



USET

SOVEREIGNTY PROTECTION FUND

Nashville, TN Office
711 Stewarts Ferry Pike, Suite 100
Nashville, TN 37214
P: 615-872-7900 | F: 615-872-7417

Washington, DC Office
1730 Rhode Island Ave., NW, Suite 210
Washington, DC 20036

USET SPF Resolution No. 2023 SPF:003

URGING THE WHITE HOUSE COUNCIL ON NATIVE AMERICAN AFFAIRS TO ESTABLISH AN ACCOUNTABILITY ASSESSMENT FOR IMPLEMENTATION OF JOINT SECRETARIAL ORDER 3403

- WHEREAS,** United South and Eastern Tribes Sovereignty Protection Fund (USET SPF) is an intertribal organization comprised of thirty-three (33) federally recognized Tribal Nations; and
- WHEREAS,** the actions taken by the USET SPF Board of Directors officially represent the intentions of each member Tribal Nation, as the Board of Directors comprises delegates from the member Tribal Nations' leadership; and
- WHEREAS,** the Secretary's of the U.S. Department of Agriculture (USDA) and the Department of the Interior (DOI) have issued a "Joint Secretarial Order on Fulfilling the Trust Responsibility to Indian Tribes in the Stewardship of Federal Lands and Waters" (JSO 3403)," which supports and reaffirms the Nation-to-Nation relationship between federally recognized Tribal Nations and the various bureaus and offices of USDA and DOI, as well as other signatory federal agencies; and
- WHEREAS,** JSO 3403 seeks to protect Tribal trust and treaty rights, Indigenous Knowledge, and the religious, subsistence, and cultural interests of federally recognized Tribal Nations by fulfilling federal obligations that support stewardship and Tribal co-stewardship of federal lands and waters as well as support Tribal Nation opportunities to consolidate Tribal homelands and empower Tribal stewardship of resources; and
- WHEREAS,** JSO 3403 outlines principles for the collaboration and consultation between USDA and DOI's bureaus and offices and Tribal Nations on the management of federal lands and waters and other federal departments that opt to adopt and join in the implementation of JSO 3403; and
- WHEREAS,** the development of offshore wind projects is of significant concern to the member Tribal Nations of the USET SPF, and the aggressive permitting and implementation of these projects may impact Tribal Lands, waters, traditional territories, and submerged sacred sites and areas of cultural significance; and
- WHEREAS,** this resolution is consistent with and builds upon the USET SPF Comments dated September 29, 2023 on WHCNAA's "Draft Sacred Sites Best Practices Guide" to improve consultation, co-stewardship, Tribal Nation capacity building, access to and protection of sacred sites, confidentiality, training for federal employees, and public outreach; and
- WHEREAS,** it is essential to ensure that the principles outlined JSO 3403 are upheld in the context of offshore wind scoping, permitting, and development and the White House Council on

Native American Affairs (WHCNAA) must establish an accountability assessment for implementation of JSO 3403 by USDA, DOI, and other federal departments that join in its implementation, especially in the context of offshore wind scoping, permitting, and development; and

- WHEREAS,** the USET SPF supports the designation of affected Tribal Nations as Cooperating Tribal Governments having specialized expertise to work effectively with federal departments and agencies to ensure that federally recognized Tribal Nation concerns meaningfully contribute to the decision-making processes related to offshore wind projects and other federal infrastructure projects with meaningful consultation and the necessary resources and technical assistance required for environmental and cultural review processes for the scoping, permitting, and development of offshore wind projects; and
- WHEREAS,** in December 2010, the United States recognized the rights of its First Peoples through its support of the United Nations Declaration on the Rights of Indigenous Peoples (UNDRIP), whose provisions and principles support and promote the purposes of this resolution; therefore, be it
- RESOLVED** that federal implementation of Joint Secretarial Order 3403 must provide the necessary resources and technical assistance to Tribal Nations upon request when developing federal land co-management/stewardship planning efforts for offshore wind projects and other federal infrastructure projects; and be it further
- RESOLVED** that upon request, participating Joint Secretarial Order 3403 federal departments, agencies, bureaus, and offices must collaborate with affected Tribal Nations regarding the role of Tribal governments in the stewardship of federal public lands, waters, and wildlife, and assist Tribal Nations in developing appropriate institutional structures to support co-stewardship agreements of these lands and waters; and be it further
- RESOLVED** that participating Joint Secretarial Order 3403 federal departments, agencies, bureaus, and offices must consider and include Tribal expertise and Indigenous Knowledge as part of federal decision-making processes related to offshore wind and other federal infrastructure projects, particularly concerning management of resources subject to reserved Tribal trust and treaty rights and subsistence uses; and be it further
- RESOLVED** that participating Joint Secretarial Order 3403 federal departments, agencies, bureaus, and offices must incorporate adequate dispute resolution procedures appropriate in cases where collaborative agreements have been entered into with Tribal Nations in the co-stewardship of federal lands and waters under federal jurisdiction, including for wildlife, habitat, and protection of cultural resources and sacred sites; and be it finally
- RESOLVED** that the White House Council on Native American Affairs will establish an accountability assessment for implementation of Joint Secretarial Order 3403 by the United States Department of Agriculture, Department of the Interior, and other federal departments that join in its implementation, especially in the context of offshore wind scoping, permitting, and development.

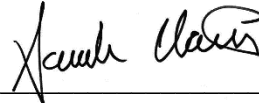
Because there is Strength in Unity

CERTIFICATION

This resolution was duly passed at the USET SPF Annual Meeting held on the Sovereign Territory of the Oneida Indian Nation at which a quorum was present on October 25, 2023.



Chief Kirk E. Francis, Sr., President
United South and Eastern Tribes
Sovereignty Protection Fund



Vice Chairwoman Sarah Harris, Secretary
United South and Eastern Tribes
Sovereignty Protection Fund

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