



UNITED SOUTH AND EASTERN TRIBES, INC.

USET Resolution No. USET 2002:030

CLARIFICATION OF P.L. 280 IN FLORIDA AS APPLIED TO THE MICCOSUKEE TRIBE OF INDIANS OF FLORIDA

- WHEREAS,** United South and Eastern Tribes incorporated (USET) is an intertribal organization comprised of 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 Miccosukee Tribe of Indians of Florida (Miccosukee Tribe) is a founding member of USET; and
- WHEREAS,** Public Law 83-280 (P.L. 280) is a federal law passed in 1953 which decreed that criminal and civil cases involving Indians in certain states are to be adjudicated in their respective state court system and allowed for other states to adopt wholly or in part jurisdiction over Indians; and
- WHEREAS,** the State of Florida in 1961 adopted P.L. 280 to assume full jurisdiction over Indians and amended the Florida State Statutes under Chapter 285.16 to assert their jurisdiction without consulting the Miccosukee Tribe; and
- WHEREAS,** the Miccosukee Tribe never agreed to P.L. 280 or to Florida State Statutes Chapter 285.16; and
- WHEREAS,** the Miccosukee Tribe filed a lawsuit against the State of Florida after the State of Florida adopted P.L. 280 to take away the trusteeship of the Miccosukee State Indian Reservation from the State of Florida to the Federal Government due to the State of Florida not providing services to the Tribe, such as law enforcement, and for authorizing leases and contracts which benefitted the State of Florida and not necessarily the Miccosukee Tribe; and
- WHEREAS,** the Miccosukee Tribe developed its own Court System, Law Enforcement Program, Environmental Programs, Fish and Wildlife Program, and other Social Services excluded by the State of Florida; and
- WHEREAS,** the Miccosukee Tribe encountered jurisdictional issues with the State of Florida concerning the application of P.L. 280 on Miccosukee Tribal Trust Lands, specifically those trust lands which were determined by the Miccosukee Tribal Court and the Federal Court System to be exclusively federal jurisdiction; and
- WHEREAS,** such jurisdictional issues with the State of Florida were ultimately resolved by the Miccosukee Tribal Court and Federal Courts in favor of the Miccosukee Tribe; and
- WHEREAS,** State Senator Rudy Garcia is in the process of introducing a Senate Bill which will clarify the application of P.L. 280 on Miccosukee Tribal Trust Land as determined by the Courts; therefore, be it
- RESOLVED** that the USET Board of Directors hereby supports the introduction of a State of Florida Senate Bill to clarify the application of P.L. 280 in the State of Florida, uphold Tribal Sovereignty, and recognize the decisions of the federal court system in this instance; and, be it further

“Because there is strength in Unity”


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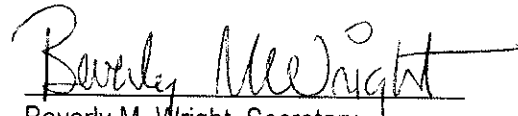
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RESOLVED that the USET Board of Directors hereby request that all members of the Florida State Legislature give their support to the afore-mentioned bill.

CERTIFICATION

This resolution was duly passed at the USET Impact Week Meeting, at which a quorum was present in Washington, D.C., Thursday, January 31, 2002.


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


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