



UNITED SOUTH AND EASTERN TRIBES, INC.

Resolution No. USET 99:46

TITLE VI HUBZONE PROGRAM

WHEREAS, United South and Eastern Tribes Incorporated (USET) is an intertribal organization comprising twenty-three (23) 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, USET has a concern with respect to the interpretation given by the Small Business Administration Title VI HUBZone Program to the statutory definition of the "Indian Reservation" in its implementing regulations. The regulatory definition includes all lands within reservation boundaries including non-Indians on fee lands within opened and diminished reservations; and

WHEREAS, The inclusion of Indian reservations was to recognize and give assistance to Indian tribes in developing and regulating reservations. There should be no reason to assist companies, which are inside reservations yet outside of tribal jurisdiction. The regulatory interpretation of the statutory definition, however, gives effect to the assertion that there are certain entities (non-Indian) in areas within Indian reservations which are not within the jurisdiction of tribes yet are eligible to receive federal assistance in economic development without regard to the interests of the tribe, within whose reservation they do business; and

WHEREAS, if the statute were amended, those non-Indian entities within reservation boundaries wishing to take advantage of the HUBZone program can establish that they are within a tribe's jurisdiction by entering into a consensual agreement with that tribe. Thus, the integrity of tribal sovereignty on reservations which is vital to the continued well being of tribal governments would be recognized and preserved; therefore, be it

RESOLVED the USET Board of Directors declares that Title VI, Section 602 (a) (1) (C) should be amended to read as follows:

(C) lands within the external boundaries of an Indian reservation and within the jurisdiction of an Indian tribe.

CERTIFICATION

This resolution was duly passed at the USET Semi-Annual Board of Directors Meeting, at which a quorum was present in Miami, FL Thursday, June 17, 1999.

Keller George, President
United South and Eastern Tribes, Inc.

Beverly Wright, Secretary
United South and Eastern Tribes, Inc.

"Because there is strength in Unity"