

The INTER-TRIBAL COUNCIL of the FIVE CIVILIZED TRIBES

A Resolution Regarding Title VI Assurances of Compliance with Civil Rights Requirements

Resolution No. 21-30



Chuck Hoskin Jr.
Principal Chief



Bill Anoatubby
Governor



Gary Batten
Chief



David W. Hill
Principal Chief



Lewis J. Johnson
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 Nation, representing approximately 815,000 Indian people throughout the United States; and

WHEREAS, the Department of the Treasury, among other U.S. Departments and agencies, have begun issuing packets for federal funding to eligible tribal governments that include a form entitled Title VI Assurances of Compliance with Civil Rights Requirements; and

WHEREAS, the Department is imposing this form on tribes as a condition to receive current and future federal funding, which is a direct threat to tribal sovereignty; and

WHEREAS, the American Rescue Plan, previous pandemic relief legislation, and Title VI of the Civil Rights Act does not require tribes to complete and submit such form as a condition to receive federal funding; and

WHEREAS, no tribal consultation was held by the Department, or the administration, on the inclusion of this form and its requirements.

WHEREAS, Title VI of the Civil Rights Act does not apply to Indian tribes and tribal governments; and

WHEREAS, tribes have their own laws and anti-discrimination regulations that are often more rigorous than Title VI of the Civil Rights Act and tribes should be able to certify compliance with their own non-discrimination laws, such as elder preference laws, which are often times more effective; and

WHEREAS, this is a direct infringement of tribal sovereignty and waives sovereign immunity that would have dire consequences to the government-to-government relationship our sovereigns share.

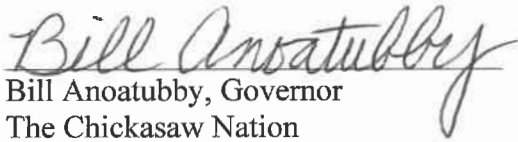
NOW THEREFORE LET IT BE RESOLVED THAT, the Inter-Tribal Council of the Five Civilized Tribes urges the U.S. Department of the Treasury to rescind the Title VI Assurances of Compliance with Civil Rights Requirements form and not require tribes to complete and submit the form to receive statutorily allowed funding; and

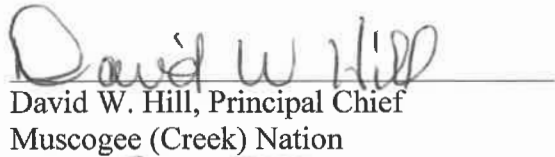
The INTER-TRIBAL COUNCIL of the FIVE CIVILIZED TRIBES

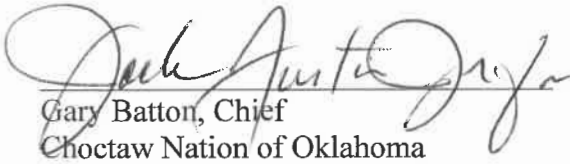
BE IT FURTHER RESOLVED, the Inter-Tribal Council of the Five Civilized Tribes urges the U.S. Department of the Treasury to allow tribes to self certify compliance of their own non-discrimination laws rather than compliance with Title VI of the Civil Rights Act.

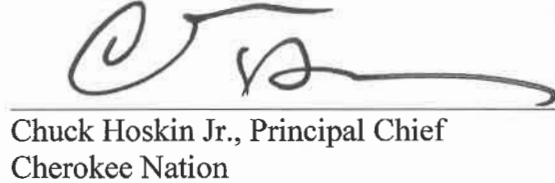
CERTIFICATION

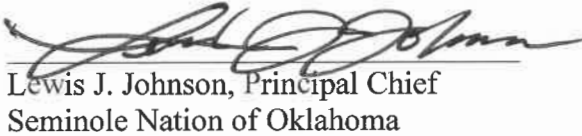
The foregoing resolution was adopted by the Inter-Tribal Council of the Five Civilized Tribes meeting in Durant, Oklahoma on this 8th day of October, 2021, by a vote of _____ for _____ against and _____ abstentions.


Bill Anoatubby, Governor
The Chickasaw Nation


David W. Hill, Principal Chief
Muscogee (Creek) Nation


Gary Batton, Chief
Choctaw Nation of Oklahoma


Chuck Hoskin Jr., Principal Chief
Cherokee Nation


Lewis J. Johnson, Principal Chief
Seminole Nation of Oklahoma