



UNITED SOUTH AND EASTERN TRIBES, INC.

USET Resolution No. 2001:058

SUPPORT OF MAINE TRIBES IN MAINTAINING THEIR GOVERNANCE OVER TRIBAL DOCUMENTS WITHIN THEIR RESERVATIONS, FREE FROM STATE REGULATION UNDER STATE "FREEDOM OF ACCESS" LAWS

- WHEREAS,** United South and Eastern Tribes, Incorporated (USET) is an inter-tribal organization comprised of twenty-four (24) 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 each member Tribes' leadership; and
- WHEREAS,** a unique Trust Relationship exists between the United States Government and federally recognized Tribes, which is identified and exercised through the U.S. Constitution, Treaties, Presidential Directives, and congressional declarations; and
- WHEREAS,** the Passamaquoddy Tribe and the Penobscot Nation are federally recognized sovereign governments; and
- WHEREAS,** three Maine-based paper companies, Great Northern Paper, Inc., Georgia-Pacific Corp., and Champion International Corp., discharge industrial wastes into waters within or near the reservations and trust lands of these Tribes; and
- WHEREAS,** said paper companies have aggressively sought to enter the reservation offices of the Tribes to handle, inspect, and copy tribal property documents having to do with the Tribes' efforts to protect water quality; and
- WHEREAS,** said paper companies have aggressively sought access to said tribal documents without respect for the Tribes' customs and laws or any cognizance of tribal rights, as independent, self-governing nations, to limit "public access" to tribal offices and property within the Tribes' reservations; and
- WHEREAS,** said paper companies have successfully used the state courts of Maine in furtherance of these efforts, and more specifically, to obtain a legal ruling that the tribes must be treated as "political subdivisions" of the State of Maine with respect to the limitations of "public access" to tribal property within their reservations; and
- WHEREAS,** the Tribes are seeking to protect their independent, self-governing authority and the integrity of their reservations from these paper companies by all legal means, including litigation in the federal circuit courts, and as necessary, in the United States Supreme Court; and
- WHEREAS,** the Maine Tribes are members, in good standing, of the United South and Eastern Tribes, Inc. (USET); therefore be it

"Because there is strength in Unity"

RESOLVED that the USET Board of Directors fully and actively supports the Passamaquoddy Tribe and the Penobscot Nation in their position that they have the inherent authority to govern matters of “public access” to their reservations without interference by the State of Maine and the Maine-based paper companies; and be it further

RESOLVED that the USET Board of Directors will stand in unity with the Passamaquoddy Tribe and the Penobscot Nation, and support them in their efforts to protect the rights of self-governance in the face of the paper companies’ attempt to impose state “public access” laws upon them; and, be it further

RESOLVED that the USET Board of Directors hereby makes the effort to support these Tribes by all lawful means, including attendance at legal proceedings or future events organized by the Tribes; and, be it further

RESOLVED that the USET Board of Directors instructs the President and Executive Director to prepare a letter of support, position paper, or other documentation that conveys the USET Board of Directors’ support of the Passamaquoddy Tribe and the Penobscot Nation in these legal proceedings, and transmit said documents to the Secretary of the Interior, or other appropriate U.S. officials, urging assistance from the United States, through their trust obligations, as may be requested by these Tribes; and, be it further

RESOLVED the USET Board of Directors authorizes the President and Executive Director to testify and/or file a “friend of the court” brief as needed and appropriate when requested from these Tribes.

CERTIFICATION

This resolution was duly passed at the USET Semi-Annual Meeting, at which a quorum was present in Marksville, LA, on Thursday, May 24, 2001.



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



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