



USET

SOVEREIGNTY PROTECTION FUND

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USET SPF Resolution No. 2025 SPF:007

SUPPORT OF THE CAYUGA NATION IN ASSERTING ITS SOVEREIGN RIGHT TO HAVE A COURT SYSTEM FREE FROM STATE INTERFERENCE

- 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 represents the intentions of each member Tribal Nation, as the Board of Directors comprises delegates from each member's Tribal Nation leadership; and
- WHEREAS,** the Cayuga Nation is a participating member of USET SPF, and is governed by the federally recognized Cayuga Nation Council and the Nation's Federally Recognized Representative, Clint Halftown; and
- WHEREAS,** the Cayuga Nation reports that, on September 6, 2024, it commenced litigation in the United States District Court for the Western District of New York, captioned *Cayuga Nation v. Honorable Barry L. Porsch, et al.*, Case No. 6:24-cv-06531, seeking declaratory relief that the New York State Supreme Court, Seneca County's intrusion in Cayuga Nation Court matters is illegal and outside of the state Court's jurisdictional powers, and an injunction to prevent state court interference in its internal affairs, including preventing the Cayuga Nation from enforcing its eviction orders; and
- WHEREAS,** the Cayuga Nation asserts that the Cayuga Nation Council, exercising the right of self-government, in its own Tribal court, pursuant to the Cayuga Nation's laws, and after full due process, obtained eviction orders against Tribal citizens residing on Cayuga Nation-owned property; and
- WHEREAS,** the Cayuga Nation asserts that Acting Supreme Court Justice Barry L. Porsch, of the Supreme Court of the State of New York, Seneca County, without the opportunity for the Cayuga Nation to respond, granted the Tribal citizens' request for a temporary restraining order against the Tribal court's eviction orders; and
- WHEREAS,** USET SPF supports the Cayuga Nation's right to litigate to vindicate any rights under the Treaty of Canandaigua and United States federal law and protect its sovereign authority; 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 strongly supports the Cayuga Nation in its efforts to assert its sovereign rights and litigate the Cayuga Nation's ability to uphold its laws within its territorial jurisdiction and for all Cayuga Nation citizens to seek judicial review of Cayuga Nation law in the Cayuga Nation Court; and be it further

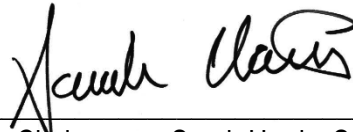
RESOLVED USET SPF calls upon the State of New York and its officials to acknowledge the sovereign authority of the Cayuga Nation over its territorial jurisdiction and to stand down from any illegal attempts to interfere in Cayuga Nation Court matters involving pure intra-Nation disputes over which the Cayuga Nation has jurisdiction.

CERTIFICATION

This resolution was duly passed at the remote USET SPF Annual Meeting at which a quorum was present on October 8, 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