

CAP-25-82

Class "A" Resolution
Washington Approval
Required.

RESOLUTION OF THE
NAVAJO TRIBAL COUNCIL

Directing the Secretary of the Interior to Use
the \$13.3 Million Received from the Navajo Tribe
Land Claims Cases Settlement for Increasing the
Navajo Tribal Scholarship Trust Fund and for
Land Acquisition

WHEREAS:

1. By Navajo Tribal Council Resolution CJ-21-53 (10 NTC §951) a scholarship trust fund was established by the Navajo Tribal Council "to provide funds for advanced education to qualified young Navajo people" (10 NTC §1001); and
2. The Navajo Higher Education Program has been limited in the number of scholarships it can provide due to both the increased numbers of Navajo post-secondary students and the continuing increase in the cost of a higher education; and
3. By Resolution CAP-12-81, the Navajo Tribal Council authorized the Chairman, Navajo Tribal Council, to sign the stipulation for the settlement of the Navajo Tribe's Land Claims Cases in the United States Court of Claims; and
4. The U.S. Congress allocated the 14.8 Million Dollars approved for the settlement of the Navajo Tribal Land Claims on October 23, 1981; and
5. The Navajo Tribe will receive use of 13.3 Million Dollars for lands wrongfully taken from the Navajo Tribe by the U.S. Government, which reflects the total settlement amount, less attorney fees which must be paid from the settlement; and
6. Section 1 of Public Law 93-134 directs the Secretary of the Interior to submit a plan to Congress for the use or distribution of funds received as a result of a judgment to any Indian tribe by the Court of Claims; and
7. Public Law 93-134 also requires the Secretary of the Interior to hold public hearings to obtain comments of tribal members who may be affected by the use or distribution of settlement funds, but the Bureau of Indian Affairs has stipulated that former field hearings held regarding the Land Claims settlement itself and the action of the Navajo Tribal Council in directing the use of the Land Claims settlement monies will meet this requirement of Public Law 93-134; and

8. The Navajo Tribal Council is aware that during many of the Agency Council hearings that were held prior to the settlement of the Navajo Tribal Land Claims Cases, among the most popular recommended uses for the Land Claims Settlement Funds was the increase of the funds available for scholarships for Navajo youth and the use of the funds for land acquisition for the Navajo Tribe; and

9. It is in the best interest of the Navajo Tribal Council to use the greater portion of the 13.3 Million Dollars received from the settlement of the Navajo Tribal Land Claims Cases for increasing the funds in the Navajo Tribal Scholarship Trust fund and the balance of the settlement funds for land acquisition.

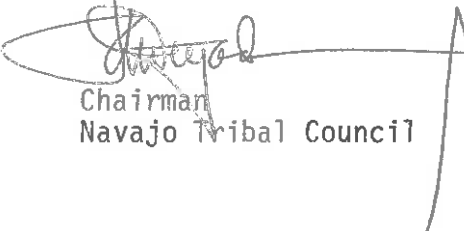
NOW THEREFORE BE IT RESOLVED THAT:

1. The Navajo Tribal Council hereby directs the Secretary of the Interior to use 10 Million Dollars of the Navajo Tribe Land Claims Cases settlement fund to increase the principle of the Navajo Tribe's Scholarship Trust fund, the yearly interest from which will be used for scholarships for Navajo youth.

2. The Navajo Tribal Council further directs the Secretary of the Interior to set aside the balance of the Land Claims settlement funds remaining after the deduction of the attorney fees for land acquisition for the Navajo Tribe pursuant to the approval of said land acquisition by the Advisory Committee of the Navajo Tribal Council.

CERTIFICATION

I hereby certify that the foregoing resolution was duly considered by the Navajo Tribal Council at a duly called meeting at Window Rock, Navajo Nation (Arizona), at which a quorum was present and that same was passed by a vote of 48 in favor and 6 opposed, this 20th day of April, 1982.


Chairman
Navajo Tribal Council