

**RESOLUTION OF THE
WHITE MOUNTAIN APACHE TRIBE OF THE
FORT APACHE INDIAN RESERVATION**

WHEREAS, the Tribal Council of the White Mountain Apache Tribe is deeply concerned about a proposal submitted by the Special Trustee of the Office of Trust Funds Management entitled "Strategic Plan to Implement the Reforms Required by the American Indian Trust Fund Management Reform Act of 1994" that proposes that legislation be introduced into law which would create a new independent federal agency to be known as the American Indian Trust and Development Administration governed by a nine-member Board of Directors appointed by the President, with the advice and consent of the Senate; and

WHEREAS, said Strategic Plan provides that all Indian trust functions, including trust resources management, trust funds management, and land title records management of the Bureau of Indian Affairs and other agencies of the Department of Interior, including the Bureau of Land Management and the Minerals Management Service, would be transferred to the new administration; and

WHEREAS, said transfer would, in respect to the BIA, include (1) resource management programs, including agriculture, agriculture extension, forestry, water resources, irrigation, wildlife and parks, minerals and mining and general resource management, and (2) trust services programs, including financial trust services, rights protection, real estate services, real estate appraisals, environmental quality services, and general trust services; and

WHEREAS, said transfer would include the foregoing functions at the Central Office, Area Office and Agency Office levels, and would include a transfer of existing statutory authority and funding and staffing levels; and

WHEREAS, initially the White Mountain Apache Tribe supported the Office of Trust Management and Special Trustee and its original purpose to straighten out \$2.9 billion held in trust accounts for Native Americans and tribes; and

WHEREAS, the so-called Strategic Plan was not provided to Indian tribes until the week of February 17th when approximately 1,000 copies were delivered by federal express to tribes, and tribes were expected to read, digest, and react to a fundamental change in the way American Indian trust activities are managed by the federal government in a week's time; and

WHEREAS, the large reservation-based tribes were not consulted in the formulation of this Plan; and

WHEREAS, the proposal has gone well beyond the original mission of the special trustee to untangle the 300,000 accounts the government holds for individual Native Americans and 1500 accounts it holds for 280 tribes by proposing that natural resources of tribes, now a trust responsibility of the Department of Interior through its principal agent, the Bureau of Indian Affairs, be transferred to the Office of Special Trustee; and

WHEREAS, a transfer of the tribes' natural resources to management by the Office of Special Trustee threatens the unique existence of Indian tribes as sovereign nations within the United States and the Strategic Plan fails to comprehend that the United States fiduciary duty to tribes extends to protection of tribal natural resources, such as land, water, minerals, and wildlife, and cannot be expressed in a pure monetary sense as suggested by the Special Trustee, Paul M Homan; and

WHEREAS, the wholesale transfer of aboriginal and tribal rights to natural resources within their reservations constitutes interference with the tribes' sovereign right to manage its own natural resources, sets the stage for the termination of the Bureau of Indian Affairs and the government-to-government relationship with the United States, reduces the fiduciary relationship to a mere banker's trustee obligations, and threatens the very existence of tribal governments; and

WHEREAS, the Strategic Plan fails to contemplate spiritual and cultural values involving natural resources and the interplay between tribal government and tribal culture in respect to cultural and natural resources, and implementation of the so-called Strategic Plan will run roughshod over tribal rights and well established Congressional policies; and

WHEREAS, the Special Trustee and staff have failed to understand that the interests of a tribe and its members in trust resources and assets and trust funds cannot and should not be segregated from the tribes' interests in the health and education of its members and in their social, economic, and cultural development; and

WHEREAS, the draft Strategic Plan represents a radical, ill-conceived departure from the intention of Congress and the understanding of tribes which initially supported enactment of the 1994 Trust Fund Reform Act; and

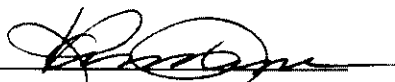
WHEREAS, the White Mountain Apache Tribe views the Strategic Plan as a first step to abolishment of the Bureau of Indian Affairs and the eventual termination of Indian tribes and their sovereign right over their own natural resources; and


WHEREAS, the Strategic Plan is most threatening to tribes with large land-based reservations and abundant natural resources, such as the White Mountain Apache Tribe.

BE IT RESOLVED by the Tribal Council of the White Mountain Apache Tribe that it hereby opposes the Strategic Plan of the Office of Special Trustee for the reasons set forth in this resolution.

BE IT FURTHER RESOLVED by the Tribal Council that it requests the support of the Arizona Congressional Delegation, the Senate Committee on Indian Affairs, the House Interior Committee, and the Secretary of the Interior to (1) oppose and defeat this ill-conceived Strategic Plan proposed by the Special Trustee, (2) maintain the Bureau of Indian Affairs in the area of natural resources, (3) maintain the strength in the Bureau at the agency level in respect to natural resource management and other trust obligations of the United States government, and (4) reaffirm the government-to-government relationship between America's aboriginal peoples and the United States government.

The foregoing resolution was on April 3, 1997 duly adopted by a vote of ten for and zero against by the Tribal Council of the White Mountain Apache Tribe, pursuant to authority vested in it by the White Mountain Apache Tribe Constitution, including Article IV, Section 1 (a), (c), (f), (i), (s), (t) and (u) of the Constitution of the Tribe, ratified by the Tribe September 30, 1993, and approved by the Secretary of Interior on November 12, 1993, pursuant to Section 16 of the Act of June 18, 1934 (48 Stat. 984).


Chairman of the Tribal Council


Secretary of the Tribal Council