



USET Resolution No. 2008:021

**SUPPORT OF SENECA NATION'S JAY TREATY RIGHTS TO
CROSS THE UNITED STATES-CANADA BORDER**

- 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,** the Seneca Nation of Indians (Seneca) is a sovereign, self-governing Indian nation with approximately 7,600 enrolled members residing in both the United States (US) and Canada, and possessing five Territories within its aboriginal lands in Western New York; and
- WHEREAS,** Seneca members are connected politically, economically, socially and culturally to the 50,000 other members of the historic Six Nations of the Haudenosaunee Confederacy, residing on 19 territories located on both sides of the U.S.-Canada border; and
- WHEREAS,** the right for Senecas to pass freely across the U.S.-Canada border based solely on Seneca political status was recognized and affirmed under the Jay Treaty of Amity, Commerce and Navigation of 1794 ("Jay Treaty") with the Federal government, which is now threatened by the Department of Homeland Security's (Department) proposed rule implementing the Western Hemisphere Travel Initiative; and
- WHEREAS,** the Senecas have traditionally and routinely practiced their right to pass freely across the border; and
- WHEREAS,** the Department has proposed regulations that would require Seneca members to obtain a passport to cross the border and fails to make provisions that would enable members to present Tribal identification only, thereby attacking the unique treaty rights; and
- WHEREAS,** the Department recently released interim guidance instructing Customs and Border Patrol to accept Tribal identification cards containing a photograph beginning January 31, 2008 through June 2009; and
- WHEREAS,** the Seneca Nation is petitioning the Executive Branch and Congress to continue to recognize the treaty rights of Seneca Nation members to cross the border freely and solely on the basis of their tribal identification as such; and
- WHEREAS,** the Seneca Nation is a member of USET, Inc. and seeks the support of member Tribes in protecting the rights of Seneca and all other northern border Tribes and Nations; therefore be it
- RESOLVED** the USET Board of Directors affirms its support for all USET member Tribes in protecting their rights to pass freely across the United States-Canadian border solely on the basis of their Tribal identification.

CERTIFICATION

This resolution was duly passed at the USET Impact Week Meeting, at which a quorum was present, in Arlington, VA, Thursday, February 14, 2008.

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

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

"Because there is strength in Unity"