

108TH CONGRESS
1ST SESSION

S. RES. 248

Expressing the Sense of the Senate concerning the individual Indian money
account trust fund lawsuit.

IN THE SENATE OF THE UNITED STATES

OCTOBER 21, 2003

Mr. CAMPBELL (for himself, Mr. INOUE, Mr. DOMENICI, Ms. STABENOW,
and Mr. SMITH) submitted the following resolution; which was referred
to the Committee on Indian Affairs

NOVEMBER 19, 2004

Considered, amended, and agreed to

RESOLUTION

Expressing the Sense of the Senate concerning the individual
Indian money account trust fund lawsuit.

Whereas since the 19th century, the United States has held
Indian funds and resources in trust for the benefit of In-
dians, and in its capacity as trustee, is obligated to pro-
tect those funds and resources;

Whereas the Senate reaffirms that in continuing to hold and
manage Indian funds and resources for the benefit of the
Indians, the United States must act in accordance with
all applicable standards and duties of care;

Whereas in 1996, a class action was brought against the
United States seeking an accounting of balances of indi-

vidual Indian money accounts and rehabilitation of the trust system;

Whereas after 8 years of litigation and the expenditure of tens of millions of dollars in Federal funds, the Senate believes that there is a demonstrated need to assist and encourage the parties in reaching a full, fair, and final resolution to the class action litigation; and

Whereas the resolution of the class action litigation may be achieved through alternative dispute resolution processes, including mediation: Now, therefore, be it

Resolved,

SECTION 1. SENSE OF THE SENATE.

It is the sense of the Senate that—

(1) the interests of the Indian beneficiaries and the United States would best be served by a voluntary alternative dispute resolution process, not limited to mediation, that will lead to a full, fair, and final resolution of potential individual Indian money account claims; and

(2) Federal legislation may be necessary to ensure a full, fair, and final resolution of the class action litigation.

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