



## United South and Eastern Tribes, Inc.

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### **USET Resolution No. 2014:033**

#### **EXPRESSING APPRECIATION FOR THE WORK OF THE UNITED STATES TRUST REFORM COMMISSION AND CALLING FOR ADVANCEMENT OF TRUST REFORM LEGISLATION**

- 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,** Indian Tribes hold a unique status in the United States (U.S.) with the rights and benefits of sovereign nations; and
- WHEREAS,** this relationship is grounded in the U.S. Constitution, specifically, the Indian Commerce Clause, the Treaty Clause and the Supremacy Clause, and in numerous treaties, laws, statutes, and agreements between the U.S. and Indian Tribes; and
- WHEREAS,** on December 8, 2009 Interior Secretary Ken Salazar established the Secretarial Commission on Indian Trust Administration and Reform (Commission) by Secretarial Order No. 3292; and
- WHEREAS,** Secretary Salazar's Order states that there be "*a thorough evaluation of the existing management and administration of the trust administration system to support a reasoned and factually based set of options for potential management improvements. It also requires a review of the manner in which the Department audits the management of the trust administration system, including the possible need for audits of management of trust assets....*"; and
- WHEREAS,** the Secretary encouraged the Commission at its first meeting to be creative and to review all aspects of the federal-Tribal relationship and suggest reforms by Congressional or Administrative action; and
- WHEREAS,** the Commission convened one of its meetings in Nashville where USET presented its "Advancing the Trust Responsibility" position paper, proposing a number of bold approaches to the restructuring of the trust responsibility and to advancing Tribal sovereignty; and
- WHEREAS,** the Commission completed its work and filed a report with recommendations; and
- WHEREAS,** the report provides comprehensive recommendations for the improvement of the management and administration of the trust administration system; and
- WHEREAS,** the report also begins a deeper discussion on the nature of the trust responsibility through recommendations associated with the protection of Tribal lands, the judicial enforcement of Tribal rights, and enhanced consultation; and

- WHEREAS,** the USET Board of Directors passed resolution 2013:051 at its 2013 Semi-Annual meeting requesting the U.S. Congress pass legislation to establish the American Indian Policy Committee in a form consistent with draft legislation proposed by the Oneida Nation, with such amendments as necessary to achieve its intended purposes; and
- WHEREAS,** in December 2010, the U.S. 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 extends its appreciation to the members of the Secretarial Commission on Indian Trust Administration and Reform for its diligent work; and, be it further
- RESOLVED** the USET Board of Directors endorses the recommendations of the Commission and calls upon the Administration and the United States Congress to pass the necessary legislation to implement these recommendations; and, be it further
- RESOLVED** the USET Board of Directors calls for continued discussion on creative ways to advance the trust responsibility and Tribal sovereignty consistent with the concepts set forth in USET’s position paper titled “Advancing the Trust Responsibility”; and, be it finally
- RESOLVED** the USET Board of Directors reaffirms its resolution number 2013:051, for the establishment of the American Indian Policy Committee to pursue these issues in greater depth.

**CERTIFICATION**

This resolution was duly passed at the USET Impact Week Meeting, at which a quorum was present, in Arlington, VA, on Thursday, February 6, 2014.



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



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

*“Because there is strength in Unity”*