



## UNITED SOUTH AND EASTERN TRIBES, INC.

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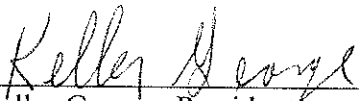
Resolution No. USET 2001:13

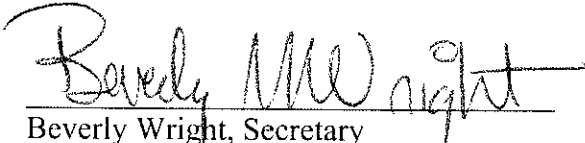
### DEPARTMENT OF INTERIOR V. KLAMATH

- WHEREAS,** United South and Eastern Tribes Incorporated (USET) is an intertribal organization comprising twenty-four (24) 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 has certain trust responsibilities with respect to all Indian nations located within its boundaries; and
- WHEREAS,** consistent with its trust responsibilities, the United States and the Department of Interior are legally required to preserve the confidentiality of certain information supplied to them by Indian nations and such information is legally protected from disclosure; and
- WHEREAS,** the Klamath Water Users Protective Association, in the context of a water rights dispute with various Indian nations, has sought to compel the Department of Interior, pursuant to the Freedom of Information Act, to disclose confidential communications between the Department and the affected Indian nations; and
- WHEREAS,** the U.S. Supreme Court has agreed to decide that dispute, which is formally titled *Department of Interior v. Klamath Water Users Protective Association* (Docket No. 99-1871); and
- WHEREAS,** if the U.S. Supreme Court does not uphold the Interior Department's refusal to disclose the subject communications between the tribes and the Department, the resulting precedent could jeopardize the confidentiality of information shared between the Interior Department and Indian nations, thereby undermining tribal privacy rights and impairing the ability of the United States to fulfill its trust obligations to Indian nations; therefore, be it
- RESOLVED,** the USET Board of Directors hereby authorizes the Washington, D.C. Law firm of Zuckerman, Spaeder, Goldstein, Taylor & Kolker, LLP to prepare and file on its behalf an *amicus* brief in the case of *Department of Interior v. Klamath Water Users Protective Association* in support of the Department's position in that dispute.

### CERTIFICATION

This resolution was duly passed at the USET Annual Meeting, at which a quorum was present in Verona, NY on Thursday, November 2, 2000.

  
Keller George, President  
United South and Eastern Tribes, Inc.

  
Beverly Wright, Secretary  
United South and Eastern Tribes, Inc.

*“Because there is strength in Unity”*