



UNITED SOUTH AND EASTERN TRIBES, INC.

USET Resolution No. 2004:070

DRAFT U.S. FOREST SERVICE REGULATIONS ON SALE AND DISPOSAL OF NATIONAL FOREST TIMBER: SPECIAL FOREST PRODUCTS AND FOREST BOTANICAL PRODUCTS

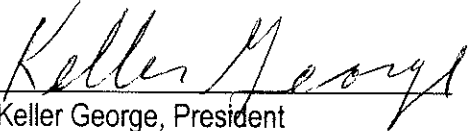
- WHEREAS,** United South and Eastern Tribes, Incorporated (USET) is an intertribal organization comprised of twenty-four (24) federally recognized tribes; and
- WHEREAS,** the actions taken by the USET Board of Directors officially represent the intentions of each member tribe, as the Board of Directors comprises delegates from the member tribes' leadership; and
- WHEREAS,** the U.S. Forest Service has drafted regulations on the sale and disposal of National Forest Timber for Special Forest Products and Forest Botanical Products; and
- WHEREAS,** the U.S. Forest Service has provided these draft regulations to the Tribes for their comments prior to publication in the Federal Register for public comments; and
- WHEREAS,** these draft regulations affect the ways in which Tribes and their members can utilize Special Forest Products and Forest Botanical Products for subsistence, cultural, traditional, and religious uses; and
- WHEREAS,** the USET Natural Resources Committee has reviewed these regulations; therefore, be it
- RESOLVED** that the USET Board of Directors commends the U.S. Forest Service for allowing tribal input into these draft regulations prior to the general comment period but reminds the Forest Service that USET is an inter-tribal organization and not a substitute for government-to-government consultation with individual member tribes and; be it further
- RESOLVED** that the USET Board of Directors objects to the following:
- (1) Section 223.18 which disenfranchises hundreds of tribes throughout the United States that do not have specific reserved treaty gathering rights, imposes a limit of \$20 for permitted free use material which is inconsistent with 21st Century dollars, and diminishes the Tribe's guaranteed right of sovereignty which in turn may compromise the government-to-government relationship.
 - (2) Section 223.215 requires language consistent with the Federally Recognized Indian Tribe List of Act 1994 (25 USC 479a) that defines "Tribe" and; be it further resolved
- RESOLVED** that the USET Board of Directors recommends the following:
- (1) that permit and fee waivers be granted to tribal members and to Tribal Governments;
 - (2) that the \$20 limit of permitted free use material does not apply to tribal members or Tribal Governments;
 - (3) that USET and its 24 member tribes offer to work in the spirit of collaboration and partnership to resolve these and other issues in the draft regulations to satisfy the federal trust responsibility of the USDA Forest Service and protect tribal access to special forest and botanical products of significance to their traditional and cultural ways.

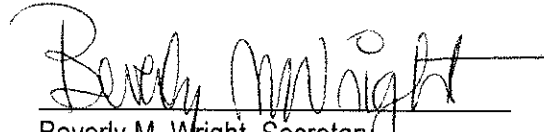
"Because there is strength in Unity"

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CERTIFICATION

This resolution was duly passed at the USET Semi-Annual Meeting, at which a quorum was present, in Hollywood, FL, Thursday, June 17, 2004.


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


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