

RESOLUTION OF THE SUMMIT LAKE PAIUTE COUNCIL
SUMMIT LAKE PAIUTE TRIBE
OF THE
SUMMIT LAKE PAIUTE RESERVATION, NEVADA

RESOLUTION NO.: SL -41 - 2008

TITLE: Considering Whether, Under Appropriate Circumstances, the Summit Lake Reservation Should Be the Final Resting Place for the Children's Remains and Grave Funerary Objects Looted from the Elephant Mountain Cave

WHEREAS, the Summit Lake Paiute Tribe, is a modern entity of the Northern Paiute People known, in English, as Lake Trout and Wild Onion Eaters who, for thousands of years, controlled 2,800 square miles of land in and around Summit Lake as a tribe with sovereign, unlimited, powers and laws (customs, traditions, usages, etc.); and,

WHEREAS, in 1964, and after much consideration, the members of the Lake Trout and Wild Onion Eaters organized pursuant to Section 16 of the Indian Reorganization Act of June 18, 1934 (48 Stat. 984) as amended, adopting, for certain sovereign purposes, the name "Summit Lake Paiute Tribe" with a tribal constitution titled "Articles of Association," the latter which was approved by the Secretary of the U.S. Department of the Interior on January 8, 1965; and,

WHEREAS, the Summit Lake Paiute Tribe's Articles of Association grant to the Summit Lake Paiute Council (see Article II, Section 1) certain sovereign powers, including the power to improve the welfare and education of tribal members and to take such action as is necessary to carry into effect any of the Council's powers and duties (see Article II, Section 1 (k)); and,

WHEREAS, in the 1980s, Elephant Mountain Cave, within the traditional territory of the Summit Lake Paiute Tribe but also within traditional paths of our ancestors and other native people allowed to pass through this Tribe's traditional territory, was looted destroying human remains, including that of a male and female child, and grave funerary objects; and,

WHEREAS, the non-Indian who looted and destroyed the contents of Elephant Mountain Cave was convicted in state court of various charges, and the human remains and grave funerary objects have been or are in the process of being sent to the Nevada State Museum and the Nevada offices of the Bureau of Land Management; and,

WHEREAS, because of the lack of staff and funding, the Summit Lake Paiute Tribe has relied upon the members of the Pyramid Lake Paiute Tribe's Cultural Resource Committee, with the assistance of others, to assert the Summit Lake Paiute Tribe's positions regarding the ultimate disposition of the Elephant Mountain Cave human remains and grave funerary objects; and,

WHEREAS, the Summit Lake Paiute Council has been very satisfied with the collaboration between this Tribe's Natural Resource and Environmental Protection Department directors and the Pyramid Lake Paiute Tribe's Cultural Resource Committee and the others the latter have relied upon; and,

WHEREAS, there has been questions put forth to the Summit Lake Paiute Council whether they would allow the Elephant Mountain Cave human remains and grave funerary objects to come to rest on the Summit Lake Reservation, given the remoteness of the Summit Lake Reservation, the relative short distance between Elephant Mountain Cave and the Summit Lake Reservation, and the possibility that the families of the male and female child whose remains were looted from Elephant Mountain Cave may have traversed what became the Summit Lake Reservation and enjoyed its resources; and,

WHEREAS, the Summit Lake Paiute Council is willing to consider, under appropriate circumstances, the Summit Lake Reservation being the final resting place of the Elephant Mountain Cave human remains and grave funerary objects; and,

NOW THEREFORE, BE IT RESOLVED that the Summit Lake Paiute Tribal Council does hereby continue to authorize the Pyramid Lake Paiute Tribe's Cultural Resource Committee, after consultation and with the advise and consent of this Tribe's Natural Resource and Environmental Protection Department directors, to assert the Summit Lake Paiute Tribe's positions regarding the ultimate disposition of the Elephant Mountain Cave human remains and grave funerary objects.

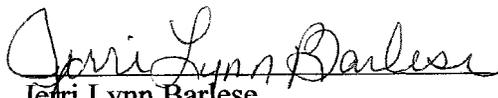
BE IT FURTHER RESOLVED that the Summit Lake Paiute Council also agrees to participate in an inter-tribal process to determine the final resting place of the children's remains and other objected looted from Elephant Mountain Cave.

CERTIFICATION

I, JERRI LYNN BARLESE, Secretary/Treasurer of the Summit Lake Paiute Council, hereby certify that the above Resolution, No. SL -4]- 2008, was brought before the Summit Lake Paiute Council at a duly held meeting on the Summit Lake Reservation on the 18th day of October, 2008, a quorum present, with the following votes to enact the Resolution: 4 FOR, 0 AGAINST; and, 0 ABSTAINING, with Council Chairman Warner Barlese presiding and not voting, and that this Resolution has not been rescinded, revoked or amended.

October 18, 2008

Date


Jerri Lynn Barlese
Secretary/Treasurer
Summit Lake Tribal Council