



United South and Eastern Tribes, Inc.

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USET Resolution No. 2014:011

NECESSARY CHANGES TO FEDERAL BUDGET LAW AND POLICY TO PROTECT FEDERAL INDIAN PROGRAMS AND IN FULFILLMENT OF THE FEDERAL TRUST RESPONSIBILITY

- WHEREAS,** United South and Eastern Tribes Incorporated (USET) is an intertribal organization comprised of twenty-six (26) federally recognized Tribes; and
- WHEREAS,** the actions taken by the USET Board of Directors officially represent the intentions of each member Tribe, as the Board of Directors comprises delegates from the member Tribes' leadership; and
- WHEREAS,** Indian Tribes hold a unique status in the United States with the rights and benefits of sovereign nations; and
- WHEREAS,** this relationship has its underpinnings in the U.S. Constitution, specifically, the Indian Commerce Clause, the Treaty Clause and the Supremacy Clause, and in numerous treaties, laws and other agreements and understandings between the U.S. and Indian Tribes; and
- WHEREAS,** in furtherance of the federal trust responsibility, the federal government funds a number of programs through various federal departments including but not limited to Interior, Health and Human Services, Justice, and Agriculture, that either directly, or in some cases through contracts or compacts with Tribes and Tribal organizations under the Indian Self-Determination and Education Assistance Act (ISDEAA), provide critically needed services to Indian Country; and
- WHEREAS,** in recent years, federal appropriation bills have not been enacted in a timely manner, and have been subject to sequestration and other budget reductions that have severely and unfairly impacted the effectiveness of the programs that serve Indian Country, as well as disrupted the ability of Tribal governments to address the needs of Tribal communities in violation of the federal trust responsibility; and
- WHEREAS,** there are a number of changes needed to federal budget law and policy to address and mitigate the violations of the federal trust responsibility, including:
- Holding federal Indian programs harmless from the effects of sequestration and other efforts to cut federal Indian programs to address national budget issues;
 - Assuring that multi-year federal budget resolutions provide for revenue and spending levels that permit the Appropriations Committees to adequately fund Indian programs, while assuring sufficient revenue to support these federal obligations;
 - Implementing alternative funding arrangements that would mitigate the effects of disruptions in the budget process including, for example, a two-year funding cycle, advance appropriations, or forward funding;
 - Treating federal Indian program funding as mandatory rather than discretionary funding;

- Fully funding contract support costs as required by the Supreme Court in *Salazar v. Ramah Navajo Chapter*, with no legislative or contractual provisions that would undermine the Supreme Court’s holding or that would otherwise erode the federal commitment to pay these costs;
- Requiring the Office of Management and Budget to meet regularly with Tribal leadership to discuss Indian country needs and federal funding levels; and

WHEREAS, in December 2010, the United States recognized the rights of its First Peoples through its support of the United Nations Declaration on the Rights of Indigenous Peoples (UNDRIP), whose provisions and principles support and promote the purposes of this resolution; therefore, be it

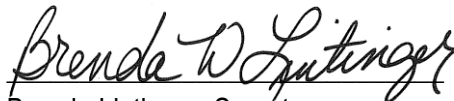
RESOLVED the USET Board of Directors strongly urges the Administration and the Congress to comprehensively amend federal budget law and policy to implement the recommendations set forth above in fulfillment of the federal trust responsibility and in support of adequate and stable Federal Indian program funding.

CERTIFICATION

This resolution was duly passed at the USET Annual Meeting, at which a quorum was present, in Cherokee, NC on Thursday, October 31, 2013.



Brian Patterson, President
United South and Eastern Tribes, Inc.



Brenda Lintinger, Secretary
United South and Eastern Tribes, Inc.

“Because there is strength in Unity”