



United South and Eastern Tribes, Inc.
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USET Resolution No. USET 2011:027

**ENDORSEMENT OF EXECUTIVE ORDER 13175 AND THE NOVEMBER 2009
PRESIDENTIAL MEMORANDUM**

- WHEREAS,** United South and Eastern Tribes (USET) is an intertribal organization comprised of twenty-six (26) 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,** in November 2009, President Obama signed a Presidential Memorandum directing all federal departments and agencies to develop a plan and to engage in meaningful consultation with Indian Tribes to ensure the interests and concerns of Indian Country are acknowledged and reflected in federal agency actions and policies pursuant to Executive Order 13175, issued by President Clinton on November 6, 2000; and
- WHEREAS,** President Obama's November 2009 Presidential Memorandum acknowledges that "The United States has a unique legal and political relationship with Indian Tribal governments, established through and confirmed by the Constitution of the United States, treaties, statutes, executive orders, and judicial decisions"; and
- WHEREAS,** The November 2009 Presidential Memorandum further acknowledges that "Consultation" is a critical ingredient of a sound and productive Federal-Tribal relationship"; and
- WHEREAS,** in the November 2009 Presidential Memorandum, President Obama committed his administration to regular and meaningful consultation and collaboration with Tribal officials in policy decisions that have Tribal implications including, as an initial step, through complete and consistent implementation of Executive Order 13175" (the executive order mandating government-to-government consultations); and
- WHEREAS,** the Department of Interior (DOI) has a special and unique trust responsibility to Indian Tribes; and
- WHEREAS,** in 2010, the U.S. Census Bureau wrote to the Oneida Nation of New York and asked that the Oneida Nation confirm that the U.S. Census Bureau map accurately reflected the boundaries of Oneida's reservation; and
- WHEREAS,** in June 2010, the Oneida Nation responded to the U.S. Census Bureau's request and advised that its map of the Oneida reservation boundaries was incorrect and the Oneida Reservation, as recognized by the Federal Government and United States District Courts, is a 300,000 acre reservation, and provided the U.S. Census Bureau with a map prepared by the Department of Interior, Bureau of Indian Affairs, which depicts the boundaries of the Oneida Reservation; and

- WHEREAS,** the Oneida Nation requested that the U.S. Census Bureau correct its maps to reflect the legal boundaries of the Oneida Reservation; and
- WHEREAS,** the U.S. Census Bureau contacted the Department of Interior to confirm that the Oneida Reservation is 300,000 acres and that the map provided by the Oneida Nation accurately reflected the Oneida Reservation; and
- WHEREAS,** in August 2010, the Department of Interior advised that the Oneida Reservation is 300,000 acres, that the reservation has never been diminished or disestablished, and that the map provided does accurately reflect the Oneida Reservation boundaries and the U.S. Census Bureau corrected its map to reflect the legal boundaries; and
- WHEREAS,** in January 2011, Senator Schumer inappropriately influenced the Department of Interior in an effort to get the Department to change its position regarding the U.S. Census Map; and
- WHEREAS,** in February 2011, Senator Schumer announced in a press release that “he successfully pushed the Department of Interior and the U.S. Census Bureau to retract a recently issued map” and provided a copy of an unsigned letter from the Department of Interior to the U.S. Census Bureau stating that although the Department of Interior’s legally binding position that the Oneida Reservation has not been disestablished and is intact, the Census Bureau should again redraw the Oneida Reservation boundaries to reflect a 32-acre reservation; and
- WHEREAS,** this action clearly fails to comply with President Obama’s directive to engage in regular and meaningful consultation and collaboration with Tribal officials in the development of Federal policies that have Tribal implications, which directly affect the Oneida Indian Nation’s interest; and
- WHEREAS,** the Department of Interior never once consulted with the Oneida Nation regarding this issue; and
- WHEREAS,** based upon this having occurred, there is a real risk to Indian Country that elected officials will exert inappropriate political influence with the Department of Interior in order to bypass President Obama’s consultation directive; and
- WHEREAS,** USET, through its delegates, commends the principles expressed in the Executive Order and President Obama’s November 2009 Presidential Memorandum; therefore, be it

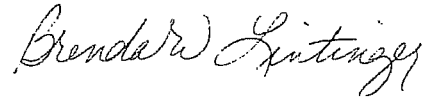
RESOLVED the USET Board of Directors calls upon President Obama to direct the Secretary of Interior to comply with President Obama's mandate that it engage in "regular and meaningful consultation and collaboration with tribal officials in the development of Federal policies that have Tribal implications" without regard to political interference by elected officials.

CERTIFICATION

This resolution was duly passes at the USET Impact Week Meeting, at which quorum was present, in Arlington, VA on Thursday, February 10, 2011.



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



Brenda Lintinger, Secretary
United South and Eastern Tribes, Inc.