



USET

SOVEREIGNTY PROTECTION FUND

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*Approved by USET SPF BOD October 2016
EOC Approved Amendments September 2022*

USET SPF Resolutions Process

Purpose

This document is intended to provide guidance and standardization to the United South and Eastern Tribes Sovereignty Protection Fund's (USET SPF) resolutions process in accordance with the USET SPF Bylaws approved on October 26, 2016.

Resolutions are a primary mechanism by which the USET SPF Board of Directors (BOD) expresses consensus positions. They may address legislation, litigation, and regulation having a significant impact on Tribal Nations and their citizens at the local, state, or federal levels. Approved resolutions should be used in advocacy conducted by the USET SPF BOD, committee members, and USET SPF staff.

Authority to Submit Resolutions

A draft resolution may be submitted to the USET SPF for consideration by a Member of the BOD (Director), USET committee, or external organization, or a combination of these entities. The Director, a committee representative, or external organization submitting the draft resolution **must be present during the meeting** where the resolution is considered. If a representative of the committee or external organization cannot attend the meeting, a pre-selected Director with knowledge of the issue must be present to take the representative's place to field questions or concerns. Lack of representation may result in the tabling of a resolution.

Resolution Submission Deadline and Initial Review

Draft resolutions intended for consideration at USET SPF meetings must be submitted **three weeks** prior to a meeting so that USET SPF Resolutions Review Committee may promptly review and distribute the resolutions via email to the USET SPF BOD and committees of jurisdiction. This deadline applies to all submitters, including USET SPF member Tribal Nations and USET Committees. Following receipt of draft resolutions, the USET SPF Resolutions Review Committee will meet via teleconference to determine whether each resolution is in order and refer it to its appropriate committee(s) of jurisdiction. Resolutions deemed out of order will be returned for corrections, if appropriate, and/or may be rejected by the Review committee.

Draft resolutions submitted after the deadline are only eligible for consideration at the authorization of the USET SPF Executive Officers Committee (EOC) if: (1) the resolution addresses an emergency, an issue that was not known before the deadline, or for other good cause; and (2) the EOC, at its discretion, agrees to consider the resolution. Emergency resolutions must be received by 5 pm local time during the first day of the USET SPF meeting. Otherwise, they will not be considered. Whenever possible, late resolutions will be directed to Committee(s) of Jurisdiction prior to USET SPF BOD consideration.

Because there is Strength in Unity

As Approved on 10/26/16 by Board of Directors at 2016 USET SPF Annual Meeting in Cherokee, NC, amended September 2022

Resolution Submission Format

Resolutions are to be submitted using the resolution template corresponding to and provided in advance of each USET SPF meeting. Standard “whereas” clauses must be retained in each draft resolution. Resolutions submitted outside of this format will not be accepted.

The USET SPF resolution submittal form (accessible at www.usetinc.org) must accompany each resolution. In addition to providing important background information, the submittal form names a contact person who will be on-site at the USET SPF meeting and available to answer questions throughout the process. All relevant fields of the submittal form must be completed. Resolutions submitted without a submittal form will not be considered until a completed form is received.

Resolution Content

General Guidance

Resolutions should be aligned with USET SPF’s mission statement and bylaws, as well as be clear, succinct, and provide enough detail to facilitate a general understanding of their purpose and objectives. Approved resolutions become the policy of USET SPF until modified or withdrawn, and outlast the year in which they are passed. Resolutions deemed to be duplicative will not be considered. Generally, resolutions should not comprise more than two pages.

Title

An appropriately descriptive title, clearly informing the reader of the resolution topic, must accompany each draft resolution.

Content

Resolutions should contain a clear explanation of the issue at hand, as well as clearly articulate requests and solutions. In most cases, a resolution should be narrow in its focus—addressing only one topic.

Generally, resolutions should be directed at external organizations, agencies, Congressional members/committees, etc., rather than USET SPF itself.

Resolutions that take one side between two conflicting member Tribal Nations are not in order and will not be considered. USET SPF does not take a position in any inter-Tribal dispute.

Resolutions directing the organization to expend financial resources or otherwise creating a financial burden for USET SPF will be considered on a case-by-case basis and at the discretion of the USET SPF Executive Committee.

Resolution Review Process

Committees of Jurisdiction

Draft resolutions must be reviewed by the appropriate committee(s) of jurisdiction before being presented to the USET SPF BOD. Resolutions submitted by a Director or external organization will be referred to appropriate committee(s) and provided to committee chairs for committee consideration as far in advance as practicable. Committees of jurisdiction may amend, edit, and provide additions to resolutions as they deem necessary. While committees are not charged with passing resolutions on behalf of the USET SPF BOD, the USET SPF BOD looks to committees as their issue experts. As committees review resolutions, they are charged with making a recommendation on passage to the USET SPF BOD for each. Committee-reviewed resolutions will be provided to the USET SPF BOD with one of the following recommendations: approve, disapprove, table. Committee-reviewed

resolutions, complete with any changes clearly noted, must be delivered to the USET SPF Resolutions Review Committee by 1 pm the afternoon prior to the final business session of the USET SPF meeting during which it is to be considered.

If a committee of jurisdiction does not exist, draft resolutions will be presented directly to the USET SPF BOD. USET committees do not have the authority to prevent a draft resolution submitted by a Director from going before the USET SPF BOD. The affected Director shall have opportunity to request review and consideration by the USET SPF BOD even when the committee of jurisdiction does not recommend approval.

USET SPF Resolutions Review

The USET SPF Resolutions Review Committee meets the evening prior to the final business session of each USET SPF BOD meeting. During this meeting, the Committee makes final preparations for resolutions to be considered by the USET SPF BOD, including making edits for clarity, grammar, and/or content. In the case of unclear or vague resolutions, the contact person listed on the submittal form will be consulted. If that individual or another representative is unavailable, the USET SPF Resolutions Review Committee may amend the resolution as it sees fit or recommend that a resolution not proceed until questions can be clarified.

Resolution Approval

Resolutions are not final until approved by the USET SPF BOD. The BOD considers resolutions during the final business session of a given Board meeting. Resolutions submitted prior to and during the meeting shall be distributed to the BOD by USET SPF staff no later than the morning of the final business session of the meeting. **A representative of each resolution's sponsor must be present on this day to answer any questions.** Resolutions may be approved, amended, tabled, or rejected at the discretion of the USET SPF BOD.

Resolution Distribution and Follow-up

Following the USET SPF BOD meeting, Board-approved resolutions are finalized and distributed to USET SPF BOD, Committees, and staff via meeting wrap-up communications. Resolutions are also distributed to local, regional, and federal officials where indicated on resolution submittal forms and as USET deems necessary. Following initial distribution, USET SPF staff will enlist the assistance of committee chairs and/or resolution sponsors in resolutions follow-up, particularly where a response is required. During subsequent meetings, USET staff designated to assist committees will provide a status report on approved resolutions.

Approved resolutions are the official policy positions of USET SPF, providing the authority for USET SPF to take action on a variety of issues and supporting USET's advocacy efforts throughout the year. However, USET SPF Board members, member Tribal Nations, DC Tribal representatives, and other Tribal staff should also utilize and advance approved resolutions. Approved resolutions are also available on USET's website categorized by committee of jurisdiction and topic. At the close of each year, USET SPF staff will provide a final status report concerning that year's approved resolutions.

Emergent Policy Issues Between Board of Directors Meetings

Due to the nature of the legislative and regulatory process, USET SPF is frequently called upon to issue policy opinions outside of regular meeting times. In accordance with organizational bylaws, the Executive Officers are vested with the authority to consider and approve resolutions between meetings in situations when it would be impractical or untimely to call a special meeting of the Board of Directors, and when all four Executive Officers

affirmatively agree that such action is necessary and in the interests of the organization. See procedure in Bylaws. If emergency Executive Officer action is taken, a summary of the action shall be provided to the Board of Directors within two business days of the authorization of the action. The result is a policy statement that has the effect of an action taken at a regular Board of Directors meeting.

USET SPF Resolutions Process in Brief

