

RESOLUTION OF THE TOHONO O'ODHAM LEGISLATIVE COUNCIL
(Authorization for Release of Judgement Funds from the IIM Accounts
of Frederick Ramon Jr., Victoria Angelita Ramon and Elsa Monica Ramon)

RESOLUTION NO. 92-343

WHEREAS, the Bureau of Indian Affairs (BIA) acting through the Papago Agency has received a request for the release of judgement funds held in accounts for Fredrick Ramon, Jr., Victoria Angelita Ramon and Elsa Monica Ramon in order to respond to an emergency; and

WHEREAS, the BIA has requested authorization from the Nation's Legislative Council pursuant to provisions of 25 U.S.C. § 1403(b)(3); and

WHEREAS, the Papago Tribal Council by Resolution 83-82 supported and adopted a plan for distribution of judgement funds from Indian Claims Commission Dockets 345 and 102; and

WHEREAS, the plan adopted by the Papago Tribal Council was approved and enacted into law by the Congress of the United States in Public Law 97-408; and

WHEREAS, the plan and Public Law 97-408 require that claims judgement funds of minors be held in Individual Indian Money Accounts (IIM Accounts) subject to regulations of the Department of Interior and not distributed until a minor reaches the age of 18. Said Regulations are currently codified at 25 C.F.R. § 87.10(a) and (b)(1) and 115.4; and

WHEREAS, Fredrick Ramon, Jr., Elsa Monica Ramon and Victoria Angelita

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Ramon acting through their Mother, Mrs. Lydia Soto, has made a request for the release of claims judgement funds in IIM Accounts established by Public Law 97-408 in order to retain legal counsel in a matter where Fredrick Ramon, Jr. is charged with a serious crime; and

WHEREAS, *subsequent to the enactment of Public Law 97-408, Congress enacted Public Law 97-458 which amended the provisions of 25 U.S.C. § 1401 et seq. and addresses the distribution of judgement funds; and*

WHEREAS, *25 U.S.C. § 1403 (b)(3) now provides in relevant part that minors judgement funds may be disbursed to a parent or guardian of such minor as may be necessary for the minors "health, education, welfare or emergencies under a plan or plans approved by the Secretary and the tribal governing body of the Indian tribe involved."; and*

WHEREAS, *the BIA requests authority to disperse said funds in the IIM Accounts of Fredrick Ramon, Jr., Victoria Angelita Ramon and Elsa Monica Ramon for the purpose of retaining legal counsel for Fredrick Ramon, Jr., by recommending to the Assistant Secretary - Indian Affairs pursuant to 25 C.F.R. § 1.2 to create an*

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exception to 25 C.F.R. §§ 87.10 and 115.4 in order to release the
subject IIM Account funds for this purpose.

6 **NOW, THEREFORE, BE IT RESOLVED** that the Legislative Council of the
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*Tohono O'odham Nation hereby authorizes the release of claims
judgement funds in the IIM Accounts of Fredrick Ramon, Jr.,
Victoria Angelita Ramon and Elsa Monica Ramon pursuant to the
plan set forth above and subject to action of the Assistant
Secretary of the Interior - Indian Affairs pursuant to the
provisions of 25 U.S.C. § 1403(b)(3), and 25 C.F.R. § 1.2.*

21 **BE IT FURTHER RESOLVED** that should this plan be approved by the
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*Assistant Secretary of Indian Affairs, said funds are to be
retained by the Papago Agency Superintendent for dispersal to the
attorney.*

BE IT FINALLY RESOLVED that if for any reason, that funds are approved for
*dispersal pursuant to this plan, but not dispersed, said funds
should be returned to the Individual Indian Money Accounts.*

*The foregoing Resolution was passed by the Tohono O'Odham Legislative
Council on the 12TH. day of AUGUST, 1992 at a meeting at which a quorum
was present with a vote of 874.0 FOR; 265.0 AGAINST; 305.0 NOT VOTING;
and 280.0 [10] ABSENT, pursuant to the powers vested in the Council by
Section 1 (j) and Section 3 of Article VI of the Constitution of the Tohono
O'Odham Nation, adopted by the Tohono O'Odham Nation on January 18,*

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1986; and approved by the Acting Deputy Assistant Secretary - Indian Affairs (Operations) on March 6, 1986, pursuant to Section 16 of the Act of June 18, 1934 (48 Stat. 984).

TOHONO O'ODHAM LEGISLATIVE COUNCIL

Mary Ann Antone

Mary Ann Antone, Legislative Chairwoman

14th day of August, 1992

ATTEST:

Teresa M. Choyguha

Teresa M. Choyguha, Legislative Secretary

14th day of August, 1992.

Said Resolution was submitted for approval to the office of the Chairman of the Tohono O'Odham Nation on the 14th day of August, 1992, at 3:48 o'clock, P.M., pursuant to the provisions of Section 5 of Article VII of the Constitution and will become effective upon his approval or upon his failure to either approve or disapprove it within 48 hours of submittal.

TOHONO O'ODHAM LEGISLATIVE COUNCIL

Mary Ann Antone

Mary Ann Antone, Legislative Chairwoman

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APPROVED on the 17th day of August, 1992

DISAPPROVED) at 10:50 o'clock, A.M.

Josiah Moore
**JOSIAH MOORE, Chairman
TOHONO O'ODHAM NATION**

Returned to the Legislative Secretary on the 18th day of August,
1992, at 9:34 o'clock, A.M.

Guacinda Allen for:
Teresa M. Choyguha, Legislative Secretary

MOVED: COUNCILMAN JOHN RENOSUBJECT: AUTHORIZATION OF RELEASE OF JUDGEMENT FUNDSSECOND: COUNCILMAN ANDREW PATRICIOFROM THE IIM ACCOUNTS OF FREDERICK RAMON JR.,DATE: AUGUST 12, 1992VICTORIA ANGELITA RAMON & ELSA MONICA RAMON

DISTRICTS	REPRESENTATIVES	# OF VOTES	FOR	AGAINST	NOT VOTING	ABSENT
CHUKUT KUK 163.0	1. Kenneth Williams (Harriet Toro)	81.5	X			
	2. Alberta M. Lopez (Berdella Jose)	81.5	X			X
HICKIWAN 125.0	1. Lloyd Francisco (Billy C. Manuel)	62.5			X	
	2. Manuel Osequeda, Jr. ()	62.5			X	X
GU VO 114.0	1. Michael Flores	57.0				X
	2. Emilio Lewis (Anthony Flores)	57.0				X
SAN LUCY 106.0	1. Albert Manuel, Jr. (Max P. Jose)	53.0			X	
	2. John Reno ()	53.0	X			
PISINEMO 119.0	1. Johnson Jose ()	59.5	X			
	2. Chester Antone (Fernando Valentine)	59.5	X			
GU ACHI 166.0	1. Alex Ramon (Fernando Joaquin)	83.0				X
	2. Willard Anita ()	83.0				X
BABOQUIVARI 229.0	1. Earl A. Francisco (Kenneth Chico, Sr.)	114.5	X			
	2. Frances Miguel ()	114.5	X			
SAN XAVIER 127.0	1. Joanne C. Preston (Carmelita Mattias)	63.5			X	X
	2. Eugene Enis, Sr. (Michael R. Rios)	63.5			X	
SCHUK TOAK 107.0	1. JoAnn Francisco (David Valenzuela Sr.)	53.5		X		
	2. Frances Francisco (Joseph Juan)	53.5		X		X
SELLS 310.0	1. Joseph T. Joaquin (Larry Garcia)	155.0	X			X
	2. Andrew Patricio (Lucille Encinas)	155.0	X			
SIF OIDAK 158.0	1. Mary Ann Antone (Nina Jose)	79.0		X		
	2. Willard Juan, Sr. (Delbert Thomas)	79.0		X		X
TOTAL		1,724.0	874.0	265.0	305.0	280.0 [10]

**PASSED VOTES