

11-18-97
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**RESOLUTION OF THE
WHITE MOUNTAIN APACHE TRIBE OF THE
FORT APACHE INDIAN RESERVATION**

- WHEREAS,** the White Mountain Apache Tribe received funds as a result of Claims Docket 22-H before the U.S. Claims Court and a Use and Distribution Plan (Plan) was prepared by the Tribal Council of the White Mountain Apache Tribe which provided that 80% of the award should be distributed to eligible tribal members on a per capita basis, and that a Land Restoration Program Permanent Fund be established utilizing the remaining 20%; and
- WHEREAS,** the Plan was duly presented to the tribal membership at two formal public hearings conducted by the Secretary of the Interior and at several informal meetings conducted by Tribal and BIA representatives; and
- WHEREAS,** the Plan was submitted to the U.S. Congress on December 10, 1996, was approved by the U.S. Congress on April 28, 1997, and became effective on April 29, 1997; and
- WHEREAS,** on May 16, 1997, the Tribal Council of the White Mountain Apache Tribe adopted Resolution No. 05-97-128, outlining requirements for the distribution of Claims Docket 22-H funds by: a) prescribing eligibility criteria consistent with the Tribe's Constitution and Enrollment Ordinance; b) establishing an enrollment deadline of August 18, 1997; and c) prescribing local procedures; and
- WHEREAS,** the Plan was published on July 2, 1997, in the Federal Register (62 Fed. Reg. 127) as a formal notice to the public by the Federal government; and
- WHEREAS,** the White Mountain Apache Tribal Enrollment Committee, the Office of Vital Records and the Bureau of Indian Affairs (BIA) have been working diligently and cooperatively over the past two years to prepare a Payment Roll of eligible tribal members (the Payment Roll) for the purpose of making a per capita distribution of the Judgment Claims funds; and
- WHEREAS,** the Tribal Council is aware and understands that the whereabouts are unknown for some individuals on the Payment Roll and that for others their eligibility for payment is in question and subject to appeal to the BIA; and
- WHEREAS,** the Tribal Council understands and is advised that the BIA will withhold sufficient funds pending the location of such individuals and the final disposition of such appeals and that funds remaining after resolution of such matters shall be returned to the Tribe; and
- WHEREAS,** the Payment Roll has been completed and has been presented to the Tribal Council of the White Mountain Apache Tribe for acceptance and certification; and

WHEREAS, the Tribal Council is advised by the BIA that upon Tribal Council certification, the Payment Roll will go to the Phoenix Area Office for BIA certification which will take no more than three (3) days to complete and then to the Office of Trust Fund Management in Albuquerque where the Payment Roll will be promptly transferred to magnetic tape for processing and per capita check distribution by the U.S. Department of the Treasury.

BE IT RESOLVED by the Tribal Council of the White Mountain Apache Tribe that it hereby accepts and certifies the Payment Roll and officially submits the Payment Roll to the Bureau of Indian Affairs for its review, certification and per capita distribution of the Claims funds based upon the list of eligible tribal members hereby certified by the Tribal Council.

BE IT FURTHER RESOLVED by the Tribal Council that it is the Tribal Council's understanding that the Bureau of Indian Affairs shall withhold and maintain in an interest bearing account, sufficient funds from the Per Capita portion for individuals whose eligibility may be in question pending the final resolution of appeals filed with the Bureau and for individuals whose whereabouts are unknown.

BE IT FURTHER RESOLVED by the Tribal Council of the White Mountain Apache Tribe that the Council fully acknowledges and truly appreciates the countless hours of work performed by the staff of the Tribal Office of Vital Records, the Tribal Enrollment Committee, the staff of the Bureau of Indian Affairs and Office of Trust Funds Management, to complete this tremendous task.

BE IT FURTHER RESOLVED by the Tribal Council of the White Mountain Apache Tribe that it urges the Bureau of Indian Affairs and the Office of Trust Funds Management to do everything within their respective powers to process and distribute the Claims funds as quickly as possible.

The foregoing resolution was on October 10, 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 Article IV, Section 1 (a), (f), (g), (h), (i), (j), (k), (s), (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



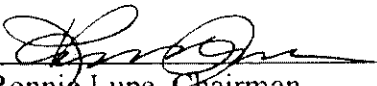
Executive Office of the Chairman
WHITE MOUNTAIN APACHE TRIBE

RONNIE LUPE
CHAIRMAN

CERTIFICATION

I hereby certify that to the best of my knowledge and belief, this Membership Payment Roll was prepared as directed by the White Mountain Apache Tribe and meets the provisions of the Plan for the Use and Distribution of Docket No. 22-H Judgment Funds approved on April 29, 1997, and that to the best of my knowledge and belief contains only the names of those persons who were determined to meet the eligibility requirements for enrollment established by the Plan, the White Mountain Apache Tribal Constitution approved November 3, 1993, and by the Membership and Enrollment Code of the White Mountain Apache Tribe.

Date: Oct, 10, 1997



Ronnie Lupe, Chairman
White Mountain Apache Tribe

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