

**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 3(a) of the Constitution of the Three Affiliated Tribes specifically authorizes and empowers the Tribal Business Council to present and prosecute any claims or demands of the Three Affiliated Tribes and to retain legal counsel to provide representation for such purpose; 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 federal, state, and local governments; and
- WHEREAS,** Article VI, Section 5(j) of the Constitution of the Three Affiliated Tribes specifically authorizes and empowers the Tribal Business Council to protect and preserve the native arts, crafts, culture, ceremonies, and traditions of the Three Affiliated Tribes; and
- WHEREAS,** The Three Affiliated Tribes have, for many years, been devoting substantial effort generally in the protection and preservation of our Mandan, Hidatsa, and Arikara cultural and religious heritage, and specifically in the protection and preservation of our ancestral burial sites located both within and without the State of North Dakota, including certain sites located within the States of Kansas, Nebraska, and South Dakota; and
- WHEREAS,** Our Tribes have, in more recent years, been engaged in lobbying, negotiations, and discussions with certain federal agencies, including the United States Army Corps of Engineers, the United States Air Force, and the National Park Service, and with certain public institutions and agencies, including the Smithsonian Institution, the University of Minnesota, the North Dakota State Historical Society, the Kansas State Legislature, and the Nebraska State Legislature, for the purpose not only of providing for

the protection and preservation of our ancestral burial sites, but also securing from certain of such institutions and agencies the release and return of the previously disinterred human skeletal remains and associated burial goods in their respective possession; and

WHEREAS, The recent endeavors of the Three Affiliated Tribes relative to the protection and preservation of Indian skeletal remains and associated burial goods located within the State of Kansas have been justified by and based upon the knowledge, gained through archaeological and anthropological study and through traditional teachings within the cultural heritage of our Tribes, that many of the Arikara ancestors of our Three Tribes resided and were interred within the State of Kansas; and

WHEREAS, Such endeavors by our Tribes have been constituted by researching, drafting, and lobbying in support of certain legislation entitled "Kansas Unmarked Human Burial and Skeletal Remains Protection Act" (House Bill No. 2704), which legislation would generally provide adequate protection for unmarked human burial sites and human remains located on all private or public lands within the State of Kansas; and

WHEREAS, An additional significant objective inherent in our efforts in support of House Bill No. 2704 has been to secure a viable legislative means by which to pursue the reinterment of the skeletal remains of 146 Indian individuals currently being displayed as a tourist attraction known as the "Salina Indian Burial Pit;" and

WHEREAS, To date, certain Kansas State legislators representing the commercial interests of the owners of this tourist attraction have been successful in blocking such legislative effort; and

WHEREAS, In view of the lack of success which has been experienced by the Three Affiliated Tribes, working in conjunction with the Pawnee and Wichita Tribes, in pursuit of the objective to reinter the Indian remains on display at the Salina Indian Burial Pit through our hard-fought legislative effort, the Three Affiliated Tribes have chosen to pursue alternative means by which to accomplish such objective;

NOW, THEREFORE, BE IT RESOLVED, That the Tribal Business Council of the Three Affiliated Tribes, pursuant to its constitutional authority, hereby authorizes and requests that the Native American Rights Fund, of Boulder, Colorado, forthwith provide formal representation of the Three Affiliated

Tribes, through formal negotiations and/or potential litigation, in the continuing effort to reinter the skeletal remains of the 146 Indian individuals currently maintained at the privately owned tourist attraction known as the Salina Indian Burial Pit, located in the State of Kansas.

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 Regular Meeting thereof duly called, noticed, convened, and held on the 13th day of October, 1988; that the foregoing Resolution was duly adopted at such Meeting by the affirmative vote of 4 members, 1 members opposed, 0 members abstained, 0 members not voting, and that said Resolution has not been rescinded or amended in any way.

Dated the 13th day of October, 1988.

[Signature]
Secretary, Tribal Business Council

ATTEST:

[Signature]
Chairman, Tribal Business Council