



Resolution No. 06-2006-201

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

(Approving Expenditure for Orlando Ball 22-H Land Settlement Judgment)

WHEREAS, pursuant to Article IV, Section 1(a) of the Constitution of the White Mountain Apache Tribe, *inter alia*, the Tribal Council has the authority to represent the Tribe and act in all matters that concern the welfare of the Tribe; and

WHEREAS, Orlando Ball is a member of the White Mountain Apache Tribe (date of birth March 2, 1988), who was enrolled on May 21, 1992, by Resolution No. 05-92-140; and

WHEREAS, it appears that both the Tribe's records may have incorrectly posted him as deceased, owing to the Death Certificate of his grandfather of the same name who died in 1971; and

WHEREAS, Mr. Ball was born prior to and living on April 29, 1997, at which time he was about 9 years old; and

WHEREAS, his mother Sherry James, does recall that the Tribe's Vital Records did have Orlando Ball listed as enrolled; and

WHEREAS, it may be that because of the Death Certificate, Mr. Ball's name was not submitted as part of the payment roll for distribution of funds made in settlement of Claims Docket 22-H and pursuant to Resolution Nos. 05-97-128 and 10-97-322; and

WHEREAS, the Chairman of the Tribal Council did send a letter requesting an explanation from the Superintendent of the Bureau of Indian Affairs, Fort Apache Agency regarding whether the BIA may be able to pay Mr. Ball's claim; and


WHEREAS, the Tribal Council finds that the Tribe should remit payment to Mr. Ball in the amount that would have been due had his name been included as part of the 22-H Settlement with accrued interest if the Tribe is responsible for the omission of his name.

BE IT RESOLVED by the Tribal Council of the White Mountain Apache Tribe that:

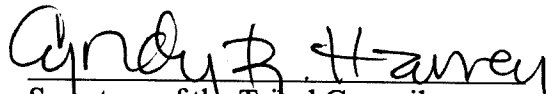
1. The Legal Department is hereby directed to ascertain from the Superintendent of the BIA, Fort Apache Agency whether Mr. Ball may be paid from whatever funds may remain from the 22-H Settlement Fund.

2. In the event that the BIA has no funds to settle Mr. Ball's 22-H claim, the Controller is hereby directed to remit payment to Mr. Ball in the amount that would have been due with accrued interest had his name been included.

The foregoing resolution was on June 8, 2006, duly adopted by a vote of TEN for and ZERO against by the Tribal Council of the White Mountain Apache Tribe, pursuant to the authority vested in it by Article IV, Section 1 (a), (c), (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