



# USET

SOVEREIGNTY PROTECTION FUND

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## USET SPF Resolution No. 2020 SPF:004

### **SUPPORTING PAYMENTS IN LIEU OF TAXES FOR TRUST LAND ACQUISITION**

- WHEREAS,** United South and Eastern Tribes Sovereignty Protection Fund (USET SPF) is an intertribal organization comprised of thirty (30) 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 the trust responsibility and obligation, under the Indian Reorganization Act (IRA), the Department of the Interior (DOI) has, for nearly 85 years, restored Tribal lands through trust acquisitions to enable Tribal Nations to build schools, health clinics, hospitals, housing, and provide other essential services to Tribal citizens; and
- WHEREAS,** all Tribal Nations, whatever their historical circumstances, need and deserve a stable land base, sufficient to support robust Tribal self-government, cultural preservation and economic development, and the federal government should ensure every Tribal Nation has the opportunity to restore its homelands; and
- WHEREAS,** while USET SPF member Tribal Nations ultimately seek full jurisdiction and management over our homelands without federal government interference and oversight, we recognize the critical importance of the restoration of our land bases through the land-into-trust process. We further recognize that the federal government, and not any other unit of government, has a trust responsibility and obligation to Tribal Nations in the establishment and management of trust lands; and
- WHEREAS,** DOI's primary focus and objective must always be the restoration of Tribal homelands, and concerns unrelated to this objective, including the concerns of other jurisdictions, must never guide the decisions or policymaking of DOI; and
- WHEREAS,** state and local jurisdictions, citing lost tax revenue, frequently oppose the restoration of Tribal homelands, either indefinitely or until Tribal Nations agree to payments, hindering efforts to restore Tribal land bases, provide governmental services to Tribal citizens, and engage in economic development; and
- WHEREAS,** since trust land acquisition is an action of the DOI, with Tribal homelands restored under this process held in trust by the federal government, Tribal Nations should not be held responsible for any impacts to other units of government as a result of land going into trust; and
- WHEREAS,** since 1977, DOI has issued \$9.2 billion in Payments in Lieu of Taxes (PILT) to local governments that help offset losses in property taxes due to the existence of nontaxable federal lands within their boundaries; and

- WHEREAS,** in 2019 alone, more than 1900 local governments will receive more than \$514 million in PILT, which DOI says, “are one example of the United States striving to be a good neighbor to local communities,”; and
- WHEREAS,** the payments are made annually for tax-exempt federal lands administered by the Bureau of Land Management, the National Park Service, the U.S. Fish and Wildlife Service, and the U.S. Forest Service (part of the U.S. Department of Agriculture) and for federal water projects and some military installations, but not for lands held in trust for Tribal Nations; and
- WHEREAS,** PILT for lands put into trust could remove barriers to the restoration of Tribal homelands while also easing the perceived burdens of and impacts to local government as a result of lost tax revenue; 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** the USET SPF Board of Directors calls upon the Department of the Interior and the United States Congress to ensure that trust land acquisition is eligible for Payments in Lieu of Taxes to local governments in order to facilitate the expeditious and continued restoration of Tribal homelands; and be it further
- RESOLVED** this resolution 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 Annual Meeting held on the Sovereign Territory of the Mississippi Band of Choctaw Indians at which a quorum was present on November 7, 2019.

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

  
Chief Lynn Malerba, Secretary  
United South and Eastern Tribes  
Sovereignty Protection Fund

*Because there is Strength in Unity*