

**Council of the Original Miccosukee Simanolee Nation,
Aboriginal People**

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September 1, 2009

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Aboriginal People didn't just come here overnight. We have been living Our Way of Life in our own Land from generation to generation since the beginning of Creation.

During the 1700's and 1800's, Aboriginal People made Agreements with the American people. We have never changed the Agreements from generation to generation, and we still hold onto the Agreements today.

Since the establishment of the Big Cypress National Preserve and Everglades National Park, we have sat down with different representatives and different superintendents of these Parks, as they have come and gone through the years, and they have honored and respected our Sacred Ground – Burial Grounds, Sacred Burial Grounds, Ceremonial Grounds, Old Village Sites, and our right to practice our Way of Life, hunting, fishing, and gathering in Big Cypress National Preserve and Everglades National Park.

We have been included in your Management Plans, and other documents prepared by the Big Cypress National Preserve, and Everglades National Park, and most recently included in "Big Cypress National Preserve - Commercial Service Plan, final draft dated December 2008" on page 22. "There are also numerous Native Americans not associated with either tribe that also use and claim rights within the Preserve." So, you do have a right to sit down with us concerning the planning of this project to determine how the addition land shall be used.

In reviewing the Big Cypress National Preserve -- Addition, Draft General Management Plan/Wilderness Study/Off-Road Vehicle Management Plan/Environmental Impact Statement, May 2009, you have failed to include Aboriginal People who are not associated with either Tribe as having "Usual and Customary Use and Occupancy in

Plan Management Plans of the Addition Land.

We are enclosing for your understanding of our rights, pages 38 and 39 of the "Usual and Customary Use and Occupancy of the Miccosukee and Seminole Indians in Big Cypress National Preserve, Florida, by James A. Goss, Ph.D., dated June 1, 1995. Our position has not changed, and the Council of the Original Miccosukee Simanolee Nation requests that our rights to Usual and Customary Use and Occupancy in the Addition Land, and beyond be stated in the General Management Plan for the Addition Lands and beyond.

We need to set up a meeting between us for better understanding before September 30, 2009, as we have a number of issues with the Plan as it now stands.

Council of the Original Miccosukee Simanolee Nation

Betty C. Billie

Cecil Osceola

Vincent Simanolee

USUAL AND CUSTOMARY USE AND OCCUPANCY BY THE
MICCOSUKEE AND SEMINOLE INDIANS

IN

BIG CYPRESS NATIONAL PRESERVE, FLORIDA

By

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A Project Supported by the Southeast Region
National Park Service
Atlanta, Georgia

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Between
NATIONAL PARK SERVICE
and
TEXAS TECH UNIVERSITY

June 1, 1995

The TRADITIONAL SEMINOLE NATION OF FLORIDA is a group of independent people of Miccosukee and Seminole heritage that has sought recognition as a distinct group through legal approach to the United States government. This group and other independents number probably about 200. The members of the Traditional Seminole Nation of Florida (primarily Miccosukee speakers) have steadfastly kept their autonomy and refused to affiliate with either the Seminole Tribe of Florida or the Miccosukee Tribe of Indians of Florida. They continue to hold that they are still the rightful owners of southern Florida soil.

The members of the Traditional Seminole Nation of Florida hold that they represent the traditional governing body of the Seminole Tribe, and that the new polities of the Seminole Tribe of Florida (established in 1957) and the Miccosukee Tribe of Indians of Florida (established in 1962) do not speak for them. They wish to make it very clear that they are not a "splinter group", as they have often been referred to by historians and anthropologists, but that they represent the oldest traditional governing body of the Seminole Nation.

They have refused to join the modern political "tribes" in their attempts to get payment for lands that were taken. The Traditional Seminole Nation of Florida continues the position that their land is not for sale and they hold that their lands in Florida have been illegally taken from them. They particularly claim that the land allocated to them under the Worth Agreement (Appendix 1.E., Map 6), is still rightfully theirs.

They have refused, at great sacrifice, to be parties to the

Appendix 1.L. Seminole Claim: Distribution of Funds). They have refused to take any funds from the government and hold that they have signed no agreement to release their claim to land for money.

The Traditional Seminole Nation holds that the members of the modern "tribal" polities have given up their rights to the rest of their Florida lands by moving to reservations and taking government payments for their lands. Of course, following this logic, it is the members of the Traditional Seminole Nation of Florida and other independents that have not joined the modern tribal polities that contend that they have the continuing claim to the rights of residence and use of resources in Big Cypress National Preserve, since they have never relinquished their claim to this land. In other words, they view the Big Cypress National Preserve statutory rights as supporting the rights that they contend they have always had. In their view, the statute gives the National Park Service the responsibility of protecting these rights.

Members of the Traditional Seminole Nation and other independents today live along the Tamiami Trail (U S 41) and near Immokalee on state land (Royal Palm Hammock and Big Cypress Bend), federal land (Big Cypress National Preserve), and on private land (through the generosity and understanding of employers and land owners). A few of the independents that live in camps in Big Cypress National Preserve along U. S. 41 have title to their land. It is this group that could be considered more traditional and will be most interested in continuing much of the old pattern of residence and lifeway under the statutory rights in the Big Cypress National Preserve.