

All Class Members who wish to share in the Second Partial Settlement Agreement in this case must complete the claimant information in Section I. Only school grantees must complete Section II.

Special Instructions

1. If you do not agree with the base amount shown on the attached Provisional List for your organization for FY/CY 1993, please submit a letter stating why you do not agree with the amount shown and provide the amount that you believe is correct, with supporting documentation. The Settlement Administrator has discretion to accept or reject such documentation or to seek further clarification or documentation.

2. If you did *not* receive a share of the First Partial Settlement in this case for the year 1993 please submit your 1993 documentary evidence, along with the completed claim form.

3. If you did not have any BIA funding expenditures for the year 1993 but did have BIA funding expenditures for 1992 or 1994, or both, please complete the claim form for the years that you meet the requirements as set forth below and attach your entity's supporting documentation.

Information provided to the settlement Administrator will be reviewed for adequacy and accuracy. Class Members shall be required to timely provide to the Independent CPA and data and documentation as may be required to demonstrate their eligibility.

Definitions

(1) Documentary evidence to support a claim includes the Schedule of Federal Financial Assistance portion of audited financial statements, contract award documents, and IDC rate agreements which show actual expenditures on BIA programs under Public Law 93-638 contract for each year your entity had BIA Public Law 93-638 contracts or compacts during the settlement period (1992-1994). The Schedule of Federal Financial Assistance will control over all other data and must be provided if it exists.

(2) For purposes of PSA-2, the definition of construction contained in 25 U.S.C. § 450b(a) ("Construction Programs") will be used: "Construction" means—programs for the planning, design, construction, repair, improvement, and expansion of buildings or facilities, including but not limited to, housing, law enforcement and detection facilities, sanitation and water systems, roads, schools, administration and health facilities, irrigation and agricultural work, and water conservation, flood control and port facilities.

Construction Expenditures above \$100,000 will not be included in the "BIA Expenditures" amount used to calculate class members' share under PSA-2.

[Please note that an exclusion of certain construction activities was later added at 25 U.S.C. § 450b(m) from this definition. That change did not become law until after the close of FY 1994, hence those later exclusions for "construction purposes" will not be recognized in calculating shares under this settlement. This means that HIP expenditures and construction planning costs for construction *must* be included as part of construction expenditures on this form.]

Forms

Attached is the Claim form which must be submitted by a duly authorized official of the tribe or tribal organization under penalty of perjury.

All Class Members must complete Section 1 of this form in order to receive a share of this settlement. Section II applies only to school grantees.

Special Requirements for Direct Contract Support Survey Tribes and Tribal Organizations

If your tribe or entity participated in the survey of direct contract support costs in the year 2000, you can receive reimbursement of your out-of-pocket expenditures connected with the survey by submitting a separate statement with receipts or other documents of your incurred costs. A list of tribes who

participated in the survey is attached to this form.

Questions may be directed to the Independent CPA at REDW, LLC, Ramah Navajo Chapter Class Action Settlement Administrator, 6401 Jefferson NE., Post Office Box 93659, Albuquerque, New Mexico 87199-3659, 1-888-726-9418, fax (505) 998-3333, E-mail: rncsettlement@redw.com.

Class Members Who Participated in the DCSC Survey

Bristol Bay Native Association
Burns Paiute Tribes
Central Council of Tlingit & Haida Indian Tribes of Alaska
Confederated Tribes of the Colville Reservation
Grand Traverse Band of Ottawa and Chippewa Indians
Great Lakes Indian Fish & Wildlife Commission
Hoopa Valley Tribal Council
Jamestown S'Klallam Tribe
Klamath Tribes
Lac Courte Oreilles
Lac de Flambeau Band of Lake Superior Chippewa Indians
Lummi Indian Business Council
Mescalero Apache Tribe
Miccousukee Corporation
Mississippi Band of Choctaw Indians
Nambe Pueblo
Nez Perce Tribe
North Slope Borough School District
Northwest Indian Fisheries Commission
Penobscot Indian Nation
Pueblo of Zuni
Quinault Indian Nation
Ramah Navajo Chapter
Red Lake Band of Chippewa Indians
Sac & Fox Nation
Sinte Gleska University
Southern Ute Indian Tribe
Tanana Chiefs Conference, Inc.
Tohono O'Odham Nation

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