



United South and Eastern Tribes, Inc.  
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**USET Resolution No. 2010:020**

**SUPPORTING SECRETARIAL PROCEDURES IN LIEU OF COMPACT**

- 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 Constitution of the United States, through the Treaty, Commerce, and Apportionment Clauses and the 14<sup>th</sup> Amendment, recognizes the sovereign status of Indian Tribes as Native nations established prior to the United States; and
- WHEREAS,** the Indian Gaming Regulatory Act (IGRA) acknowledged and confirmed the inherent sovereign powers of Tribal Governments; and
- WHEREAS,** on August 17<sup>th</sup>, 2007, in *State of Texas v. United States of America et al and the Kickapoo Traditional Tribe of Texas*, the Secretarial Procedures in Lieu of Compact Regulation (25 C.F.R. Part 291) was challenged; and
- WHEREAS,** administrative amendment and congressional approval of this regulation could meet the concerns raised in that case; therefore, be it
- RESOLVED** the USET Board of Directors calls upon the Secretary of the Interior to issue revised regulations concerning procedures in lieu of a compact; and, be it further
- RESOLVED** the USET Board of Directors calls upon Congress to instruct the Secretary to consult with Indian Tribes in the development and approval of the revised regulation; and, be it further
- RESOLVED** the Federal Government, in accordance with its trust responsibility, should support Indian Tribes through any and all means in their efforts to resolve the inequities that arise from states that refuse to negotiate Class III gaming compacts, including bringing bad faith claims on behalf of Indian Tribes, and further should not hinder the Department of the Interior's current efforts with Tribes who are seeking Secretarial Procedures under the existing regulations.

**CERTIFICATION**

This resolution was duly passed at the USET Semi-Annual Meeting, at which a quorum was present, in Mobile, AL, on Thursday, June 17, 2010.

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

Robert McGhee, Secretary  
United South and Eastern Tribes, Inc.