

YUROK TRIBE

190 Klamath Boulevard • Post Office Box 1027 • Klamath, CA 95548

RESOLUTION of the YUROK TRIBAL COUNCIL

RESOLUTION NO.: 07-037

DATE APPROVED: March 21, 2007

SUBJECT: Waiver of Certain Claims and Consent to Uses of Tribal Funds Pursuant to the Hoopa-Yurok Settlement Act

WHEREAS: The Yurok Tribe is a Federally recognized Indian Tribe pursuant to a determination by the Bureau of Indian Affairs that was published in the *Federal Register* (60 Fed. Reg. 9,249 (February 16, 1995)), eligible for all rights and privileges afforded to Federally recognized tribes, including, but not limited to, the rights and privileges afforded under the Hoopa-Yurok Settlement Act, and the Yurok Tribal Council is the governing body of the Yurok Tribe under the authority of the Yurok Constitution of 1993; and,

WHEREAS: On April 26, 1988, Representative Doug Bosco introduced H.R. 4469, a version of which was enacted as the Hoopa-Yurok Settlement Act (the "Act") on October 31, 1988; and,

WHEREAS: Section 2(c) of the Act provides for certain benefits to the Yurok Tribe, including apportionment of funds, certain land transfers, and certain land acquisition authorities, provided that the Yurok Tribe adopt a resolution waiving certain claims, as required by the Act; and,

WHEREAS: The Senate Report accompanying the Act states that the waiver required by the Act does not prevent the Yurok Tribe "from enforcing rights or obligations created by this Act," S. Rep. 100-564 at 17; and,

WHEREAS: The Yurok Tribal Council has fully considered the claims to be waived under the Act and the consent to be granted and has balanced them against the benefits identified and mandates to the Yurok Tribe under the Act and has concluded that the Tribe would best be served by complying with the mandates identified in the Act; and,

WHEREAS: The Act provided for the establishment of the Yurok Interim Tribal Council, which on March 9, 1992 was authorized to submit the Waiver of Claims described in the Act; the permanent Yurok Tribal Council now has the authority originally granted by the Act to the Yurok Interim Tribal Council; and,

WHEREAS: The Yurok Tribal Council has carefully considered the Tribe's Constitution and other Tribal law and custom concerning the method by which the resolution called for by the Act should be enacted; and,

NOW THEREFORE BE IT RESOLVED: That the Yurok Tribal Council has the authority and responsibility under the Constitution and Bylaws of the Yurok Tribe to approve, certify, and enact the resolution required by the Hoopa-Yurok Settlement Act; and,

BE IT FURTHER RESOLVED: That this Resolution is not intended, and shall not be construed, so as to prevent the Yurok Tribe from enforcing its rights and the obligations of the United States created by the Hoopa-Yurok Settlement Act, see S. Rep. 100-564 at 17; and,

BE IT FURTHER RESOLVED: That the Yurok Tribe hereby waives any claim the Yurok Tribe may have against the United States arising out of the provisions of the Hoopa-Yurok Settlement Act; and,

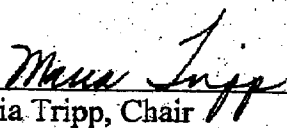
BE IT FURTHER RESOLVED: That the Yurok Tribe affirms tribal consent to the contribution of Yurok Escrow monies to the Settlement Fund, such contribution having already been made as provided in Section 4(a) of the Act, and for their use as payments to the Hoopa Tribe, such payments having already been made as provided in Section 4(c) of the Act, and to individual Yuroks, such payments having already been made as provided in Section 6(c)(3) of the Hoopa-Yurok Settlement Act; and,

BE IT FURTHER RESOLVED: That the Chairperson and Secretary of the Yurok Tribal Council are hereby authorized, directed and empowered to sign the resolution for and on behalf of the Yurok Tribe as its act and deed.

CERTIFICATION


This is to certify that this **Resolution No. 07-037** was approved at a duly called meeting of the Yurok Tribe on **March 21, 2007**, at which a quorum was present and that this **Resolution No. 07-037** was adopted by a vote of 6 for and 0 opposed and 0 abstentions. This **Resolution No. 07-037** has not been rescinded or amended in any way.

DATED THIS 21ST DAY OF MARCH, 2007



Maria Tripp, Chair

ATTEST:



Cynthia McKernan