



Resolution No. 11-2005-325

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

**(Requesting 9.5% of Road Construction Fund Allocation for Road Maintenance Purposes
in Accordance with P.L. 109-59)**

WHEREAS, the Bureau of Indian Affairs, Fort Apache Agency, Road Maintenance program's fiscal year 2006 funding has been decreased by the U.S. Department of Interior;
and

WHEREAS, the Road Maintenance program annual funding allocations, for the past decade and beyond (see attached table), has not had any increase reflective of /need, cost of living increase, or increased cost of materials, supplies and roads maintenance equipment; and

WHEREAS, this lack of adequate funds has forced the Bureau of Indian Affairs, Fort Apache Agency to start actions to downsize the Roads Maintenance Program by reducing staff costs by 40%, and planning for the reduction of services to reflect the reduced staffing levels; and

WHEREAS, the proposed reduction of services will include reducing coverage, greatly reducing response time and services during extreme snows, and other disasters, resulting in serious and unsafe road conditions for Members of the White Mountain Apache Tribe and others; and

WHEREAS, the recently enacted P.L. 109-59 "Safe, Accountable, Flexible, Efficient Transportation Equity Act: A legacy for Users" or SAFETY-LU, has provided the right of a Tribe to use up to 25 percent of its road construction funds allocation for roads maintenance purposes; and

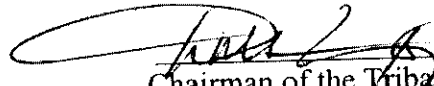
WHEREAS, the Tribal Transportation Committee recognizes the immediate need and severe impacts upon the tribe and therefore recommends and supports the use of 9.5% of its construction funds allocation of \$3.9 million to be used for the Fort Apache Agency's Road

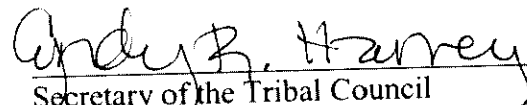
BE IT RESOLVED by the Tribal Council of the White Mountain Apache Tribe that it hereby requests that the BIA use 9.5% of \$3.9 million of White Mountain Apache Tribe's road construction fund allocation for the amount of \$370,500 for fiscal year 2006 be used by the Bureau of Indian Affairs, Fort Apache Agency for road maintenance purposes in accordance with Section 1119(i) of P.L. 109-59.

Resolution No. 11-2005-325

BE IT FURTHER RESOLVED by the Tribal Council of the White Mountain Apache Tribe that it hereby authorizes the Tribal Chairman, or in his absence the Vice-Chairman or other duly authorized representative, to execute any and all documents necessary to carry out the intent of this resolution.

The foregoing resolution was on November 16, 2005, duly adopted by a vote of SIX for and ZERO against by the Tribal Council of the White Mountain Apache Tribe, pursuant to the authority vested in it by Article IV, Section 1 (a), (b), (c), (i), (j), (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