



UNITED SOUTH AND EASTERN TRIBES, INC.

USET Resolution No. 2008:042

RESTATING POSITION ON LUMBEE RECOGNITION

- WHEREAS,** United South and Eastern Tribes, Incorporated (USET) is an intertribal organization comprised of twenty-five (25) 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 is an organization dedicated to protecting the sovereignty of federally recognized Indian Tribes of the southern and eastern United States; and
- WHEREAS,** USET, as indicated through previous resolutions and Congressional testimony, supports the use of the Federal Acknowledgment Process administered by the Bureau of Indian Affairs for determining whether non-federally recognized Indian groups should be federally recognized because this process is based upon criteria recommended by the American Indian Policy Review Commission and supported by federally recognized Indian Tribes across the country and is administered by experts, such as ethno-historians, genealogists, anthropologists, and other technical staff; and
- WHEREAS,** on October 23, 1989, William Lovel, Assistant Solicitor for Indian Affairs, issued an opinion stating that federal law bars the Lumbee group from going through the Federal Acknowledgment Process due to language in the June 7, 1956 Lumbee Act that prohibits them from receiving "any services performed by the United States for Indians because of their status as Indians,"; and
- WHEREAS,** legislation that would have extended federal recognition to the Lumbee group of North Carolina has been introduced in previous Congressional sessions and has been repeatedly rejected by Congress; and
- WHEREAS,** in response to this previous legislation in Congress to extend federal recognition to the Lumbee group, USET, in Resolution No. 93-15LA, *Restating Position on Lumbee Recognition*, reiterated its long-standing position of rejecting the concept of legislative recognition of Indian groups, which was and is being sought by the Lumbee group, and instead favoring legislation that would allow the Lumbee group to go through the Federal Acknowledgment Process from which they have been unfairly excluded; and
- WHEREAS,** H.R. 65, the Lumbee Acknowledgment Act, is under consideration by the U.S. Congress and would extend federal recognition to the Lumbee group of North Carolina; and
- WHEREAS,** USET has consistently opposed Lumbee recognition through an Act of Congress but supports legislation that would allow all groups that fall under the 1956 Lumbee Act to complete the administrative process; therefore, be it
- RESOLVED** the USET Board of Directors does hereby express its strong opposition to H.R. 65 because this bill allows the Lumbee group to circumvent the established system of the Federal Acknowledgment Process by giving them immediate recognition without the use of objective guidelines or expert analysis as required by the Branch of Acknowledgment and Research; and, be it further

"Because there is strength in Unity"

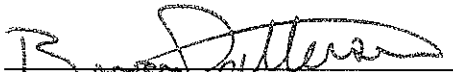
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RESOLVED the USET Board of Directors does hereby express its strong support for legislation that would offer a fair remedy for the Lumbee group by amending the 1956 Lumbee Act to allow them to access the Federal Acknowledgment Process; and, be it further

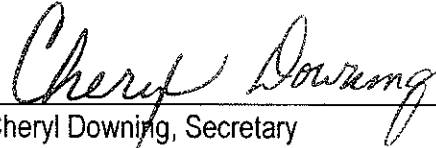
RESOLVED the USET Board of Directors does hereby urge the U.S. Congress to reject H.R. 65 and support alternative legislation that would allow all groups to complete the administrative process.

CERTIFICATION

This resolution was duly passed at the USET Semi-Annual Meeting, at which a quorum was present, in Cherokee, NC, on Thursday, May 8, 2008.



Brian Patterson, President
United South and Eastern Tribes, Inc.



Cheryl Downing, Secretary
United South and Eastern Tribes, Inc.