



# PUEBLO OF ISLETA

P.O. BOX 1270  
ISLETA, NM 87022

## PUEBLO OF ISLETA

### RESOLUTION No. 2023-080

#### NOVEMBER 2023 PER CAPITA DISTRIBUTION AUTHORIZATION

At a duly called meeting of the Tribal Council of the Pueblo of Isleta, held on October 20, 2023, the following resolution was passed:

**WHEREAS**, the Pueblo of Isleta (the “Pueblo”) is a federally recognized Indian Tribe organized pursuant to its Constitution adopted in accordance with the Indian Reorganization Act and with the inherent powers of self-government;

**WHEREAS**, the Pueblo is governed by a Governor and Tribal Council made up of elected representatives who act in accordance with the Pueblo of Isleta Tribal Constitution (“Constitution”);

**WHEREAS**, Article V, Section 2(i) of the Constitution authorizes the Isleta Tribal Council to “appropriate such funds as necessary for the health, safety, and general welfare of the pueblo, for other public purposes and per capita payments to members of the pueblo;”

**WHEREAS**, Article V, Section 2(l) of the Pueblo of Isleta Constitution authorizes the Isleta Tribal Council to “otherwise manage and control the lands and resources of the pueblo for the best interest of the pueblo;”

**WHEREAS**, the Tribal Council finds that it is in the best interests of the Pueblo of Isleta to authorize a November 2023 per capita distribution to all enrolled Tribal Members, regardless of their place of residency;

**WHEREAS**, the distribution under this Resolution shall be made from the Proceeds of Labor Account held at the Office of Trust Funds Management to fund a per capita distribution which will total approximately **\$3,756,750.00**;

**WHEREAS**, the Tribal Council has determined that it is in the best interests of the health, safety, and general welfare of the Pueblo to issue such distribution pursuant to the criteria described herein;

**NOW THEREFORE BE IT RESOLVED**, the Tribal Council hereby authorizes the November 2023 Per Capita distribution as follows:

**1. Definitions:**

- a. "Tribal Member" shall mean a person enrolled with the Pueblo of Isleta as a Tribal Member and approved by Tribal Council or Tribal Enrollment Committee as of October 17, 2023.

**2. Criteria for Distribution:**

- a. A Tribal Member must be an enrolled Tribal Member as of October 17, 2023 to be eligible for the November 2023 Per Capita Distribution.
- b. All eligible Tribal Members will receive a per capita distribution \$750 to be distributed by the Treasurer's Office, as described below in "Distribution Procedures."

**3. Distribution Procedures:**

- a. Distributions for in-state Tribal Members will be made by check and should be picked up in-person, unless the Tribal Member provides an original, notarized letter requesting their distribution to be sent via certified mail pursuant to Section 4(b).
- b. Except for those qualifying for the distribution procedures described under Section 4 below, all Tribal Members must pick up their checks in-person on Wednesday, November 29, 2023, from noon to 7:00pm and Thursday November 30, from 9:00am to 4:00pm at the Isleta Main Recreation Center. A Tribal ID or valid driver's license must be presented to receive the distribution.
- c. Alternatively, Tribal Members may pick up checks from the Treasurer's Office Mondays through Fridays during normal business hours, 8:00am to 4:30pm from December 1, 2023 through March 22, 2024.
- d. All distributions hereunder must be deposited or cashed by a bank by March 29, 2024. Any checks not cashed prior to that date shall be null and void.

**4. Distribution Procedures for Those Unable to Pick up a Distribution Check in Person**

- a. A Tribal Member who is out-of-state or otherwise unable to pick up their check in person at the Recreation Center during the designated dates or from the Treasurer's Office during business hours may provide an original, notarized letter designating

another individual to pick up their distribution check on the unavailable Tribal Member's behalf.

- b. A Tribal Member who is out-of-state or otherwise unable to pick up their check in person may also provide an original, notarized letter to the Treasurer's Office requesting that their distribution be sent via certified mail. The notarized letter must include the address to which the distribution check should be sent. A Tribal Member requesting their distribution be sent via certified mail must request that the Treasurer's Office do so by March 1, 2024. Any checks returned to the Treasurer as undeliverable or otherwise returned shall be void, no longer available, and shall not be reissued to the intended recipient
- c. All distributions, including those sent via certified mail, will be null and void if they are not cashed and cleared by a bank on March 29, 2024.

#### **5. Distribution Procedures for Minors**

- a. November 2023 Per Capita Distribution checks will be issued to minors directly and shall not be routed to their Bureau of Indian Affairs Individual Indian Money account.
- b. Per capita distribution checks for Tribal Members under the age of 18 shall be picked up by the minor's parent, or legal guardian, or custodian, in accordance with the records of the Isleta Tribal Court and Census/Enrollment Department. The Treasurer's Office shall not issue a distribution check to a minor's parent if the parent is not a custodial parent or legal guardian. If there is no custody documentation on file with either Isleta Tribal Court or the Census/Enrollment Department, the Treasurer's Office will provide the distribution check to either parent or legal guardian of record.
- c. If a minor Tribal Member is a ward of the Isleta Tribal Court, Isleta Social Services shall pick up the distribution check on the minor child's behalf.

#### **6. Withholding of Distribution:**

The November 2023 Per Capita Distribution shall not be subject to any withholdings, including but not limited to garnishments, fees, restitution, and child support.

#### **7. Funding Sources:**

Approximately **\$3,756,750.00** may be withdrawn from the Pueblo of Isleta Proceeds of Labor Account to fund the November 2023 Per Capita Distribution. The Distribution is non-taxable.

**BE IT FURTHER RESOLVED**, that the Governor, Treasurer, and Census Office are authorized to do all that is necessary to effectuate the intent of this Resolution;

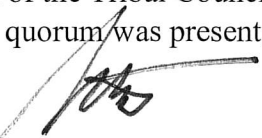


**BE IT FURTHER RESOLVED**, that the Tribal Council authorizes the Treasurer to mail all per capita distributions issued pursuant to this Resolution to Tribal Members and appropriates an amount not to exceed \$6,200.00 to the Treasury budget to send the distributions via certified mail; and

**BE IT FURTHER RESOLVED**, that this Resolution shall take effect immediately upon adoption by the Tribal Council and shall remain in effect until otherwise superseded or repealed by Tribal law.

**CERTIFICATION**

We, the undersigned, do hereby certify that the foregoing resolution was passed at a duly called meeting of the Tribal Council of the Pueblo of Isleta, held on the 20th day of October 2023, at which a quorum was present, with 4 voting for, 1 opposing, and 0 abstaining.

  
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Michael Lente, Tribal Council President:

  
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for Max Zuni, Governor:

ATTEST:

  
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Elizabeth Kirk, Tribal Council Secretary