

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

- WHEREAS, the Tribal Council has this day conducted a review hearing pursuant to Chapter Eight of the Tribal Enrollment Code, in the matter of the enrollment application of Nicholette Fish, Michael Fish, Jr., and Manicea Fish, all of whom are minor children; and
- WHEREAS, this review hearing was requested by Tribal member Paschalita Fish, ("petitioner"), mother of the above named minor child, to appeal the decision of the Tribal Enrollment Committee that the children are ineligible for enrollment into the Tribe; and
- WHEREAS, matters pertaining to enrollment and membership are of the highest concern for the Tribal Council, and all such matters are considered confidential; and
- WHEREAS, the Tribal Council has carefully reviewed in its entirety the enrollment record and weighed all the evidence; and
- WHEREAS the Tribal Council has discussed the issues with the petitioner and representatives from the Enrollment Committee, and heard oral arguments from each; and
- WHEREAS, the Tribal Council agrees with and affirms the conclusions and findings of fact made by the Enrollment Committee in this matter; and
- WHEREAS, pursuant to the Enrollment Code, Chapter Eight, the decision of the Tribal Council in a review hearing shall be final; and
- WHEREAS, in addition to the procedures provided under the Tribal Enrollment Code, the Tribal Council, in Resolution 05-97-128, adopted May 16, 1997, approved procedures to allow for an appeal to the Phoenix Area Director of the Bureau of Indian Affairs, for purposes of determining eligibility for a per capita distribution under Claims Docket 22-H only.
- BE IT RESOLVED by the Tribal Council of the White Mountain Apache Tribe that it hereby affirms the decision of the Tribal Enrollment Committee that Nicholette Fish, Michael Fish, Jr., and Manicea Fish are ineligible for enrollment into the Tribe.

CONFIDENTIAL

Resolution No. 08-97-209

BE IT FURTHER RESOLVED by the Tribal Council of the White Mountain Apache Tribe that it hereby adopts the conclusions and findings of fact made by the Enrollment Committee in this matter, including the determination that the minor children do not possess the necessary minimum blood quantum for enrollment into the Tribe.

BE IT FURTHER RESOLVED by the Tribal Council of the White Mountain Apache Tribe that pursuant to the Enrollment Code, the decision of the Tribal Council is final, however, pursuant to Tribal Council Resolution 05-97-128, petitioner, on behalf of the minor children, may appeal to the Phoenix Area Office of the Bureau of Indian Affairs for the limited purpose of petitioning for a determination of eligibility to receive a per capita share of the Claims Docket 22-H distribution.

BE IT FURTHER RESOLVED by the Tribal Council of the White Mountain Apache Tribe that it hereby directs the Director of the Office of Vital Records to notify the petitioner of the Tribal Council's determination and to provide to petitioner a copy of this Resolution.

BE IT FURTHER RESOLVED by the Tribal Council of the White Mountain Apache Tribe that pursuant to the Tribal Enrollment Code, Section 1-106, this Resolution shall be sealed and marked "CONFIDENTIAL" and its distribution shall be strictly limited to the Tribal Enrollment Office, Tribal Legal Department, Tribal Council, Tribal Council Secretary, Bureau of Indian Affairs, and the petitioner for and on behalf of the minor children, and that access to this Resolution shall be for official purposes only.

The foregoing resolution was on August 5, 1997, 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 the White Mountain Apache Tribal Constitution, including Article IV, Sections 1(a), (s), (t) and (u) of the Constitution of the Tribe, ratified by the Tribe on 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