



United South and Eastern Tribes, Inc.

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USET Resolution No. 2013:038

URGING THE EASTERN REGION OF THE BUREAU OF INDIAN AFFAIRS DEPARTMENT OF TRANSPORTATION TO ELIMINATE FEES AND APPLICATION REQUIREMENTS RELATED TO THE ROAD INVENTORY FIELD DATA SYSTEM

- WHEREAS,** United South and Eastern Tribes Incorporated (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,** the United States Department of the Interior, through the Bureau of Indian Affairs, Department of Transportation (BIADOT) is bound by treaty and law to provide certain services and funding to American Indian Tribes for transportation-related activities; and
- WHEREAS,** the Eastern Region of BIADOT has been charged with carrying out many of these requirements; and
- WHEREAS,** American Indian Tribes in the BIADOT Eastern Region are sovereign nations exercising their rights and responsibilities enshrined in their respective Tribal laws and customs and meeting treaty requirements with the United States in a nation-to-nation relationship; and
- WHEREAS,** the Eastern Region of BIADOT has required Tribes to provide information pertaining to the Tribal Transportation Program (formerly known as the Indian Reservation Roads Program) to update data in the Road Inventory Field Data System (RIFDS); and
- WHEREAS,** RIFDS is a secure system, accessible only by individuals approved by the federal government, with an appropriate security clearance; and
- WHEREAS,** employees of American Indian Tribes and Alaska Native Villages are not employees of the federal government; and
- WHEREAS,** the Eastern Region of BIADOT has proposed requiring Tribal employees to obtain the appropriate security clearance in order to access RIFDS or pay a fee to have Eastern Region Office (ERO) staff input required data; and
- WHEREAS,** in December 2010, the United States recognized the rights of its First Peoples through its support of the United Nations Declaration on the Rights of Indigenous Peoples (UNDRIP),

whose provisions and principles support and promote the purposes of this resolution; therefore, be it

RESOLVED the USET Board of Directors has determined the requirement for such background checks on Tribal employees, who must access the Road Inventory Field Data System for the purpose of uploading required Tribal Transportation Program data, is inconsistent with established treaty and legal obligations between the United States and Tribal governments; and, be it further

RESOLVED that the USET Board of Directors declares Tribal employees in the Bureau of Indian Affairs Eastern Region exempt from security clearances and background investigations required for access to the system; and, be it further

RESOLVED the USET Board of Directors requests that the Bureau of Indian Affairs Department of Transportation develop access to the Road Inventory Field Data System that is in line with other federal reporting systems and not based on security clearances; and, be it further

RESOLVED that any fees charged to Tribes are not in the spirit of cooperation and understanding, and are contrary to established procedures and guarantees in treaty and law between the sovereign Tribes and the United States federal government; and, be it further

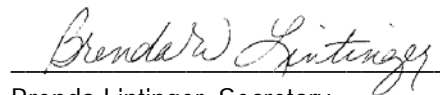
RESOLVED the USET Board of Directors requests the Eastern Region of Bureau of Indian Affairs, Department of Transportation not implement any new procedures, requirements, or fees without the full support of the Tribal governments within its service area, and without full input, consultation and agreement of said Tribes.

CERTIFICATION

This resolution was duly passed at the USET Semi-Annual Meeting, at which a quorum was present, in Niagara Falls, NY, on Friday, May 17, 2013.



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



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

“Because there is strength in Unity”