USET Resolution No. 2005:022

RESERVATION SHOPPING

WHEREAS, the 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, certain Indian nations are attempting to acquire lands for purposes of establishing reservations at remote locations (reservation shopping), frequently in other states where they have no reservation or trust land status, no ancestral ties and no recognized governmental jurisdiction, for the sole purpose of pursuing gaming opportunities; and

WHEREAS, these certain Indian Nations, in order to secure gaming rights at distant locations, have offered to make agreements with state governments that would undermine the sovereignty and treaty rights of local Indian nations; and

WHEREAS, allowing Indian Nations or Tribes to migrate to distant locations for purposes of conducting gaming would: (a) create serious political tensions with local Indian Nations and municipal governments, (b) be contrary to existing federal policy regarding Tribal migration, and (c) violate the Indian Gaming Regulatory Act, as historically applied by the Bureau of Indian Affairs; and

WHEREAS, this "reservation shopping" is often promoted and financed by wealthy developers whose financial relationships with Indian Nations and Tribes are not disclosed and whose development plans are inconsistent with the intent of the Indian Gaming Regulatory Act; and

WHEREAS, USET is aware of the following examples regarding this issue:

- the Seneca-Cayuga Tribe of Oklahoma is seeking to engage in Class II and Class III gaming in the State of New York where it has no recognized governmental presence and is approximately 1,175 miles from its existing reservation; and
- the Oneida Tribe of Wisconsin is seeking to engage in Class III gaming in the State of New York where it has no recognized governmental presence and is approximately 920 miles from its existing reservation; and
- Stockbridge-Munsee Tribe of Wisconsin is seeking to engage in Class III gaming in the State of New York where it has no recognized governmental presence and is approximately 977 miles from its existing reservation; and
- the Ho-Chunk Tribe of Wisconsin is seeking to engage in Class III gaming in the State of Illinois where it has no recognized governmental presence and is approximately 296 miles from its existing reservation; and
- the Cheyenne-Arapahoe Tribes of Oklahoma are seeking to engage in Class III gaming in the State of Colorado where it has no recognized governmental presence and is approximately 710 miles from its existing reservation; and

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WHEREAS, certain Indian Nations and Tribes located in Oklahoma are seeking to develop casinos in Ohio, Indiana, and Kansas—states where they have no recognized governmental presence and which are remote from their existing reservations; therefore, be it

RESOLVED that the USET Board of Directors requests the Bureau of Indian Affairs to adhere to its historical policy of opposing Tribal migration and enforcing the provisions of the Indian Gaming Regulatory Act that prohibit "reservation shopping" by Indian Nations for that purpose; and, be it further

RESOLVED that the USET Board of Directors calls upon the United States Congress to enact legislation that would prohibit, and oppose any legislation that would allow, individual Indian Nations or Tribes from establishing a reservation, acquiring trust land or exercising governmental jurisdiction in a state other than the state where they are currently located or at remote location to which they have no aboriginal connection; and, be it further

RESOLVED that this in no way shall restrict or limit any Tribe's rights to finance or enter into a management agreement with any Tribe in their territory.

CERTIFICATION

This resolution was duly passed at the USET Impact Week Meeting at which a quorum was present in Arlington, VA, on Thursday, February 10, 2005.

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

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