



UNITED SOUTH AND EASTERN TRIBES, INC.


USET Resolution No. 2003:066


MIGRATORY BIRDS TREATY ACT REGULATIONS

- WHEREAS,** United South and Eastern Tribes, Incorporated (USET) is an intertribal 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 the member tribes' leadership; and
- WHEREAS,** certain birds covered under the Migratory Bird Treaty Act are of religious and cultural significance to the native people of the South and Eastern United States and the possession of such birds, (or parts thereof), are necessary for the preservation and conduct of cultural and religious practices; and
- WHEREAS,** under the Bald and Golden Eagle Protection Act the United States Fish and Wildlife Service (USFWS) National Eagle Repository was created as a collection point to provide for the distribution of eagles to members of federally recognized tribes for cultural and religious purposes; and
- WHEREAS,** under the Migratory Bird Treaty Act there is no such arrangement for the collection and distribution of other migratory birds of ceremonial significance to members of federally recognized tribes for traditional cultural practices; therefore, be it
- RESOLVED** that the USET Board of Directors requests that the USFWS begin immediately to develop regulations, policy, and/or a process under the Migratory Bird Treaty Act to distribute migratory bird carcasses, feathers, and/or parts to members of federally recognized tribes for use only in traditional cultural practices; and, be it further
- RESOLVED** that the USET Board of Directors requests that the regulations, policy, and/or process be flexible enough to allow the collection and distribution of migratory birds of indigenous cultural significance through a repository like system but also authorize the possession of deceased migratory birds (non-eagle) that are legally acquired from sources outside the repository system; and, be it further
- RESOLVED** that the USET Board of Directors request that the USFWS include appropriate funding within their budget as provided by Congress to successfully implement the intent of this resolution; and, be it further
- RESOLVED** that the USET Board of Directors is committed to consulting and working with the USFWS to develop and implement this resolution.

CERTIFICATION

This resolution was duly passed at the USET Impact Week Meeting, at which a quorum was present, in Arlington, VA, Thursday, February 6, 2003.


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


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

“Because there is strength in Unity”



United States Department of the Interior

FISH AND WILDLIFE SERVICE
Washington, D.C. 20240



In Reply Refer To:
FWS/DMBM/011679

APR 08 2003

Mr. James T. Martin
Executive Director
United South and Eastern Tribes, Inc.
711 Stewarts Ferry Pike, Suite 100
Nashville, Tennessee 37214

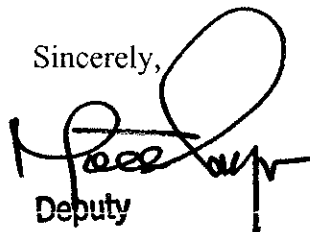
Dear Mr. Martin:

Thank you for your letter of February 14, 2003, which included the United South and Eastern Tribes (USET) resolution on the distribution of migratory birds of ceremonial significance to members of federally recognized tribes for cultural and religious purposes.

Under the Migratory Bird Treaty Act, possession of migratory bird carcasses, feathers, and/or parts requires a permit. While the Service does not presently have the staff or funding to arrange for the collection and distribution of migratory bird carcasses, feathers, and/or parts to USET members, the Division of Migratory Bird Management staff will continue to work with USET members to resolve this issue.

If you need further assistance, please contact Mr. Brian Millsap, Chief, Division of Migratory Bird Management, at 703/358-1714.

Sincerely,



Deputy
DIRECTOR