



## UNITED SOUTH AND EASTERN TRIBES, INC.

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USET Resolution No. 2007:009

### THE FEE-TO-TRUST APPLICATION OF THE ONEIDA INDIAN NATION

- 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 Oneida Indian Nation is a sovereign Indian Nation, occupying and governing lands in Central New York since before the creation of the United States; and
- WHEREAS,** the Oneida Indian Nation provided important military and political assistance to the Continental Army during the Revolutionary War, helping the Colonists establish an independent country on the North American continent, free of outside interference and unlawful taxation; and
- WHEREAS,** in recognition of the contributions and sacrifices made by the Oneida people to the cause of liberty in the Revolutionary War, the United States formally acknowledged, in the Treaty of Canandaigua of 1794 and in other treaties, the Oneida Indian Nation's reservation and guaranteed the "free use and enjoyment" of those reservation lands; and
- WHEREAS,** notwithstanding the express promises set forth in the Treaty of Canandaigua and the statutory obligations imposed by the Non-Intercourse Act (25 U.S.C. § 177), the State of New York and other parties misappropriated the Oneida Indian Nation's reservation lands and thereby deprived the Oneida people of virtually all of their ancestral homelands; and
- WHEREAS,** although the United States Supreme Court has ruled that the State's acquisition of Oneida lands in derogation of the Treaty of Canandaigua and the Non-Intercourse Act was unlawful, it has denied the Oneida Indian Nation the ability to reestablish its sovereignty over those lands, suggesting, in the *City of Sherrill* case, that the "proper avenue" for creating and securing an Oneida homeland is the federal land-into-trust application process; and
- WHEREAS,** in April 2005, the Oneida Indian Nation, pursuant to the Supreme Court's directive in the *City of Sherrill* case, applied to the Federal Government to place its reacquired lands in trust, an application that is currently pending at the United States Interior Department; therefore, be it
- RESOLVED** the USET Board of Directors urges the United States Department of Interior to expeditiously approve the Oneida Indian Nation's fee-to-trust application in its entirety and thereby fulfill its treaty commitments and promises to, and secure a homeland for, the Oneida people; in recognition of the trust obligation the United States owes to all Indian Nations in general and the moral and treaty obligations it owes to the Oneida Indian Nation in particular—an Indian Nation that sacrificed blood, homes and worldly goods to secure freedom and a homeland for the Colonists—.

### CERTIFICATION

This resolution was duly passed at the USET Annual Meeting, at which a quorum was present, in Choctaw, MS, on Thursday, October 12, 2006.

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

Eddie L. Tullis, Secretary  
United South and Eastern Tribes, Inc.

***"Because there is strength in Unity"***