



# USET

SOVEREIGNTY PROTECTION FUND

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## USET SPF Resolution No. 2024 SPF:006

### ADOPTING AN ORGANIZATIONAL APPROACH TO FEDERAL RECOGNITION

- 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,** in accordance with our motto, "because there is strength in unity," USET SPF endeavors to engage in advocacy grounded in integrity and truth, and that is of the highest moral and ethical standards; and
- WHEREAS,** Tribal Nations are sovereign governments that pre-date the United States with inherent sovereign rights and authorities, including with regard to self-government and self-determination, jurisdiction over our people and lands, and the administration of justice; and
- WHEREAS,** the United States owes trust and treaty obligations in perpetuity to Tribal Nations that stem from taking our lands and resources and restricting the exercise of our sovereignty; and
- WHEREAS,** USET SPF member Tribal Nations were the first to contend with 17th and 18th-century local colonial governments and distant European nations at the onset of colonization in North America, resulting in extensive loss, as well as a wide diversity of circumstances among our USET SPF Tribal Nation membership; and
- WHEREAS,** USET SPF member Tribal Nations engaged in treaty-making with the British Crown—as well as other foreign governments—and the nascent American government, in addition to later treaty-making with the United States; and
- WHEREAS,** in 1871, Congress ended formal treaty-making with Tribal Nations, and the United States instead began to initiate and carry out its political relationship with Tribal Nations through legislation, executive orders, and other means; and
- WHEREAS,** since the end of treaty-making, the federal government has employed a variety of methods to federally recognize Tribal Nations and thus begin or reestablish diplomatic, Nation-to-Nation relationships with them, including through Congressional action, an administrative process managed by the U.S. Department of the Interior and promulgated at 25 C.F.R. Part 83, and other means; and
- WHEREAS,** Tribal Nations are inherently sovereign governments independent and apart from the United States' view of us, and the federal recognition process does not grant us this sovereignty; and

- WHEREAS,** federal recognition, instead, initiates the Nation-to-Nation, sovereign-to-sovereign diplomacy relationship between the Tribal Nation and the United States, and federal recognition supports a Tribal Nation's exercise of our sovereign authorities within the framework of federal Indian law; and
- WHEREAS,** the diplomatic, Nation-to-Nation relationship between federally recognized Tribal Nations and the United States is sacred, grounded in our political status, and requires that each avenue and process toward federal recognition should be of the highest integrity out of respect for this relationship and the history of U.S.- Tribal Nation relations; and
- WHEREAS,** there are individuals claiming Indigenous identity who lack a connection to a current or historic Tribal Nation and groups claiming Tribal Nation status who are not legitimate, which further complicates and disrespects the sacred and unique relationship between nations; and
- WHEREAS,** USET SPF recognizes as legitimate, legal, valid, and equal all means through which the United States engages in federal recognition to initiate diplomacy with a Tribal Nation; and
- WHEREAS,** the membership of USET/USET SPF, as voted upon and approved for organizational inclusion by our member Tribal Nations, is comprised of Tribal Nations that have received federal recognition through a variety of these means; and
- WHEREAS,** recognizing the severe underfunding of trust and treaty obligations, reflected in both the 2018 Broken Promises and 2003 Quiet Crisis Reports, federal recognition should necessarily include an increase in Administratively proposed and Congressionally appropriated funding, so this federal action does not impact resources for previously-federally recognized Tribal Nations; and
- WHEREAS,** as a Tribal organization, USET SPF expends no resources on researching the legitimacy of groups seeking federal recognition, nor does it view this activity as an appropriate compliment to its advocacy role; and
- WHEREAS,** every USET SPF member Tribal Nation has the sovereign right to directly weigh in on and oppose or support any federal recognition effort of concern; 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** USET SPF will maintain a position of neutrality as groups seek to petition the United States government for federal recognition, and USET SPF will continue to promote and uphold both the integrity of the federal recognition process and the independently-existing inherent sovereignty of our member Tribal Nations and Tribal Nations across the United States; and be it further
- RESOLVED** USET SPF does not endorse any particular method of federal recognition for a Tribal Nation, whether it be by administrative, legislative, or other process, and, consistent with

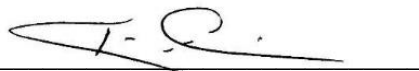
the Federally Recognized Tribes List Act of 1994, P.L. 103-454, USET SPF acknowledges the validity of all existing processes for establishing federal recognition; and be it further

**RESOLVED** USET SPF member Tribal Nations have the sovereign, individual right to oppose or support the recognition efforts of specific groups as they feel is necessary and appropriate; and be it finally

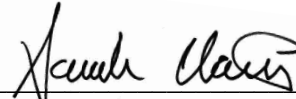
**RESOLVED** this resolution supersedes and replaces all prior USET/USET SPF resolutions, policies, and statements concerning the federal recognition efforts of specific groups and shall be the policy of USET SPF until it is withdrawn or modified by a subsequent resolution.

### CERTIFICATION

This resolution was duly passed at the USET SPF Impact Week Meeting held in Arlington, VA at which a quorum was present on March 29, 2024.



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