

**The INTER-TRIBAL COUNCIL  
of the FIVE CIVILIZED TRIBES**

**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 statutes 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 FURTNER 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 12<sup>th</sup> 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