

Resolution No. 04-96-085

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

- WHEREAS**, the Tribal Council of the White Mountain Apache Tribe accepted a settlement amount \$22, 123, 247.32 for all the Tribe's claims under the case *White Mountain Apache Tribe v. United States*, Docket no. 22-H; and
- WHEREAS**, it is anticipated that eighty percent (80%) of the settlement proceeds shall be distributed to enrolled Tribal members in accordance with 25 U.S.C. 1401 et. seq. and 25 C.F.R. 87.1 - 87.12, as amended; and
- WHEREAS**, other Indian tribes have received judgment fund distributions under other Claims Court cases, including the San Carlos Apache Tribe, which has received it's distribution of Judgment funds under the same Docket 22-H proceeding; and
- WHEREAS**, San Carlos Apache Tribal member received a per capita distribution under that tribe's distribution plan; and
- WHEREAS**, some members of the San Carlos Apache Tribe may relinquish their membership with that tribe and apply for enrollment in the White Mountain Apache Tribe, if eligible; and
- WHEREAS**, it would also be inappropriate for such members to receive payment under both the San Carlos Apache Tribe's and the White Mountain Apache Tribe's claims distribution for Docket 22-H; and
- WHEREAS**, it would be inappropriate for former members of other Indian tribes who are now enrolled in the White Mountain Apache Tribe to receive a share of the Tribe's judgment distribution if they have also received a Claims Court judgement distribution from a different Indian tribe.
- BE IT RESOLVED** by the Tribal Council of the White Mountain Apache Tribe that all enrolled members of the Tribe who have previously received claims distribution under Docket 22-H for the San Carlos Apache Tribe shall be ineligible for distribution of judgment claims distributed to the members of the White Mountain Apache Tribe under Docket 22-H.

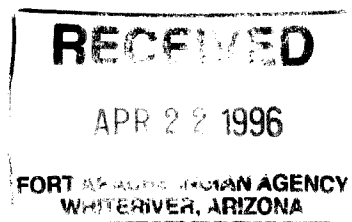
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BE IT FURTHER RESOLVED by the Tribal Council of the White Mountain Apache that Tribal members who received Court Claims judgment distributions while enrolled with any other Indian tribe shall be ineligible for distribution of judgment claims distributed to the members of the White Mountain Apache Tribe under Docket 22-H.

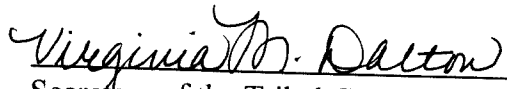
BE IT FURTHER RESOLVED by the Tribal Council of the White Mountain Apache Tribe that except as provided above, nothing in this resolution shall be construed to prohibit or limit the ability of any person who is qualified for membership in the Tribe to be granted all rights of enrollment as provided in the Tribal Constitution and Enrollment Code.

BE IT FURTHER RESOLVED by the Tribal Council of the White Mountain Apache Tribe that it hereby requests that the Bureau of Indian Affairs identify all potential double recipients of claims of funds and assist the Tribe to enforce this Resolution prohibiting ineligible persons as described herein from receiving any distribution of funds from Docket 22-H.

The foregoing resolution was on April 11, 1996, 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 IV, Section 1(a), (h), (t) and (u) of the Constitution of the Tribe, ratified by the Tribe September 30, 1993, and approved by the Secretary of 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