A RESOLUTION OF THE INTER-TRIBAL COUNCIL OF THE FIVE CIVILIZED TRIBES

NUMBER 96-19

TITLE: A RESOLUTION OF THE INTER-TRIBAL COUNCIL OF THE FIVE CIVILIZED TRIBES REQUIRING ALL FEDERAL LAND MANAGING AGENCIES TO FORMALLY ACKNOWLEDGE THE CULTURAL PROPERTY RIGHTS OF ITC MEMBER NATIONS, THROUGH THE DEVELOPMENT OF COMPREHENSIVE TRIBAL CONSULTATION PROCEDURES FOR THE EFFECTIVE MANAGEMENT OF NATIVE AMERICAN CULTURAL RESOURCES.

WHEREAS, the Inter-Tribal Council of the Five Civilized Tribes is an organization which unites the tribal governments of the Cherokee, Chickasaw, Choctaw, Muscogee (Creek), and Seminole Nations, representing over 300,000 Indian people throughout the United States, and

WHEREAS, The member nations of the Five Civilized Tribes Inter-Tribal Council are sovereign nations with long standing external federal recognition; and

WHEREAS, President Clinton has directed federal agencies to work with Native American Nations within a government to government relationship; and

WHEREAS, The member nations of the Five Civilized Tribes Inter-Tribal Council retain cultural property rights associated with occupation and traditional use areas within contemporary external jurisdictional boundaries and within ancestral homelands; and

WHEREAS, Federal agencies having responsibility for management of Native American occupation and traditional use areas are required by historic preservation and environmental protection statues to consult with affiliated Native American Nations.

NOW, THEREFORE, BE IT RESOLVED, The Inter-Tribal Council of the Five Civilized Tribes requires Federal Agency acknowledgment of the inalienable cultural property rights of all ITC member Nations, relevant to all federally managed occupation and traditional use areas located within both the contemporary jurisdictional areas and ancestral homelands of the ITC member Nations; and
BE IT FURTHER RESLOVED,
That, in the spirit of this said acknowledgement, Federal Land Managing
Agencies shall not conduct or permit archaeological investigations of any Native
American occupation or traditional use areas within the external jurisdictional
boundaries of ITC member Nations without full consultation which meets both
the letter and spirit of all applicable historic preservation and environmental
protection statutes and regulations; and

BE IT FURTHER RESOLVED,
That the Inter-Tribal Council strongly recommends that all federal land managing
agencies comply with all federal mandates which authorize the development and
implementation of comprehensive Tribal Consultation Policies, following direct input
and recommendations of each ITC member Nation.

CERTIFICATION

ADOPTED by the Inter-Tribal Council of the Five Civilized Tribes meeting held at
Fountain Head Resort, Canadian, Oklahoma on this 12th day of July, 1996, by a vote of
25 for, 0 Against, and 0 Abstentions.

Joe Byrd Signed
Joe Byrd, Principal Chief
Cherokee Nation

Greg E. Pyle Signed for
Hollis Roberts, Chief
Choctaw Nation

Perry Beaver Signed
Perry Beaver, Principal Chief
Muscogee (Creek) Nation

Jerry Haney Signed
Jerry Haney, Principal Chief
Seminole Nation

Bill Anoatubby Signed
Bill Anoatubby, Governor
Chickasaw Nation