

TRIBAL SOVEREIGNTY: WHAT IT IS AND WHY IT MATTERS

Many people think that Indigenous people no longer exist in the United States. Not only do they exist, their governments are recognized as Nations in U.S. law. Through treaties, many signed long ago, their right to self-government has been recognized. Each of the 574 federally recognized Native Nations in the U.S. has its own policies, laws, and infrastructure. Their lands, assets, and resources are theirs, either communally or for Native individuals. Each federally recognized Native Nation relates to the U.S. government on a nation-to-nation basis, and States have no authority over them unless Congress gives it to them.

However, Native rights are qualified in many ways by U.S. law. Federal laws and policies swing between encouraging tribal self-decision-making and more patronizing federally-centered decisions. For example, a Wikipedia article observes: “While tribal criminal jurisdiction over Native Americans is reasonably well settled, tribes are still striving to achieve criminal jurisdiction over non-Native persons who commit crimes in Indian Country.” Also, not surprisingly, the U.S. government has repeatedly failed to honor its treaty and other legal obligations.



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Why is sovereignty important? Tribal Governments know what is best for their people. They make vital decisions regarding education, healthcare and economic interests. As they maintain sovereignty and governance, Native Americans and their governments can keep their culture and language alive and care for their land, using practices they have learned over thousands of years. Insights based on the

traditional knowledge of Indigenous people may be key to halting the destruction of the earth. Non-Natives must also realize that some tribes may want development that we might oppose, such as energy development or casinos.

Sale of public lands. One of the most significant threats to Native Sovereignty is the administration’s plans to sell public lands to private concerns. Public lands contain many areas which are sacred to Native Peoples. They include natural features, burial grounds, and ceremonial areas which are extremely important to Indigenous People.

Judith LeBlanc (Caddo), executive director of Native Organizers Alliance Action Fund, commented on the government’s plans to sell public lands in [Native News Online](#):

Every acre of “public land” in the United States is actually Native land. Unfortunately, leaders in the federal government keep trying to fast-track permits for exploitation and sell public lands to corporate polluters, bypassing Tribal consultation and our inherent and legal sovereignty. But our movement’s pressure is working: Both chambers of Congress removed sections of the latest budget bill that would have sold off millions of acres of public lands!

Though it does not involve public land, an example of the struggle by Indigenous People to maintain their connection to the land is the Apache Nation’s fight against the Resolution Copper

Company, which would destroy Oak Flats, a site sacred to the Apache, to mine it for copper. The Supreme Court declined to hear the case in May of 2025, allowing a lower court's decision in favor of the mining company to stand. The Apache Stronghold, a coalition of tribes and allies, has asked the court to reconsider that decision. Bears Ears is another area on public land that includes sacred places, yet it is also endangered by energy exploration and development disturbances.

Threats to sovereignty in the current administration. Through hundreds of treaties, Natives ceded territorial rights and were promised Federal supports in education, health, and other areas in return. The current administration seeks to renege on its commitments in many ways. For example, the administration is proposing drastic cuts to the Bureau of Indian Education (BIE) Construction fund, which is essential to safe maintenance of Tribally operated schools. FCNL notes: "As Congress begins the FY26 appropriations process, the President has requested a [dramatic decrease](#) in funding for the Education Construction Fund. The request, if enacted, would cut funding 79.7% from fiscal year 2025. The level of proposed funding by the administration would not even cover emergency and environmental costs for BIE K-12 schools, such as gas leaks, mold, or asbestos abatement."

Allies need to stay informed on such proposals and oppose them. The Indigenous Affairs Committee has published a list of Native news sources that can be used to stay in touch.

Selected Resources:

In less than 3 minutes, this video by the Native Governance Center and the Minnesota Humanities Center provides the basics: <https://www.youtube.com/watch?v=BOYcgvEU0V0>

A Cherokee Indian provides an [overview of sovereignty](#), treaty rights, and threats: <https://nativetribe.info/native-american-tribal-sovereignty-and-treaty-rights-importance-and-implications/>

[This resource](#), intended for journalists writing on the subject, provides helpful background: <https://journalistsresource.org/politics-and-government/tribal-sovereignty-native-americans/>

[Wikipedia](#) offers an extensively resourced overview of Tribal sovereignty in the United States: https://en.wikipedia.org/wiki/Tribal_sovereignty_in_the_United_States

A [statement](#) by the National Congress of American Indians directed to the Trump administration focuses on threats to Native homelands and sacred sites: <https://www.ncai.org/news/ncai-statement-on-threats-to-national-monuments-and-sacred-tribal-lands>

The Coalition for Tribal Sovereignty has issued a [comprehensive analysis](#) of the President's requested budget for FY 26: [CTS-FY26-Presidents-Budget-Request-Analysis-as-of-July-9-2025.pdf](https://www.tribalcoalition.org/CTS-FY26-Presidents-Budget-Request-Analysis-as-of-July-9-2025.pdf)