

RESOLUTION OF THE GOVERNING BODY OF
THE THREE AFFILIATED TRIBES OF THE
FORT BERTHOLD RESERVATION

- WHEREAS, This Nation having accepted the Indian Reorganization Act of June 18, 1934, and the authority under said Act; and
- WHEREAS, The Constitution of the Three Affiliated Tribes generally authorizes and empowers the Tribal Business Council to engage in activities on behalf of and in the interest of the welfare and benefit of the Tribes and of the enrolled members thereof; and
- WHEREAS, Article VI, Section 5(d) of the Constitution of the Three Affiliated Tribes specifically authorizes and empowers the Tribal Business Council to negotiate with agencies of the federal government on behalf of the Tribes; and
- WHEREAS, Article VI, Section 5(j) of the Constitution of the Three Affiliated Tribes specifically authorizes and empowers the Tribal Business Council to preserve native culture, ceremonials, and traditions; and
- WHEREAS, The National Park Service intends to construct a visitors center complex at the Knife River Indian Villages National Historic Site, located north of Stanton, North Dakota; and
- WHEREAS, The Three Affiliated Tribes, though verbal and written communications, have expressed their opposition to the construction of said complex in the area designated as proposed Site C, a known Tribal burial ground, and the National Park Service has deferred to such expressed concern of the Tribes in that the Service has selected the alternative proposed Site B for the siting of said complex; and
- WHEREAS, There exists the remote possibility that the remains of human burial might be discovered during the construction of said complex in the area designated as Site B; and
- WHEREAS, It is the considered judgment of the Tribal Business Council that, in the spirit of cooperation and in an effort to facilitate and expedite the acquisition by the National Park Service of federal funding for the Knife River project and the completion of construction of the proposed visitors center complex, the Three Affiliated Tribes should enter into an agreement with the National Park Service providing for the removal and reinterment of any remains of human burial discovered in the area designated as Site B, in accordance with appropriate religious practices of the Tribes and with specific guidance from the Tribes;

COOPERATIVE AGREEMENT

THIS AGREEMENT, made and entered into this 19 day of June, 1984, by and between the National Park Service, hereinafter referred to as the Service, and the Three Affiliated Tribes, hereinafter referred to as the Tribes.

WITNESSETH, That, in consideration of the mutual covenants and agreements contained herein, the parties hereto do hereby agree as follows:

1. That the Service intends to construct a visitors center complex at the Knife River Indian Villages National Historic Site located north of Stanton, North Dakota.

2. That the remains of human burial have been previously discovered by the Service at the Knife River Site, which burials have special religious and cultural significance to the Tribes in that practices surrounding burial of the dead are an integral part of Tribal religion and culture.

3. That the Service has continued to cooperate with the Tribes in the protection of archaeological resources located at the Knife River Site and, in deference to the expressed concerns presented by the Tribes, has selected the area designated as Site B as the location for the construction of the visitors center complex, in lieu of the proposed area designated as Site C, an identified Tribal burial ground.

4. That, should the Service, during any phase of the construction of the visitors center complex in the area designated as Site B, inadvertently discover the remains of human burial in the area, the Service shall forthwith notify the Tribes of such discovery

for the purpose of securing from the Tribes guidance relative to the removal of any such remains from the area and the reinterment of such remains in the Tribal burial ground situated within the area designated as Site C or in any area identified by the Tribes outside the Knife River Site, in accordance with the appropriate religious practices of the Tribes.

5. That the Tribes shall submit to the Service written procedures to be followed by the Service and the Tribes relative to notification of the discovery, removal, and reinterment of any remains of human burial so discovered by the Service.

6. That, at any time in the future, should the remains of human burial be uncovered at any location within the Knife River Site by natural forces (e.g., water or wind erosion) or by human activities (e.g., archaeological test sampling, repair or construction of utility lines, additional construction), the removal and reinterment of any and all such remains so uncovered may be accomplished pursuant to the procedures set forth in the Agreement, in the absence of the objection of either party hereto.

IN WITNESS WHEREOF, the parties hereto have hereunto set their hands the day and year first above written.

NATIONAL PARK SERVICE

BY: Henry Wickens
Superintendent
Theodore Roosevelt National
Park

THREE AFFILIATED TRIBES

BY: Olyce Spotted Bear
Chairman
Tribal Business Council

NOW, THEREFORE, BE IT RESOLVED, That the Tribal Business Council of the Three Affiliated Tribes hereby formally approves entry into an agreement with the National Park Service, a copy of which is attached hereto, and further authorizes and directs the Chairman of the Tribal Business Council to execute said agreement on behalf of the Three Affiliated Tribes.

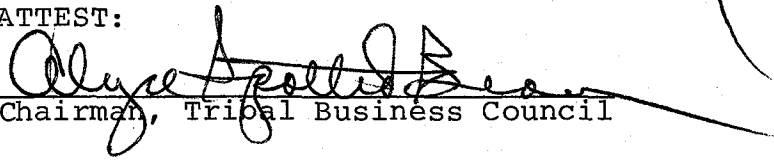
CERTIFICATION

I, the undersigned, as Secretary of the Tribal Business Council of the Three Affiliated Tribes of the Fort Berthold Reservation, hereby certify that the Tribal Business Council is composed of 11 members of whom 7 constituting a quorum, 10 were present at a REGULAR Meeting, thereof duly called, noticed, convened, and held on the 19 day of JUNE, 1984; that the foregoing resolution was duly adopted at such meeting by the affirmative vote of 9 members, — members opposed, 1 members abstained, — members not voting, and that said resolution has not been rescinded or amended in any way.

Dated this 19 day of JUNE, 1984


Secretary, Tribal Business Council

ATTEST:


Chairman, Tribal Business Council