



United South and Eastern Tribes, Inc.

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USET Resolution No. 2014:013

EXPRESSING HEARTFELT SORROW AND SYMPATHY FOR DUSTEN BROWN, VERONICA, THEIR EXTENDED FAMILY AND FRIENDS, AND THE CHEROKEE INDIAN NATION OF OKLAHOMA AND CALLING FOR ACTION TO PROTECT NATIVE CHILDREN

- 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 *Adoptive Couple v. Baby Girl*, the U.S. Supreme Court narrowed the scope of the Indian Child Welfare Act with the effect of denying Dusten Brown, a citizen of the Cherokee Indian Nation of Oklahoma, and his biological daughter Veronica, the protection of that law to prevent her adoption by a non-Indian couple; and
- WHEREAS,** the Indian Child Welfare Act was enacted to halt the routine placement and adoption of Native children with non-Natives with no regard for opportunities for Native placement; and
- WHEREAS,** the Indian Child Welfare Act is widely acknowledged as consistent with the best practices and policies in the area of childcare law and several states have enacted state laws that facilitate the Indian Child Welfare Act's implementation; and
- WHEREAS,** this court decision is not about one child, but rather, it is about the security of all Indian children and the prospect that more Indian children will be removed from their Native families and culture; and
- WHEREAS,** Indian Country has survived many attempts of removal and assimilation, but our greatest resource is our children and removing a Native child from its safe and loving biological family and culture destroys the foundation of our Tribes and Tribal communities; and
- WHEREAS,** this decision is yet another example in a long list of efforts and actions that chip away at Tribal inherent sovereign rights that are core and fundamental to who we are as Tribal Nations and

represents a fundamental violation of the most important principle of the Federal trust obligation, which is the protection of Native nations, peoples and communities; 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 that USET expresses its heartfelt sorrow and sympathy for Dusten Brown, Veronica, their extended family and friends, and the Cherokee Nation of Oklahoma and extend our prayers and good medicine, in prayerful belief that Veronica will have the opportunity to understand and be connected to her cultural heritage as a Cherokee Indian and to her biological family; and, be it further

RESOLVED that USET calls upon the United States government to uphold its trust responsibility by supporting the adoption and placement of Native children by Native families through law, policy and funding initiatives, and uphold the intent of the Indian Child Welfare Act (ICWA); and, be it further

RESOLVED that USET commits itself and calls upon Indian Country to work together to strengthen protections for Native children and to assure that Native children are able to grow up in a warm, caring and supportive Native home.

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”