

INTERTRIBAL MONITORING ASSOCIATION on Indian Trust Funds

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FY03 RESOLUTION #01

**Re: Negotiated Rulemaking for Trust Regulations Developed for the
U.S. Department of the Interior**

WHEREAS, the Intertribal Monitoring Association on Indian Trust Funds (ITMA) is a representative organization of fifty-seven (57) federally recognized Indian tribes which includes the nation's largest tribal trust fund account holders;

WHEREAS, in 2001, the Department adopted final regulations governing certain surface leasing, agricultural leasing, and probate activities; and

WHEREAS, those regulations contain measures that are contrary to the probate procedures of all fifty states, unnecessarily raise the cost of doing business on Indian lands, and are otherwise faulty; and

WHEREAS, on August 27, 2002 the Department announced plans to revise trust regulations governing residential leases and business leases on Indian lands; and

WHEREAS, these regulations would benefit substantially from the active participation of knowledgeable representatives of Indian country in their initial development,

NOW, THEREFORE, BE IT RESOLVED, that the board of directors of the Intertribal Monitoring Association on Indian Trust Funds (ITMA) that the Department of Interior is hereby encouraged and urged to convene a negotiated rulemaking committee to develop the regulations for 25 CFR, Part 163, Leases and Permits, Subpart C, Residential Leases; and Subpart D, Business Leases; and to revise the regulations governing surface leasing and probate.

CERTIFICATION

The foregoing FY03 Resolution #01 was adopted by the ITMA Board of Directors at a meeting duly called on October 14, 2002 at which a quorum was present with _____ voting for, _____ voting against and _____ abstaining.

Attest

ITMA Board Secretary

ITMA Board Chairman