildings on the Registry of National Historic Places whenever possible and that the State Historic Preservation Organization [SHPO] only allowed two years' use of the portable classrooms while the BIA was to complete repairs to the dormitories and classroom and cafeteria buildings and that said two year period has expired; and

**WHEREAS**, the Tribal Council wishes to proceed expeditiously with the procurement of the portable classrooms pursuant to a 638 contract and wishes to authorize the Tribal Chairman, or his designee, to execute any and all documents necessary to carry out said procurement.

**BE IT RESOLVED** by the Tribal Council of the White Mountain Apache Tribe that it hereby approves and accepts the portable classrooms offered by the BIA for the Theodore Roosevelt School.

**BE IT FURTHER RESOLVED** by the Tribal Council that the 638 procurement contract for the purchase of the portable classrooms shall be between the BIA and the White Mountain Apache Tribe.

**BE IT FURTHER RESOLVED** by the Tribal Council that the Tribe agrees to maintain the portable classrooms on the condition that the BIA transfers operation and maintenance funding to the Tribe for that purpose.

**BE IT FURTHER RESOLVED** by the Tribal Council that it hereby authorizes the Chairman and, in his absence, the Vice Chairman, to sign any and all necessary documents, and contract applications necessary for the purchase of the portable classrooms.

**BE IT FURTHER RESOLVED** by the Tribal Council that it hereby reaffirms Resolution No. 06-95-201 for the purchase of the portable classrooms.

**BE IT FURTHER RESOLVED** by the Tribal Council that it hereby makes demand upon the Bureau of Indian Affairs to complete the renovation of what is known as the Girls Dorm at Theodore Roosevelt School and for the completion of all other health and safety concerns identified by the FMCC in Albuquerque, New Mexico, that currently exist at the Theodore Roosevelt School.

The foregoing resolution was on November 8, 1995 duly adopted by a vote of ten 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), (i), (j), (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