



## United South and Eastern Tribes, Inc.

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### **USET Resolution No. 2015:010**

#### **REAFFIRMATION OF TRIBAL GOVERNMENT TRUST LANDS**

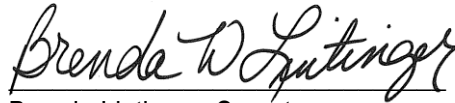
- WHEREAS,** United South and Eastern Tribes Incorporated (USET) is an intertribal organization comprised of twenty-six (26) federally recognized Tribes; and
- WHEREAS,** the actions taken by the USET Board of Directors officially represent the intentions of each member Tribe, as the Board of Directors comprises delegates from the member Tribes' leadership; and
- WHEREAS,** in February of 2009, the U.S. Supreme Court in *Carcieri v. Salazar* held that the United States Department of Interior can only take land into trust pursuant to the Indian Reorganization Act for those Tribes "under Federal jurisdiction" on June 8, 1934; and
- WHEREAS,** USET recognized not only the immediate harmful impact of the *Carcieri* decision, but also its potential to serve as the basis for additional adverse decisions, and therefore made and continues to make passage of a *Carcieri* fix one of its highest priorities; and
- WHEREAS,** regrettably, the *Carcieri* decision has led to additional adverse decisions that challenge the stability of current Tribal landholdings including *Match-E-Be-Nash-She-Wish Band of Pottawatomis v. Patchak*, which allowed retroactive challenges to land into trust decisions, and *Big Lagoon Rancheria v. California*, in which the Ninth Circuit held, in a case involving land taken into trust 20 years ago, that there is essentially no time limit on bringing such challenges; and
- WHEREAS,** in the case of one Tribe, the Match-E-Be-Nash-She-Wish Band of Pottawatomis Indians (Gun Lake), Congress recognized the importance of restoring certainty to current Tribal trust land holdings by passing legislation reaffirming the status of that Tribe's lands; 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 calls on Congress to enact legislation that would reaffirm current trust lands for all federally recognized Indian Tribes in fulfillment of Congress' intent through enactment of the Indian Reorganization Act; and, be it further
- RESOLVED** this resolution shall be the policy of USET until it is withdrawn or modified by a subsequent resolution.

**CERTIFICATION**

This resolution was duly passed at the USET Annual Meeting, at which a quorum was present, in Verona, NY, on Thursday, December 4, 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”*