



United South and Eastern Tribes, Inc.

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USET Resolution 2013:051

SUPPORT FOR LEGISLATION TO ESTABLISH THE AMERICAN INDIAN POLICY COMMITTEE

- 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 between the U.S. and Indian Tribes; and
- WHEREAS,** Congress received the Final Report of the American Indian Policy Review Commission in 1977, which made a number of recommendations regarding the United States' administration of its trust relationship with federally recognized American Indian tribes and their members; and
- WHEREAS,** there has been no comprehensive review of the United States' trust relationship with American Indian tribes since the publication of that report and the trust relationship, intended as a protection against intrusions by state and local governments, has been tested over the intervening decades; and
- WHEREAS,** there have also been conflicting approaches to the administration of trust responsibilities by federal agencies, successive Supreme Court opinions that define the United States' trust relationship in increasingly narrow terms, and contentiousness from state and local governments; and
- WHEREAS,** it is timely and essential to conduct a review of the current state of the United States' trust relationship with federally recognized American Indian tribes and their members to better administer those responsibilities and revise relevant policies for the benefit of American Indians; and
- WHEREAS,** the Senate Committee on Indian Affairs held a hearing in the 112th Congress regarding the potential need for such a review, with testimony from the Hon. Ray Halbritter, Oneida Nation Representative; and
- WHEREAS,** the Nation Representative has proposed draft legislation that would establish the American Indian Policy Committee in a manner that is consistent with his testimony before the Senate; and
- WHEREAS,** the USET Board has adopted a position paper on "Advancing the Trust Responsibility" which is consistent with the intent of the draft legislation; 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

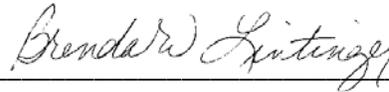
RESOLVED the USET Board of Directors requests the U.S. Congress pass legislation to establish the American Indian Policy Committee in a form consistent with the draft legislation, with such amendments as may be necessary to achieve its intended purposes.

CERTIFICATION

This resolution was duly passed at the USET Semi-Annual Meeting, at which a quorum was present, in Niagara Falls, NY on May 17, 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”