



RESOLUTION OF THE UTE MOUNTAIN UTE TRIBAL COUNCIL

REFERENCE: RESOLUTION IN SUPPORT OF THE BIDEN ADMINISTRATION'S RESTORATION OF THE BEARS EARS NATIONAL MONUMENT

WHEREAS, the Constitution and By-Laws of the Ute Mountain Ute Tribe, approved June 6, 1940, and subsequently amended, provides in Article III that the governing body of the Ute Mountain Ute Tribe ("Tribe") is the Ute Mountain Ute Tribal Council and sets forth in Article V the powers of the Tribal Council exercised in this Resolution;

WHEREAS, the Tribal Council is responsible for protecting and promoting the natural, cultural, traditional and archaeological resources of the Tribe and the health and welfare of its members;

WHEREAS, the Ute Mountain Ute Tribe's reservation land extends into Utah, which includes the White Mesa community and various tribal and individual trust allotments that are adjacent to the Bears Ears National Monument;

WHEREAS, in July 2015 the Bears Ears Inter-Tribal Coalition, comprised of the Ute Mountain Ute Tribe, the Hopi Tribe, Navajo Nation, Ute Indian Tribe, and Zuni Pueblo, was established in Towaoc, CO, to jointly advocate for the protection of the Bears Ears cultural landscape in a manner that would enable the tribes to collaboratively manage and protect the lands, traditional uses, and various resources;

WHEREAS, through the efforts of the Coalition and its various partners, on December 28th, 2016, the Obama administration issued Proclamation 9558, Establishment of the Bears Ears National Monument, consisting of approximately 1.35 million acres, along with establishing the Bears Ears Commission, comprised of an elected officer from each of the Coalition tribes, in order to "ensure that management decisions affecting the monument reflect tribal expertise and traditional and historical knowledge," and to allow for the Commission to "provide guidance and recommendations on the development and implementation of management plans and on management of the monument";

WHEREAS, on December 4th, 2017, the Trump administration issued Proclamation 9681, purporting to modify the Bears Ears National Monument, thereby reducing the boundaries by approximately 85 percent to 201,876 acres, reopening previously protected monument lands to mining and public sale, and reconfiguring Bears Ears Commission to include a Utah San Juan County Commissioner and limiting their role to one of two reduced monuments;

WHEREAS, the Tribe, represented by the Native American Rights Fund, immediately filed a joint lawsuit challenging the purported modifications of the Bears Ears National Monument in the United States District Court for the District of Columbia, where the matter is still pending a decision from the court;

WHEREAS, in preparation of the incoming Biden administration, the Bears Ears Inter-Tribal Coalition has commenced communications with the Biden transition team and has proffered a pathway for the Biden administration to restore protections to the Bears Ears National Monument.

NOW THEREFORE BE IT RESOLVED that the Ute Mountain Ute Tribe requests that the Biden administration take immediate action, by way of the Antiquities Act, to newly declare by public proclamation all historic landmarks, historic and prehistoric structures, and other objects of historic or scientific interest within the original 1.35+ million acre footprint that reflects the same boundaries as outlined in Proclamation 9558, in addition to any other acreage outside that boundary created by Proclamation 9681, as the Bears Ears National Monument, intact with the Bears Ears Commission, consisting of a tribal representative from each of the five Coalition tribes, as originally comprised by Proclamation 9558; and within the first 100 days of the Biden administration, the Ute Mountain Ute Tribe requests that the administration formally consult with the Tribe to pursue expansion of the Bears Ears National Monument to 1.9 million acres, as originally proposed by the Bears Ears Inter-Tribal Coalition.

BE IT FINALLY RESOLVED that the Ute Mountain Tribal Council authorizes the Chairman to sign this Resolution and further authorizes him to take such action as may be necessary to carry out the intent of this Resolution.

The foregoing Resolution was duly adopted this 22nd day of December, 2020.

Manuel Heart
Ute Mountain Ute Tribal Chairman

CERTIFICATION

This is to certify that there was a quorum of 5 Tribal Council members present at a regular meeting of the Ute Mountain Ute Tribal Council held on December 22, 2020, that 4 voted for and 0 opposed this resolution and that this resolution was duly adopted.

Michela F. Alire, Recording Secretary
Ute Mountain Tribal Council