



UNITED SOUTH AND EASTERN TRIBES, INC.

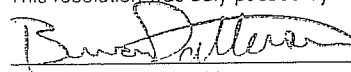
USET Resolution No. 2009:001

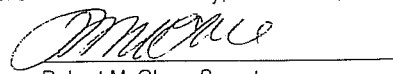
SUPPORT OF THE NARRAGANSETT TRIBE AND FUNDAMENTAL PRINCIPLES OF FEDERAL INDIAN LAW UNDER CONSIDERATION BY THE UNITED STATES SUPREME COURT IN *CARCIERI V. KEMPTHORNE*

- WHEREAS, United South and Eastern Tribes Incorporated (USET) is an intertribal organization comprised of twenty-five (25) 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, on November 3, 2008, the United States Supreme Court will be hearing oral arguments in *Carcieri v. Kempthorne*, a case that directly addresses the authority of the Secretary of Interior (Secretary) to take land into trust under the Indian Reorganization Act of 1934 (IRA) and in which the State of Rhode Island and others have argued that the Secretary cannot take land into trust for Tribes that were federally recognized after 1934; and
- WHEREAS, this case involves land that the Secretary took into trust for the Narragansett Tribe, a USET member, but the principles that are being challenged by Rhode Island would affect land-into-trust transfers for many other USET Tribes and, indeed, for Tribes across the United States; and
- WHEREAS, the Federal District Court and the First Circuit hearing the case *en banc* correctly affirmed the authority of the Secretary to take land into trust on behalf of the Narragansett Tribe and all Tribes (in accordance with Federal law and administrative authority); and
- WHEREAS, Tribal sovereignty is inherent and pre-dates the formation of the U.S. Government or the U.S. Constitution that any such statutes are simply recognition of the inherent rights; therefore, be it
- RESOLVED the USET Board of Directors strongly supports the Narragansett Tribe in its efforts to protect the trust status of its land; and, be it further
- RESOLVED that Tribes that received federal recognition or acknowledgement after 1934 should, in any way, be considered to have lesser rights or a lesser sovereign status under federal law than Tribes that had such recognition prior to 1934; and, be it further
- RESOLVED the USET Board of Directors applauds the efforts of the United States Government to defend the Secretary of Interior's authority to take land into trust for all Tribes, not just Tribes that were federally recognized in 1934; and, be it further
- RESOLVED the USET Board of Directors forever condemns continued efforts of various states and Federal policies to undermine or attack Tribal sovereignty in what are blatant attacks upon the descendants (ancestors) of the aboriginal inhabitants of what became the United States of America; and, be it further
- RESOLVED the USET Board of Directors urges the United States Supreme Court to reaffirm basic principles of Tribal sovereignty and the federal trust responsibility and thereby uphold the Secretary's authority to take into trust the land at issue in *Carcieri v. Kempthorne*.

CERTIFICATION

This resolution was duly passed by the USET Board of Directors on Thursday, October 16, 2008.


Brian Patterson, President
United South and Eastern Tribes, Inc.


Robert McGhee, Secretary
United South and Eastern Tribes, Inc.