

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(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 the members of the Arikara Tribe of the Three Affiliated Tribes are descendants of aboriginal inhabitants of the geographic area now commonly known as the State of Kansas; and

- WHEREAS, The members of the Arikara Tribe have numerous ancestors currently buried in the geographic area now commonly known as the State of Kansas; and
- WHEREAS, The Three Affiliated Tribes Tribal Business Council is vitally interested in the proper care, treatment, protection and disposition of unmarked human burial sites and remains located within the State of Kansas; and
- WHEREAS, The Three Affiliated Tribes, through the Tribal Business Council Cultural Concerns Committee, have been informed of the need for protective unmarked burial legislation in Kansas, having sent representatives to inspect the "Indian Burial Pit" located near Salina, Kansas, and to meetings with members of six Kansas Tribes, University of Kansas officials, State of Kansas officials, archaeologists and anthropologists, Native American Rights Fund attorneys, and Haskell Indian Junior College representatives; and
- WHEREAS, The Tribal Business Council, through its representative, Chester Ellis, has participated in the efforts of the "writing committee" to explore legislative protection of unmarked burial sites and remains in the State of Kansas; and
- WHEREAS, The Tribal Business Council strongly supports a clear public policy giving adequate protection for unmarked human burials in order to prevent Native American grave desecrations and to protect all legitimate interests in the remains of Native Americans; and
- WHEREAS, The Tribal Business Council has carefully examined the provisions of the proposed "Kansas Unmarked Burial Sites Preservation Act" and has caused a review of its provisions by attorneys with the Legal Department of the Three Affiliated Tribes; and
- WHEREAS, It is the considered judgment of the Tribal Business Council that said proposed Act is a commendable piece of legislation reflecting the respective values of both the dominant and Indian societies in protecting and preserving human burial sites through the provision of affording equal and adequate protection of unmarked burial sites located within the State of Kansas;
- NOW, THEREFORE, BE IT RESOLVED, That the Tribal Business Council of the Three Affiliated Tribes hereby approves the proposed "Kansas Unmarked Burial Sites Preservation Act" and recommends its introduction in the Kansas State Legislature for enactment on the earliest practicable date.

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 constitute a quorum, 4 were present at a Regular Meeting thereof duly called, noticed, convened, and held on the 12th day of January, 1989; that the foregoing Resolution was duly adopted at such Meeting by the affirmative vote of 4 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 12th day of January, 1989.

[Signature]  
Secretary, Tribal Business Council

ATTEST:

[Signature]  
Chairman, Tribal Business Council