

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, The Three Affiliated Tribes, through the Tribal Business Council Cultural Concerns Committee, had been informed during 1986 by members of the various Tribes residing in the State of Kansas that possible desecration/commercial exploitation of Indian remains had been taking place; and
- WHEREAS, primary concern centered around the exhibit of remains at the private site known as the "Salina Burial Pit", closing this site, and the prevention of similar, future occurrences; and
- WHEREAS, the Committee participated in research in this matter because of the historical residence of the Arikara Tribe in and around the State of Kansas; and
- WHEREAS, Members of the Committee and Westly Plenty Chief-Arikara Tribe traveled to inspect the site and provide input into discussion being held by the members of six Kansas Tribes, University of Kansas Officials, State of Kansas Officials, archaeologists & anthropologists, Native American Rights Fund Officials, and Haskell Indian Junior College representatives; and
- WHEREAS, due to the numerous meetings scheduled and the distance/travel facts involved, the Cultural Concerns Committee designated Mr. Chester Ellis (Arikara Tribal member residing in the area) as their Official Representative who would participate in the meetings and provide reports to the Three Affiliated Tribes on the "Writing Committee's" efforts to develop corrective legislation; and
- WHEREAS, Mr. Ellis has transmitted the Writing Committee's "Draft Kansas Unmarked Human Burial and Skeletal Remains Protection Act and Objectives" for review and comment prior to its submission to the Kansas State Legislature; and

WHEREAS, The Cultural Concerns Committee has reviewed the Draft Act and Objectives; and

WHEREAS, It has been noted that the Act should be effective in closing the "Salina Burial Pit" commercial operation and in preventing future desecrations through a number of key elements in its language such as:

- o Membership on the proposed "Unmarked Burial Sites Preservation Board" of four Tribal representatives of the resident Kansas Indian Tribes
- o State funding of implementation of the Act
- o Kansas Attorney General enforcement of prohibitions set forth under the Act
- o Penalties of up to \$5000 for violators and a fine for commercial operators of up to 2 times the gross value gained
- o A limitation upon the time which remains may be kept by the scientific community for study
- o Consultation on the appropriate means of reinterment
- o Development and maintenance of a Registry of unmarked burial sites to aid in enforcement of the Act

THEREFORE BE IT RESOLVED, that the Tribal Business Council of the Three Affiliated Tribes hereby approves the "Draft Kansas Unmarked Human Burial and Skeletal Remains Protection Act and Objectives" and recommends its submittal to the Kansas State Legislature for passage at the earliest possible date.

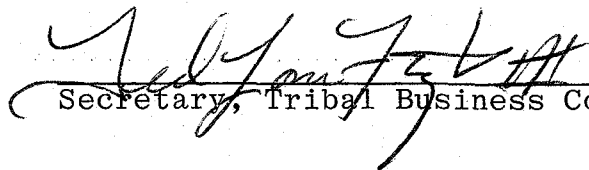
FURTHER RESOLVED, that the Tribal Business Council wishes to commend and thank Tribal Member Chester Ellis for his contribution in the development of the Draft Act and his exemplary representation of the interests of the Three Affiliated Tribes.

FURTHER RESOLVED, that the Tribal Business Council also wishes to extend its gratitude to the Members of the "Writing Committee", contributors to the Committee, State and University officials, and any supporting organizations.

C E R T I F I C A T I O N

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 7 members of whom 5 constitute a quorum, 5 were present at a Special Meeting thereof duly called, noticed, convened, and held on the 1st day of May, 1987; that the foregoing Resolution was duly adopted at such Meeting by the affirmative vote of 5 members, 0 members opposed, 0 members abstained, 0 members not voting, and that said Resolution has not been rescinded or amended in any way.

Dated the 1st day of May, 1987.


Secretary, Tribal Business Council

ATTEST:


Chairman, Tribal Business Council