



# WHITE MOUNTAIN APACHE TRIBE

A Sovereign Tribal Nation

**(Authorizing the Fort Apache Heritage Foundation, Inc. to Enter Into P.L. 93-638 Self Determination Contract(s) to Complete Maintenance, Repair, and Environmental Damage Mitigation Work at the Fort Apache and Theodore Roosevelt School National Historic Landmark)**

---

**WHEREAS,** the Fort Apache Heritage Foundation, Inc. ("Foundation") was chartered by the Tribal Council of the White Mountain Apache Tribe in 1998 to provide technical, financial, and other support to the Tribe's heritage perpetuation and economic development efforts; and

**WHEREAS,** the Settlement Agreement entered into between the Tribal Council of the White Mountain Apache Tribe and the United States on April 7, 2005, in resolution of *WMAT v. U.S.*, 537 U.S. 465 (2003), and the Congressionally approved Use Plan for the Settlement Proceeds, calls for the Foundation to manage the preservation, rehabilitation, and adaptive reuse of the Fort Apache Property as described in the Settlement Agreement for the benefit of the White Mountain Apache Tribe; and

**WHEREAS,** the Memorandum of Agreement entered into between the Tribal Council of the White Mountain Apache Tribe and the Fort Apache Heritage Foundation Inc., authorizes the Foundation to enter into P.L. 93-638 Self Determination Contracts for work to be completed on the Fort Apache Property for the benefit of the Tribe; and

**WHEREAS,** in a letter to Tribal Chairman Ronnie Lupe dated January 4, 2016, following a meeting between the Tribal Council and BIA representatives, the Regional Director of the Western Region of the Bureau of Indian Affairs offered an opportunity for the Tribe or a Tribal Entity under 25U.S.C. §450 et seq., to enter into a Indian Self-Determination contract to complete the following maintenance, repair, and environmental mitigation projects within the Fort Apache Property: 1) Boiler Removal and Replacement with Propane Tank, Building 118/229; 2) Boiler Removal and Replacement with Propane Tank, Building 120/231; 3) Environmental Cleanup and Removal of Underground Fuel Storage Tanks (UST); 4) Diesel (Fuel Oil) Junction Box removal and remediation; 5) Drinking Water Distribution System Upgrade; 6) Grading/Culvert Replacement behind Building 231; 7) Sidewalk Replacement.

**BE IT RESOLVED** by the Tribal Council of the White Mountain Apache Tribe that it hereby authorizes and approves of the Fort Apache Heritage Foundation, Inc., to enter into P.L. 93-638 contracts with the Bureau of Indian Affairs to complete the projects identified above and for future construction, maintenance, repair, and environmental mitigation projects located within the Fort Apache Property.

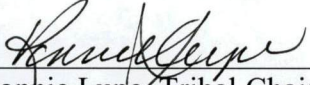


***Resolution No. 02-2016-18***

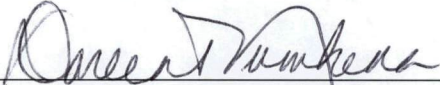
**BE IT FURTHER RESOLVED** by the Tribal Council of the White Mountain Apache Tribe that it hereby directs that in the event this Resolution directly conflicts with the Tribal Constitution, Tribal Ordinances, or any material facts concerning the issues presented are later found to be false, this Resolution shall be deemed null and void and have no legal effect.

**BE IT FURTHER RESOLVED** by the Tribal Council of the White Mountain Apache Tribe that the Chairman, or in his 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 **FEBRUARY 4, 2016** duly adopted by a vote of **TEN** 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).

  
\_\_\_\_\_  
Ronnie Lupe, Tribal Chairman

2/4/16  
\_\_\_\_\_  
Date

  
\_\_\_\_\_  
Doreen T. Numkena, Tribal Secretary

2/4/2016  
\_\_\_\_\_  
Date