

Committee: Rules Committee

Date: 5-14-14

Committee Date: 5-28-14

Author: Gloria Sly

Sponsor: V. Vazquez, D. Walkingstick, T. Glory Jordan, J. Byrd,

C. Snell, J. FISHINGHAWK, J. Fullbright, D. Thornton,

D. Garvin, H. Buzzard, J. Taylor, D. Lay, F. Hargis,

L. Keener, C. Cowan Watts, J. Coates, J. D. Baker

RESOLUTION NO. 39-14

COUNCIL OF THE CHEROKEE NATION

A RESOLUTION AUTHORIZING THE SUBMISSION FOR TRIBAL HISTORIC PRESERVATION OFFICE STATUS WITH THE NATIONAL PARK SERVICE

WHEREAS, the Cherokee Nation since time immemorial has exercised the sovereign rights of self-government in behalf of the Cherokee people;

WHEREAS, the Cherokee Nation is a federally recognized Indian Nation with a historic and continual government to government relationship with the United States of America;

WHEREAS, The Nation's historical and cultural foundations should be preserved as a living part of our community life and development in order to give a sense of orientation to Cherokee citizens; and

WHEREAS, The Nation's preservation of this irreplaceable heritage is vital for the cultural, educational, aesthetic, inspirational, and economic well-being of the current Cherokee Nation, its citizens, and future generations of Cherokees; and

WHEREAS, Section 101(d)(2) of the National Historic Preservation Act states that "A tribe may assume all or any part of the functions of a State Historic Preservation Officer in accordance with subsections (b)(2) and (b)(3), with respect to tribal lands; and ;

WHEREAS, The Nation wishes and intends to exercise this authority cited in section 101(d)(2) and assume certain functions of a Historic Preservation Office. The Nation requests by Tribal Resolution to the Secretary of the Interior that the tribe wishes to assume said functions and designates the Tribal Preservation Office to administer the tribal historic preservation program; and

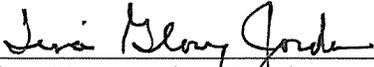
WHEREAS, The Tribal Council fully supports this endeavor and believes that this is in the best interests of the Nation and its citizens.

BE IT RESOLVED BY THE CHEROKEE NATION, that the Tribal Council authorizes the Principal Chief Bill John Baker to submit the Tribal Historic Preservation Office application, including the Program Plan, for the assumption of selected State Historic Preservation Office functions stated in the Program Plan and federal funding for implementing those functions to the National Park Service

BE IT FURTHER RESOLVED BY THE CHEROKEE NATION, The Principal Chief, or his affirmed designee, is hereby designated as the administrator of the tribal historic preservation program, who shall provide status reports to the Tribal Council as needed and/or upon request

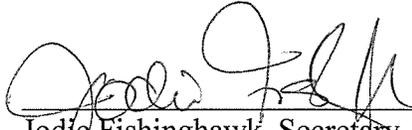
CERTIFICATION

The foregoing resolution was adopted by the Council of the Cherokee Nation at a duly called meeting on the 16th day of June, 2014, having 16 members present, constituting a quorum, by the vote of 16 yea; 0 nay; 0 abstaining.



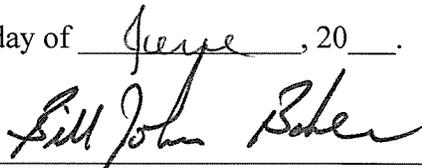
Tina Glory Jordan, Speaker
Council of the Cherokee Nation

ATTEST:



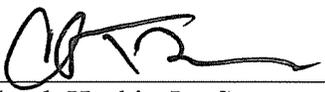
Jodie Fishinghawk, Secretary
Council of the Cherokee Nation

Approved and signed by the Principal Chief this 20 day of June, 2014.



Bill John Baker, Principal Chief
Cherokee Nation

ATTEST:



Chuck Hoskin Jr., Secretary of State
Cherokee Nation

**ADMINISTRATIVE
CLEARANCE**

Dept/Program:

Signature/Initial

Date

Executive Director:

Signature/Initial

Date

**Treasurer: (Required:
Grants/Contracts/Budgets)**

Signature/Initial

Date

Government Resources:

Signature/Initial

Date

Administration Approval:

Signature/Initial

Date

LEGISLATIVE CLEARANCE:

Legal & Legislative Coordinator:

Signature/Initial

Date

Standing Committee & Date:

Chairperson:

Signature/Initial

Date

Returned to Presenter:

Date

**Cherokee Nation
Act/Resolution Proposal Form**

Act

Resolution

TITLE:

DEPARTMENT CONTACT: Gloria Sly

RESOLUTION PRESENTER: Gloria Sly

COUNCIL SPONSOR: Victoria Vazquez

NARRATIVE:

Cherokee Nation will assume the following functions listed in Section 101(b)(3) of the Act that are currently carried out by the State Historic Preservation Office:

- (A) In cooperation with Federal and State agencies, local governments, and private organizations and individuals, direct and conduct surveys of historic properties located upon Tribal lands and maintain inventories of such properties;
- (B) Identify and nominate eligible properties to the National Register and otherwise administer applications for listing historic properties on the National Register;
- (C) Prepare and implement a *Cherokee Nation Preservation Plan*;
- (D) Administer the Tribal program of Federal assistance for historic preservation upon Cherokee Nation Tribal lands;
- (E) Advise and assist, as appropriate, Federal and State agencies and local governments in carrying out their historic preservation responsibilities;
- (F) Cooperate with the Secretary of the Interior, the Advisory Council on Historic Preservation, and other Federal and State agencies, local governments, and organizations and individuals to ensure that historic properties are taken into consideration during planning and development processes;
- (G) Provide public information, education, training, and technical assistance in historic preservation; and
- (H) Consult with appropriate Federal agencies in accordance with the Act on
 - i. Federal undertakings that may affect historical properties; and
 - ii. The content and sufficiency of any plans developed to protect, manage, or to reduce or mitigate harm to such properties.

Cherokee Nation proposes to exercise the above responsibilities for historic properties on Tribal lands. Cherokee Nation, in coordination with Federal and other applicable partners, will provide technical assistance to facilitate these undertakings are conducted in compliance with applicable Federal and Tribal laws, regulations, ordinances, and traditional practices.