



WHITE MOUNTAIN APACHE TRIBE

A Sovereign Tribal Nation

(Authorizing Execution of a Public Law 100-297 Grant For Theodore Roosevelt School Facility Projects)

- WHEREAS,** The Constitution of the White Mountain Apache Tribe (“Tribe”) of the Fort Apache Indian Reservation provides, at Article IV, Section 1(b) that the Tribal Council (“Council”) shall exercise the power, “To negotiate, make and perform contracts and agreement of every description...with the United States...”; and
- WHEREAS,** Theodore Roosevelt School (the “School”) is funded by the federal government as a tribally-controlled school of the Tribe that serves the qualifying school age children of the Tribe and of other Indian tribes; and
- WHEREAS,** The School occupies three buildings within historic Fort Apache, the Girls Dormitory, Building no. 120/231, the Cafeteria, Building no. 119/230, and the Main Classrooms and Administration, Building no. 118/229; and
- WHEREAS,** Under the terms of the settlement agreement between the Tribe and the United States in *White Mountain Apache Tribe vs. United States of America*, United States Court of Federal Claims, No. 99-148L, the federal government maintains responsibility for the three School buildings as long as such buildings are used by the Secretary of the Interior for school or administrative purposes; and
- WHEREAS,** The School has been advised that the Department of Interior, Indian Affairs, Division of Facilities Management and Construction has authorized funding in an amount not to exceed \$1,700,000 to undertake multiple work orders for the three School buildings, including the installation of a new HVAC system and renovations to the Girls Dormitory bathroom and laundry (the “Work”); and
- WHEREAS,** The Division of Facilities Management and Construction can undertake the Work through its own management, but in the alternative, and at the direction of the Tribe, it can authorize the Tribe to undertake the Work pursuant to a P.L. 93-638 contract, or it can authorize the School to undertake the Work pursuant to a P.L. 100-297 grant; and
- WHEREAS,** The School Board finds that the objectives of the Tribe and the School can be implemented with greatest efficiency and benefit pursuant to a P.L. 100-297 grant; and
- WHEREAS,** The School has the personnel and procedures to properly manage the work project and requests approval for this undertaking from the Tribal Council; and

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WHEREAS, The Council has considered the School Board’s request and agrees that the School can most efficiently and satisfactorily complete the Work itself through a P.L. 100-297 Grant, and that this method of undertaking the Work is in the best interests of the School, as well as of the Tribe and its members.

BE IT RESOLVED by the Tribal Council of the White Mountain Apache Tribe that it hereby concurs with the School Board and hereby authorizes the decision that Theodore Roosevelt School undertake the HVAC, Dormitory Bathroom/Laundry Renovation and related projects for the three School buildings at Fort Apache under a grant of funds not to exceed \$1,700,000 pursuant to a P.L. 100-297 Grant to Theodore Roosevelt School.

BE IT FURTHER RESOLVED by the Tribal Council of the White Mountain Apache Tribe that it hereby directs that in the event that this Resolution conflicts with a prior Resolution or Policy, this Resolution shall supersede and govern over the conflicting subject matter.

BE IT FURTHER RESOLVED by the Tribal Council of the White Mountain Apache Tribe that the Chairwoman, or in her absence, the Vice-Chairman, is hereby authorized to execute any and all documents necessary to effectuate the intent of this Resolution.


The foregoing resolution was on **NOVEMBER 4, 2020** duly adopted by a vote of **ELEVEN** for, **ZERO** against, and **ZERO** abstentions by the Tribal Council of the White Mountain Apache Tribe, pursuant to authority vested in it under the enumerated powers listed in Article IV, Section 1 of the WMAT Constitution, so ratified on September 30, 1993, and federally recognized pursuant to Section 16 of the Indian Reorganization Act of June 18, 1934 (48 Stat. 984).



Gwendena Lee-Gatewood
Tribal Chairwoman

11/5/2020

Date



Doreen T. Numkena
Tribal Secretary

11-6-2020
Date