The INTER-TRIBAL COUNCIL of the FIVE CIVILIZED TRIBES

A Resolution calling on Tribal Governments to Enact Laws Protecting Sacred and Historic Sites

Resolution No. 17-05

WHEREAS, the Inter-Tribal Council of the Five Civilized Tribes (ITC) is an organization that unites the tribal governments of the Cherokee, Chickasaw, Choctaw, Muscogee (Creek), and Seminole Nations, representing more than 650,000 Indian people throughout the United States; and

WHEREAS, we, the members of the ITC, in order to preserve for ourselves and our descendants the inherent sovereign rights of our five nations, to enlighten the public toward a better understanding of Indian people, do hereby establish and submit the following resolution; and,

WHEREAS, in 1906 the United States Congress Passed the Antiquities Act to allow the president the ability to protect significant cultural sites; and,

WHEREAS, in 1966 Congress enacted the National Historic Preservation Act to protect historic and archaeological sites; Section 106, of which requires federal agencies to consult with Tribes about the potential effects of federal undertakings on archaeological sites, cultural and sacred sites, and burials; and

WHEREAS, in 1979 Congress enacted the Archaeological Resource Protection Act to govern and protect archaeological sites on federal and Tribal trust lands; and

WHEREAS, in 1990, Congress enacted the Native American Graves Protection and Repatriation Act to protect burial sites on federal and Tribal lands and to assist tribes in getting the return of human remains and culturally relevant objects; and

WHEREAS, in 1992, Congress amended the National Historic Preservation Act, to empower Tribes to assume the duties of the State Historic Preservation Officer on Tribal trust lands; and

WHEREAS, in 1996, Executive Order 13007, directed federal agencies to take Native American sacred sites into consideration in planning and management of their lands, and to accommodate access by traditional religious practitioners; and

WHEREAS, in 2010, the United States agreed to support the United Nations Declaration on the Rights of Indigenous People; which acknowledges the right of Indigenous communities to protect the manifestations of their cultures,
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including archaeological sites, historic sites, and artifacts, and which encourages Indigenous communities to work to create protective legislation; and

WHEREAS, many Tribal governments rely on the federal laws for the protection of tribal historic sites and sacred sites, but have not yet adopted similar laws themselves; and

NOW THEREFORE BE IT RESOLVED, that ITC supports Tribal governments in enacting Tribal legislation for the protection of burials, sacred, historic, and other significant sites on tribally owned lands.

CERTIFICATION

The foregoing resolution was adopted by the Inter-Tribal Council of the Five Civilized Tribes meeting in Thackerville, Oklahoma on this 13th day of January, 2017, by a vote of ___ for ___ against and ___ abstentions.

Bill Anoatubby, Governor  
The Chickasaw Nation

Gary Batton, Chief  
Choctaw Nation of Oklahoma

Bill John Baker, Principal Chief  
Cherokee Nation

James R. Floyd, Principal Chief  
Muscogee (Creek) Nation

Leonard M. Harjo, Principal Chief  
Seminole Nation of Oklahoma