

# THE TRIBAL CULTURAL AREAS SYSTEM ACT

## ENHANCING PROTECTIONS TO TRIBAL CULTURAL AND SACRED SITES ON FEDERAL LANDS

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The vast majority of federal lands are carved out of the ancestral homelands of tribal nations. Despite forced removal and displacement from these traditional territories, tribes' cultural connections to these places have never been extinguished. Tribal nations and their citizens continue to exercise treaty rights to hunt, fish, and gather on federal lands. They continue to access federal lands to pray, conduct ceremonies, visit burial sites, and gather plants for traditional purposes.

Federal laws, court decisions, and regulations acknowledge these activities as protected legal rights. However, current laws and regulations fail to adequately protect tribal government interests on federal land, too often authorizing the development of federal lands for mining, road construction, and other forms of development or not doing enough to prevent the theft of cultural items and mismanagement of federal lands in a manner that respects and preserves Indigenous cultures and religions. Over the years, these actions have resulted in the desecration of tribal sacred places and harm to tribal religious practices.



*The Badger-Two Medicine region of northern Montana is a sacred landscape to the Blackfeet Nation and is just one of many places that could be permanently protected under the Tribal Cultural Areas System Act.*

For these reasons, tribal nations have urged Congress to amend federal land management laws to improve protections of sacred sites and other cultural areas located on federal lands. The proposed Tribal Cultural Areas System Act would accomplish this crucial goal.

The proposed Tribal Cultural Areas System Act would establish a national Tribal Cultural Areas System, to be made up of culturally significant sites on public lands. While current law has established national systems of protected lands for parks, wilderness, and other purposes, no such system exists for tribal cultural sites. This leaves tribes with limited ability to influence the protection and management of lands they have used since time immemorial.

Under the proposal, Congress would create a Tribal Cultural Areas System, and only Congress could add or remove lands from the system. Tribal cultural areas would be managed to preserve their cultural values while allowing for traditional tribal cultural use. Mining and other forms of development that would impair the area's cultural values would be prohibited.

The proposal would also direct land management agencies to survey their holdings to identify potential tribal cultural areas, and to recommend, after considering public input, that such areas be designated by Congress. Tribes would be authorized to propose tribal cultural areas to land management agencies.



*Ancient petroglyphs in southern Utah, where vandalism and looting continue to threaten sacred cultural sites.*

The proposal would also empower tribal nations to play a role in the management of tribal cultural areas. Through cooperative management agreements known as self-determination contracts and increased consultation with land management agencies, tribes can share their traditional knowledge, and help ensure the tribal cultural areas are well-managed to protect cultural resources.

The proposed Tribal Cultural Areas System Act fills a gaping hole in American public land law. At last, the legislation will ensure that tribal nations have the ability to protect, co-manage, and use the cultural sites they have used for generations. Please support this landmark legislation.

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