

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

- WHEREAS,** many tribal members are receiving or will be receiving Social Security benefits and the Social Security Administration requires that certain individuals have a Representative Payee to receive benefit checks and to monitor the beneficiaries' use of those funds to ensure that their needs are met, including shelter, food, clothing, and health care; and
- WHEREAS,** some beneficiaries have designated family members as their Representative Payee but abuses have occurred, including the use of funds for the Payee's personal needs; moreover, funds are not monitored for correct use and beneficiaries are not having their basic needs of shelter, food, clothing and health care met; and
- WHEREAS,** some beneficiaries have complained of their families misuse of funds and have requested assistance, to ensure that their financial stability is not further jeopardized; and
- WHEREAS,** currently the Bureau of Indian Affairs Fort Apache Agency Superintendent, Tribal Social Service case workers, Guidance Center case workers, and other tribal staff are fulfilling this role and are the Representative Payees for some tribal members; however, this situation creates an overburden of work and responsibilities and the necessary accounting of funds is not being done as it should be, due to lack of time, personnel, and training; and
- WHEREAS,** Tribal Social Services, Elderly Services, the Guidance Center, the BIA and the Social Security Administration as well as other tribal personnel respectfully request that the Tribe establish a Tribal Public Fiduciary to act as Representative Payee, in order to better serve the Tribe and individual Tribal members; and
- WHEREAS,** the Tribal Public Fiduciary would: (1) become a department within Tribal Social Services; (2) act as Representative Payee for those who are required by the Social Security Administration to have a Payee; and (3) provide financial monitoring and accounting to tribal members who are incapable of caring for their own financial stability due to mental illness or incapacity (permanent or temporary), alcoholism, drug addiction or any other reason which interferes with a person's intellectual ability to care for his or her own financial health; and

WHEREAS, the Tribal Council of the White Mountain Apache Tribe concludes that there exists good cause to protect individual elderly or disabled tribal members receiving Social Security from the above described abuse, and it is in the Tribe's best interest to protect tribal members and to offer assistance to those in need.

BE IT RESOLVED by the Tribal Council of the White Mountain Apache Tribe that subject to procurement of funding, a Tribal Public Fiduciary be established within Tribal Social Services to provide financial management assistance to those who cannot, for whatever reason, manage their own financial affairs, and to act as Representative Payee for Social Security beneficiaries.

BE IT FURTHER RESOLVED by the Tribal Council, that the Tribal Attorney's office is directed to draft a Public Fiduciary Ordinance after consultation with the various tribal departments effected.

BE IT FURTHER RESOLVED by the Tribal Council that the Bureau of Indian Affairs, Fort Apache Agency, is requested to assist the Tribal Attorney and Tribal Social Services in procuring funding for this position.

The foregoing resolution was on June 05, 1992, duly adopted by a vote of nine for and zero against by the Tribal Council of the White Mountain Apache Tribe, pursuant to authority vested in it by Article V, Section 1 (a) (q) (s) of the Amended Constitution and Bylaws of the Tribe, ratified by the Tribe June 27, 1958, and approved by the Secretary of the Interior on May 29, 1958, pursuant to Section 16 of the Act of June 18, 1934 (48 Stat. 984).



Chairman of the Tribal Council



Secretary of the Tribal Council

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FORT APACHE INDIAN AGENCY
WHITERIVER, ARIZONA