



The Sand Hill Band of Raritan Lenape and Cherokee Indians



Official Decree Provisional Application of the Treaty of Fort Pitt

In accordance with Article 2 § 4, Article 6 § 1 a), b), & I), Article 6 § 2, Article 8 § 1, Article 8 § 2, Article 9, Article 13, & Article 15 § a), b) of the Constitution of the Sand Hill Band of Raritan Lenape and Cherokee Indians, the Lead Nation Council of the Sand Hill Band of Raritan Lenape and Cherokee Indians officially decrees:

PREAMBLE

Whereas, the Constitution of the Sand Hill Band of Raritan Lenape and Cherokee Indians affirms that the sovereignty of the Sand Hill Band of Raritan Lenape and Cherokee Indians is inalienable, inherent, perpetual, and arises from the sacred relationship between the Sand Hill Band of Raritan Lenape and Cherokee Indians, its ancestral territory, and Kishelēmükònk, The Great Spirit, the Almighty God, the Most High, the Creator of All Living Things;

Whereas, Indigenous laws, governance systems, customs, traditions, duties, and responsibilities continue uninterrupted from time immemorial and are not dependent upon recognition or validation by any external authorities;

Whereas, on A.D. September Seventeenth, Seventeen Hundred Seventy Eight of the Gregorian calendar the Sand Hill Band of Raritan Lenape and Cherokee Indians and Delaware Nation expanded a Covenant Chain with the United States of America Ratified and Represented as the Treaty of Fort Pitt (NAID: 176316991);

Whereas, the Sand Hill Band of Raritan Lenape and Cherokee Indians of the Delaware Nation, and its Tribal Citizens, continue to maintain Provisions of the Treaty of Fort Pitt and sustain requisite forms of Amity with the United States and the Sand Hill Band of Raritan Lenape and Cherokee Indians Allies;

Whereas, the Provisional Application of the Treaty of Fort Pitt to Sand Hill Band of Raritan Lenape and Cherokee Indians Allies is essential to exercising and sustaining the specific Rights, Duties, and Responsibilities enumerated within the Treaty of Fort Pitt to be in accordance with and advance the principles of self-determination, truth, mutual interest, protection, and Amity;

Now Therefore, the Lead Nation Council of the Sand Hill Band of Raritan Lenape and Cherokee Indians hereby enacts the following:

Article 1 – Definitions

1.1 For the purposes of this Decree the following terms have the following meanings:

- A. The Sand Hill Band of Raritan Lenape and Cherokee Indians means the Private and Foreign Trust operating Indigenous Nation also known as "the Tribe" or "the Nation";
- B. Sand Hill Band of Raritan Lenape and Cherokee Indians Allies means Member Nations of and Treaty Allies with the Federation of Aboriginal Nations of the Americas (FANA);
- C. "Party" means either the Sand Hill Band of Raritan Lenape and Cherokee Indians or the Federation of Aboriginal Nations of the Americas (FANA) personally;
- D. "Parties" means the Sand Hill Band of Raritan Lenape and Cherokee Indians and the Federation of Aboriginal Nations of the Americas (FANA) collectively;
- E. "Authorized Agent" means any officer, director, employee, contractor, consultant, attorney, representative, agent, volunteer, affiliate, researcher, investigator, collaborator, advisor, or other person acting for, through, under, at the direction of, or on behalf of either Party;
- F. "Dispute" means any conflict, controversy, claim, or disagreement arising out of or relating to this Decree, or the breach, termination, or invalidity hereof;
- G. The Treaty of Fort Pitt ("the Treaty") means the Covenant entered into between the Delaware Nation and the United States of America on September 17th, 1778. Ratification ID: (NAID: 176316991);
- H. "Provisional Application of the Treaty of Fort Pitt" means the application of Article IV and Article VI of the Treaty of Fort Pitt specifically;
- I. "Amity" means a state of peaceful relations, mutual understanding, and coordination designed to stabilize the continuity of each Party's institutional integrity in alignment with provisional Treaty interests;
- J. The words "herein," "hereof," "hereby," "hereto," and "hereunder" refer to this Decree as a whole;
- K. The word "thereto" refers to the applicable agreement, instrument, property, right, obligation, matter, subject, or related information to which such reference directly or contextually pertains;
- L. The word "therefrom" refers to the applicable agreement, instrument, right, obligation, matter, subject, or related information from which such a reference directly or contextually pertains;
- M. Any words denoting any gender include all genders.

Article II – Recognition of Provisional Treaty Application

2.1) This Decree is intended to serve as the Framework for the Application of Treaty Provisions: Article IV - Juridical Administration; and Article VI - Statehood Consolidation through Confederation.

2.2) The Parties affirm that since the Federation of Aboriginal Nations of the Americas official charter on December 5, 2015, and subsequent public announcement on December 7, 2015, via Constructive and Public Notice, of their Private & Foreign Trust System, that the Parties engagements have been conditioned through the principles of Amity, cooperation, mutual-understanding, and coordination.

2.3) The Parties affirm that the Juridical mechanisms of the Federation and Pre-Colonial status of their sovereign systems are strengthened through this Provisional Treaty Application and that this affirmation is both beneficial to and effective for advancing the Institutional Legacies, goals, interests and objectives of FANA Nations.

2.4) The Parties affirm that continued Amity, cooperation, mutual-understanding, and coordination is both beneficial to and effective for the practical realization of their interests, goals, objectives, and legacy.

2.5) Neither Party shall engage in any hostile action, form of coercion, or deliberate interference against the lawful, cultural, diplomatic, or humanitarian activities of the Party.

Article III – Legal and Provisional Application

3.1) The Parties acknowledge and agree that sovereign immunity is a fundamental attribute of sovereignty and self-government, and that this Decree shall be interpreted in a manner that preserves, protects, and maximizes the sovereign status, governmental authority, jurisdiction, self-determination, and sovereign immunities of each Party to the fullest extent permitted by applicable law.

3.2) The Parties recognize and respect one another's distinct cultural, governmental, and historical identities.

3.3) Maintaining its position as a neutral sovereign nation, the Sand Hill Band of Raritan Lenape and Cherokee Indians officially pronounces this Decree in a spirit of peaceful diplomacy and cultural cooperation.

3.4) Maintaining its position as a neutral confederation of sovereign indigenous tribal nations, FANA recognizes this Decree in a spirit of diplomacy and cultural cooperation.

3.5) Maintaining both Parties positions as a neutral confederation of sovereign indigenous tribal nations, the Provisional Application of the Treaty of Fort Pitt operates through Article IV – “For the better security of the peace and friendship now entered into by the contracting parties, against all infractions of the same by

citizens of either party, to the prejudice of the other, neither party shall proceed to the infliction of punishments on the citizens of the other...., till a fair and impartial trial can be had by judges or juries of both parties, as near as can be to the laws, customs, and usages of the contracting parties and natural justice” and is hereby made operational through the fullness of the Federations Inter-Tribal Court System.

3.6) Nothing within this Decree shall be interpreted as requiring either Party to enter military obligations, armed alliances, or hostile geopolitical activity.

3.7) Nothing in this Decree shall be interpreted as a waiver, surrender, or relinquishment of any historical right, cultural identity, traditional claim, or legal position maintained by either Party.

3.8) Except to the limited extent expressly, specifically, unequivocally, and lawfully provided otherwise in this Decree, neither Party shall be deemed to have waived, and each Party expressly, affirmatively, and continuously reserves, preserves, and retains every aspect of its sovereign immunity and all rights, privileges, protections, powers, authorities, and defenses arising therefrom.

3.9) Without limitation, each Party specifically reserves and retains

- a. immunity from suit;
- b. immunity from the jurisdiction of any court, tribunal, arbitration panel, administrative body, governmental authority, or other adjudicatory forum;
- c. immunity from compulsory process, discovery, subpoena, summons, investigation, attachment, garnishment, execution, levy, seizure, lien, foreclosure, or other judicial or administrative process;
- d. immunity from the enforcement or recognition of any judgment, decree, order, award, determination, or remedy; and
- e. immunity from every form of legal, equitable, administrative, regulatory, or quasi-judicial proceeding, whether arising under contract, tort, statute, common law, equity, customary law, international law, or otherwise.

3.10) No provision of this Decree, no course of conduct, no participation in negotiations, communications, performance, Dispute resolution, mediation, arbitration, litigation, administrative proceedings, commercial activities, governmental activities, or any other act or omission by either Party shall be construed, interpreted, implied, or deemed to constitute a waiver, limitation,

diminution, surrender, consent to jurisdiction, consent to suit, or relinquishment of any sovereign immunity unless such waiver is

- a. expressly authorized in accordance with the applicable laws, customs, traditions, constitutional instruments, governing documents, and sovereign processes of the Party purportedly granting such waiver; and
- b. is set forth in a written instrument that specifically references and expressly states the intention to waive such sovereign immunity.

3.11) Any ambiguity concerning the existence, scope, extent, or effect of any waiver of sovereign immunity shall be resolved in favor of preserving sovereign immunity and against any finding of waiver.

ARTICLE IV - DIPLOMATIC COMMUNICATION

4.1) For the purposes of consultation and coordination regarding matters of mutual concern, the Parties shall maintain peaceful diplomatic communication channels.

4.2) Each Party may designate Authorized Agents to exchange, correspondence, memoranda, and cultural or diplomatic delegations on such a Party's behalf.

4.3) Any Disputes arising under this Decree shall be addressed through dialogue, mediation, and peaceful resolution.

ARTICLE V – NON-INTERFERENCE AND MUTUAL RESPECT

5.1) Each Party shall respect the internal governance structures, traditions, and lawful institutions of the other Party.

5.2) Neither Party shall intentionally undermine the cultural integrity or diplomatic standing of the other Party.

5.3) Each Party shall work collaboratively to coordinate any public communications concerning the other Party. All such communications shall be conducted in good faith and with mutual respect between the Parties.

Article VI – Implementation and Enforcement

6.1) **Provisional Effect:** In accordance with the Constitution of the Sand Hill Band of Raritan Lenape and Cherokee Indians, this Decree shall affect all organs, representatives, arms, and affiliated bodies and Allies of the Federation, and shall serve as the foundational legal and operational Provisional Application of the Treaty of Fort Pitt.

6.2) **Harmonization:** In accordance with the Constitution of the Sand Hill Band of Raritan Lenape and Cherokee Indians and the Constitution of the Federation of Aboriginal Nations of the Americas Article II § 3, and all other applicable provisions of the Constitution of the Sand Hill Band of Raritan Lenape and Cherokee Indians and the Constitution of the Federation of Aboriginal Nations of the Americas, this Decree shall serve as the foundational legal and operational Provisional Application of the Treaty of Fort Pitt.

Unless otherwise explicitly and lawfully provided by the sovereign act of a FANA Nation, in any event of conflict, the Provisional Application of the Treaty of Fort Pitt shall prevail as the operational mechanism for the Federation's Inter-Tribal Court System and shall affirm the uninterrupted sovereignty, jurisdiction, and legal authority of every FANA Nation.

6.3) **Standing:** In accordance with Article II of the Treaty of Fort Pitt, this Decree shall Stand As Fact In Law that "a perpetual peace and friendship shall henceforth take place, and subsist between the contracting parties aforesaid, through all succeeding generations" unless otherwise revoked by Principal Chief of the Sand Hill Band of Raritan Lenape and Cherokee Indians Dr. Ronald Yonaguska Holloway.

Certification

This Decree is official and effective upon the signature and seal of the Principal Chief of the Lead Nations Council of the Sand Hill Band of Raritan Lenape and Cherokee Indians and is accepted and approved on this day, the Twenty-Fifth Day of the Sixth Month of Two Thousand Twenty Six of the Gregorian calendar.

Acceptance and Approval of Decree

Principal Sachem Signature



Date

06/25/2026

Witnesses:

M. Lomax

Amos

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