

# 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



Bill John Baker  
Principal Chief



Bill Anoatubby  
Governor



Gary Batton  
Chief



James R. Floyd  
Principal Chief



Leonard M. Harjo  
Principal Chief

**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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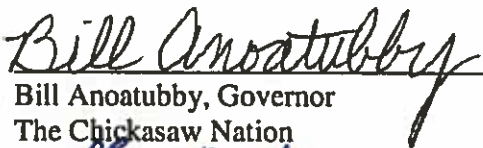
including archaeological sites, historic sites, and artifacts, and which encourages Indigenous communities to work to create protective legislation; and

**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

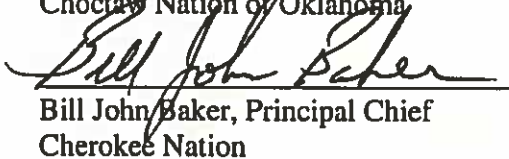
**NOW THEREFORE BE IT RESOLVED**, that ITC supports Tribal governments in enacting Tribal legislation for the protection of burials, sacred, historic, and other significant sites on tribally owned lands.

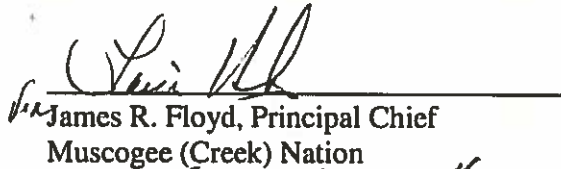
## CERTIFICATION

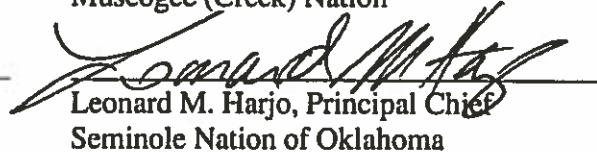
The foregoing resolution was adopted by the Inter-Tribal Council of the Five Civilized Tribes meeting in Thackerville, Oklahoma on this 13<sup>th</sup> day of January, 2017, by a vote of all for 0 against and 0 abstentions.

  
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