

BURNS PAIUTE INDIAN TRIBE
Burns Paiute Tribal Council

RESOLUTION NO. 2006-12

Burns Paiute Tribe
Aboriginal Territorial Protection Policy

WHEREAS, THE Burns Paiute Tribe ("Tribe") is a federally recognized Indian Tribe and has adopted a Tribal Constitution designating the Tribal Council as the elected governing body of the Burns Paiute Reservation; and

WHEREAS, THE Burns Paiute Tribal Council is authorized to act on behalf of the Tribe pursuant to Article VI of the Tribe's Constitution; AND

WHEREAS, THE Tribal Council recognizes that the cultural resources found throughout the Tribe's aboriginal territory are invaluable, irreplaceable, and endangered elements of the Tribe's heritage; and that the members of the Burns Paiute Tribe make the protection of these threatened resources a priority; AND

WHEREAS, THE Tribe has applied for and received financial assistance from the Administration for Native Americans ("ANA") to complete Tribal policies and codes consistent with the Tribe's Strategic Plan 2002 – 2007 to support greater efficiency and productivity in the governance of Tribal programs; AND

WHEREAS, THE Tribe has completed the fifth ANA Project Objective, which involves the development of a Tribal Aboriginal Territorial Protection Policy to help preserve and protect the past, present, and future elements of the Tribe's culture, and to satisfy the Tribe's goals for uniform standards and procedures applicable to all units of the Tribal government in responding to state and federal investigations involving cultural and archaeological site disturbance, disinterment, and other destructive activities within the Tribe's aboriginal territory; AND


WHEREAS, TRIBAL staff, in consultation with Tribal Departments and the Burns Paiute Tribal community, have developed the Burns Paiute Tribe Aboriginal Territorial Protection Policy, which has been reviewed and approved by the Tribal Council.

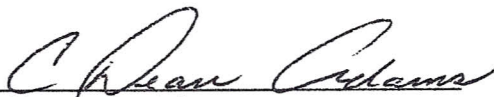
NOW THEREFORE BE IT RESOLVED, that the Tribe hereby expressly, unequivocally, and irrevocably adopts as Tribal policy the Burns Paiute Tribe Aboriginal Territorial Protection Policy, dated June 1, 2006; AND

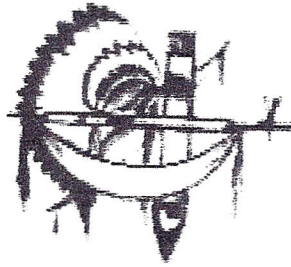
BE IT FURTHER RESOLVED, that any prior policies, ordinances, legislation, or other Tribal laws that are contrary to or inconsistent with the Burns Paiute Tribe Aboriginal Territorial Protection Policy, dated Jun 1, 2006 are hereby declared to be inapplicable and void to the extent of any such conflict or inconsistency.

CERTIFICATION

We, the undersigned Chairperson and Secretary of the Burns Paiute Tribal Council, hereby certify that the Tribal Council is composed of seven (7) members of whom five (5) constitutes a quorum, that a quorum was present at a meeting thereof duly and regularly called, noticed, convened, and held on this 22 day of September 2006, and that the foregoing resolution was duly adopted by 4 affirmative votes, with 0 opposing and 1 abstaining. The Chairperson's vote is not required except in the case of a tie.


ATTEST: Wanda Johnson
Tribal Council, Vice Chairman


Chester D. Adams
Tribal Council Chairperson



Burns Paiute Tribe Aboriginal Territorial Protection Policy

1.0 Introduction and Purpose

The Burns Paiute Tribe belongs to the Great Basin culture, and its members practice the traditions that were handed down by their ancestors. The ancestors of the Burns Paiute Tribe traditionally followed the food supply throughout Central / Eastern Oregon, Idaho, N. California, and N. Nevada. Major campsites were along lakes, streams, and rivers, where water sources as well as food could be collected. The resources found within this ancestral territory sustained the Wadatika, and provided for their material, spiritual, and medicinal needs. Today, the Tribe's prehistoric, historic, and contemporary cultural materials—including plant resources, medicines, fish, and wildlife—are on the decline throughout the Tribe's traditional territory. This decline places the preservation and maintenance of the Tribe's culture in jeopardy.

The Wadatika buried their dead wherever they died and today there are thousands of ancestral graves and cultural artifacts throughout the 5,250 square miles of the Tribe's aboriginal territory, which included most of Central and Eastern Oregon. The members of the Burns Paiute Tribe hold very deep spiritual beliefs about their dead, and these remains are sacred to the Tribe's members. Grave looting, the theft of cultural remains, and the desecration of sacred sites has had, and continues to have, harmful spiritual and emotional impacts on the Burns Paiute community.

The Burns Paiute Tribe recognizes that its Great Basin culture and the cultural resources found throughout its aboriginal territory are invaluable, irreplaceable, and endangered elements of the Tribe's heritage. The members of the Burns Paiute Tribe makes the protection of these threatened resources a priority, and depend on their tribal government to take all necessary steps to protect the Tribe's culture and heritage. The Burns Paiute Tribe has therefore created this Aboriginal Territorial Protection Policy to fulfill the following purposes:

- (A) To affirm the authority and commitment of the Burns Paiute Tribe to preserve and protect the past, present, and future elements of its culture, including but not limited to cultural sites, culturally significant plants, animals, and cultural materials, human remains, and burial sites.
- (B) To support existing statutory protections for American Indian cultural resources.

- (C) To prevent the discovery and excavation of cultural remains within the Tribe's aboriginal territory by requiring and/or participating in surveying, consultation, and consent activities before ground disturbing activities may commence.
- (D) To ensure that the tribal government responds in a consistent and effective manner to activities impacting the Tribe's aboriginal homelands and cultural resources.
- (E) To provide a framework for assisting all units of the tribal government with cultural resource protection activities by outlining a standardized response to the discovery, disturbance, or excavation of cultural remains within the Tribe's aboriginal territory.
- (F) To establish appropriate protocols for responding to state and federal agency activities regarding the discovery, disturbance, or excavation of cultural remains, cultural site disturbances, and other destructive activities within the Tribe's aboriginal territory.
- (G) To enforce laws dealing with grave looting and the issuance of federal and state agency permits for destructive activities on known archaeological sites, and to prevent the spread of information that assists in illegal conduct harmful to the Tribe's cultural resources.

2.0 Implementation of this Policy by the Burns Paiute Tribe

- (A) It is the policy of the Burns Paiute Tribe that all tribal officials, employees, and members, all residents of the Burns Paiute Reservation, and all persons, entities, and agencies conducting activities within the aboriginal territory of the Burns Paiute Tribe comply with the provisions of this Policy.
- (B) It is the policy of the Burns Paiute Tribe that the Tribal Council prioritize the protection of cultural resources and take all necessary and appropriate action to protect these resources within the Tribe's aboriginal territory.
- (C) To ensure a rapid and effective response to activities under this Policy, the Tribal Council shall designate a Tribal Council Cultural Resources Contact to receive notices and reports relating to cultural resources on behalf of the Tribal Council. The Tribal Council Cultural Resources Contact shall also act as the Tribal Council's representative in investigatory, consultation, evaluation, and other day-to-day activities required by this Policy, and shall report to the Tribal Council on all activities conducted pursuant to this Policy. However, the Tribal Council Cultural Resources Contact is not vested with the authority to unilaterally grant the Tribal Council's consent to activities or sign agreements on behalf of the entire Tribal Council.
- (D) The Culture & Heritage Department Director is vested with the authority to coordinate the Tribe's cultural resource protection activities, investigate notices

and requests relating to cultural resources, participate in consultation activities on behalf of the Tribe, and make recommendations to the Tribal Council regarding the protection of cultural resources within the Tribe's aboriginal territory. The Culture & Heritage Department Director is also encouraged to negotiate with other tribes regarding repatriation activities, and to negotiate memoranda of agreement with private landowners and local, state, and federal agencies regarding the protection of the Tribe's cultural resources. The authority to approve all such agreements rests with the Tribal Council.

- (E) The Culture & Heritage Department Director shall, in consultation with the Tribal Council Cultural Resources Contact and the Tribal Attorney, participate in administrative and/or legal action to enforce applicable laws relating to the protection of cultural resources within the Tribe's aboriginal territory.
- (F) Where activities under this Policy require the expertise, input, advice, and participation of the Tribe's elders, traditional and religious leaders, and other tribal members, the Culture & Heritage Department Director shall establish and oversee a Culture & Heritage Committee to conduct such activities.
- (G) Where tribal departments, employees, or members receive information relating to the protection of the Tribe's cultural resources or the violation of cultural resource protection laws, it is the policy of the Burns Paiute Tribe that this information shall be immediately reported to the Culture & Heritage Department Director.

3.0 Reporting and Documenting Cultural Sites

- (A) It is the policy of the Burns Paiute Tribe to encourage all persons knowing the locations of cultural, archaeological, or historical sites within the Tribe's aboriginal territory to report this information to the Culture & Heritage Department Director. The Culture & Heritage Department Director shall maintain and safeguard all records of archaeological, historical, or cultural sites within the Tribe's aboriginal territory.
- (B) It is the policy of the Burns Paiute Tribe to encourage the Tribal Council to seek funding for a Tribal Historic Preservation Officer position within the Culture & Heritage Department, hire a Tribal Historic Preservation Officer, and ensure that sufficient funds are available to continually fund such position. The Tribal Historic Preservation Officer shall be responsible for, among other duties: creating, maintaining, updating, and safeguarding an information archive of all known places of cultural significance to the Tribe; evaluating the significance and protection status of such sites; creating a Tribal Register of Cultural Sites; monitoring and maintaining cultural sites; where appropriate, nominating cultural sites to the National Register of Historic Places; and developing rules and procedures, subject to the approval of the Tribal Council, for the use and disclosure of sensitive and confidential information relating to cultural sites.

4.0 Protection of Culturally Significant Plants, Animals, and Other Cultural Materials

It is the policy of the Burns Paiute Tribe to make every effort to protect all plants, animals, and other materials that have cultural, medicinal, food, traditional, or religious significance to the Tribe. Such cultural materials include, but are not limited to: camas; wada; sugar trees; bitterroot; biscuit root; luksch (desert parsley); wild onion; wild potatoes; yellow bells; pine nuts; acorns; sunflowers; mistletoe; pine black lichen; wild rose bushes; pine moss; pine needles; juniper; cattail; wild rice; sagebrush; blackberries; huckleberries; choke cherries; elderberries; willow; alder; chinkapin; kinnick kinnick; tule reeds; wild celery; mushrooms; herbal medicines; cedar bark; eagles; deer; elk; beaver; ground hogs; antelope; squirrels; snakes; ants; grasshoppers; porcupine; salmon; trout; eels; otter; bear; cougar; water; scraping rocks; obsidian; and river bottom rocks.

5.0 Support for Existing Statutory Protections for Cultural Resources

(A) Several state laws provide protection for American Indian cultural resources.

- 1) Oregon Revised Statutes § 97.740(1) states: "Except as provided in ORS 97.750, no person shall willfully remove, mutilate, deface, injure or destroy any cairn, burial, human remains, funerary object, sacred object or object of cultural patrimony of any native Indian." ORS § 97.750(1) provides: "Any proposed excavation by a professional archaeologist of a native Indian cairn or burial shall be initiated only after prior written notification to the State Historic Preservation Officer and the state police ... and with the prior written consent of the appropriate Indian tribe in the vicinity of the intended action. Failure of a tribe to respond to a request for permission within 30 days of its mailing shall be deemed consent. All associated material objects, funerary objects and human remains removed during such an excavation shall be reinterred at the archaeologist's expense under the supervision of the Indian tribe."
- 2) ORS § 97.750(2) requires the professional archaeologist or other person proposing an excavation to consult with the Commission on Indian Services to determine the appropriate Indian tribe from which to seek consent.

(B) Federal law also protects American Indian cultural resources.

- 1) The Archaeological Resources Protection Act of 1979, 1 U.S.C. § 470aa, et seq., provides protection for tribal cultural and religious sites. ARPA § 470cc requires a permit for the excavation or removal of any archaeological resource located on public lands or Indian lands, and notification to and/or consent from the appropriate Indian tribe when such activities may result in harm to or the destruction of any religious or cultural site.

- 2) The Native American Graves Protection and Repatriation Act of 1990, 25 U.S.C. § 3001 et seq. (NAGPRA), provides for the protection of Native American graves and for the return and repatriation of human remains, associated and unassociated funerary objects, sacred objects, and objects of cultural patrimony.
 - 3) The National Historic Preservation Act, 16 U.S.C. § 470 et seq., requires federal agencies to consider the effect of their actions on any site that is eligible for inclusion in the National Register of Historic Places, including properties of traditional religious and cultural importance to Indian tribes.
 - 4) The American Indian Religious Freedom Act, Public Law 95-41 (92 Stat. 469), provides that "it shall be the policy of the United States to protect and preserve for American Indians their inherent right of freedom to believe, express, and exercise the traditional religions..., including but not limited to access to sites, use and possession of sacred objects, and the freedom to worship through ceremonial and traditional rites."
 - 5) Former President Clinton's 1996 Executive Order 13007 instructed every federal agency to evaluate their policies regarding American Indian sacred sites. Land managers were ordered to "accommodate access to and ceremonial use of Indian sacred sites by Indian religious practitioners," "avoid adversely affecting the physical integrity of such sacred sites," and "maintain the confidentiality of sacred sites."
- (C) It is the policy of the Burns Paiute Tribe to support these statutes. Where these statutes apply to activities impacting cultural resources within the aboriginal territory of the Burns Paiute Tribe, it is the policy of the Tribe to promote and participate in their enforcement.

6.0 Procedures for Obtaining Consent to Excavate

- (A) It is the policy of the Burns Paiute Tribe that any request seeking the Tribe's consent to ground disturbing activities within the Tribe's aboriginal territory shall be presented to the Culture & Heritage Department Director. If another tribal official, department, employee, or member receives such a request, the official, department, employee, or member shall immediately notify the Culture & Heritage Department Director of the request, and shall forward any written materials to the Culture & Heritage Department Director. The Culture & Heritage Department Director shall promptly notify the Tribal Council Cultural Resources Contact of any such requests received.
- (B) The Culture & Heritage Department Director will evaluate all such requests and shall, as soon as reasonably possible, make a recommendation to the Tribal Council Cultural Resources Contact regarding whether to grant consent to the request. If the Culture & Heritage Department Director determines that additional

information, evaluation, or investigation is necessary, the Culture & Heritage Department Director shall immediately convene a Culture & Heritage Committee to perform such activities. The Culture & Heritage Department Director shall coordinate the activities of the Committee, and shall, as soon as reasonably possible following the completion of such activities, make a recommendation to the Tribal Council Cultural Resources Contact regarding whether to grant consent to the request.

- (C) If a government-to-government agreement with the requesting party exists, the Culture & Heritage Department Director may recommend, and the Tribal Council may approve, conditions on consent to ground disturbing activities.
- (D) The Tribal Council Cultural Resources Contact shall present the recommendation of the Culture & Heritage Department Director to the Tribal Council for immediate action. To affirm and assert the Tribe's authority over all cultural resources within its aboriginal territory, it is the policy of the Burns Paiute Tribe that the Tribal Council shall respond, in writing, to all requests for consent to ground disturbing activities within its aboriginal territory.
- (E) If the evaluation and response to a request for consent will require more time than allowed by the requesting party or applicable law, the Tribal Council Cultural Resources Contact shall contact the requesting party to seek additional time.
- (F) The Culture & Heritage Department Director shall require the person, agency, or entity conducting ground disturbing activities with the consent of the Tribe to submit findings and reports to the Culture & Heritage Department Director. The Culture & Heritage Department Director shall accept, review, and appropriately file all such findings and reports received.

7.0 Consultation with Federal and State Agencies and Others

In order to affirm the Tribe's commitment to the protection of its aboriginal territory and ensure that the Burns Paiute community's voice is heard regarding activities affecting its cultural resources, it is the policy of the Burns Paiute Tribe to require and comply with the following procedures regarding consultation with federal and state agencies and others:

- (A) Any request for consultation with the Burns Paiute Tribe regarding activities affecting cultural resources within the Tribe's aboriginal territory shall be presented, in writing, to the Culture & Heritage Department Director. If another tribal official, department, employee, or member receives such a request, the official, department, employee, or member shall immediately notify the Culture & Heritage Department Director of the request, and shall forward any written materials to the Culture & Heritage Department Director. The Culture & Heritage Department Director shall promptly notify the Tribal Council Cultural Resources Contact of any requests for consultation received. The Tribal Council Cultural

Resources Contact shall notify the Tribal Council of the request. Where necessary or appropriate, the Culture & Heritage Department Director shall assemble a Culture & Heritage Committee to assist in consultation activities.

- (B) The Tribal Council Cultural Resources Contact shall promptly respond to all requests for consultation regarding cultural resources within the Tribe's aboriginal territory, and shall notify the requesting party of the Tribe's policies regarding consultation.
- (C) Where consultation is appropriate, the Tribal Council Cultural Resources Contact shall coordinate face-to-face meetings with the requesting party, Tribal Council, Culture & Heritage Department Director, and any assembled Culture & Heritage Committee. Wherever possible, such meetings shall occur on the Burns Paiute Reservation or within the Tribe's aboriginal territory.
- (D) Consultation activities shall be conducted to ensure that the Tribe's cultural resources are considered and respected, and where applicable, are accorded appropriate handling. Consultation shall plan for appropriate monitoring, reporting, and follow-up, and shall guarantee that sufficient funding is set aside to conduct such activities. Consultation shall also require the enforcement of all federal, state, local, and tribal laws relating to the protection of the Tribe's cultural resources.
- (E) Where the Culture & Heritage Department Director, Tribal Council Cultural Resources Contact, and/or other tribal department has negotiated an agreement with a state, federal, or other agency, it is the policy of the Burns Paiute Tribe that the Tribal Council shall consider and act upon such agreement at its next scheduled meeting.

8.0 Consultation with Other Indian Tribes

- (A) It is the policy of the Burns Paiute Tribe that all American Indian tribes be consulted regarding activities on their ancestral land. It is also the policy of the Burns Paiute Tribe that no tribe should overstep its authority by interfering in cultural resource protection decisions more appropriately left to another tribe.
- (B) The Culture & Heritage Department Director and the Tribal Council Cultural Resources Contact shall develop agreements with the cultural resource programs of neighboring tribes to coordinate consultation, coordinate activities, make decisions regarding repatriated remains, and perform other tasks in furtherance of this Policy. The authority to approve all such agreements rests with the Tribal Council. Wherever possible, such agreements shall be in writing.

9.0 Procedures Regarding the Discovery, Handling, and Reinterment of Ancestral Human Remains

As a guiding principle, the Burns Paiute Tribe recognizes that ancestral remains hold paramount religious significance to the members of the Burns Paiute community. The following procedures shall be followed whenever burial sites and/or human remains are found within the Tribe's ancestral territory. The intent of these procedures is to ensure that such resources are treated with dignity at all times, and where applicable, are accorded appropriate handling.

- (A) All suspected burial sites and/or human remains that have been exposed or discovered within the aboriginal territory of the Burns Paiute Tribe must be immediately reported to the Culture & Heritage Department Director. The Culture & Heritage Department Director shall notify the Tribal Council Cultural Resources Contact of any such reports received. If the discovery occurs on state or federal lands, the Culture & Heritage Department Director shall request a detailed letter or report from the agency with administrative jurisdiction over such lands.
- (B) All human remains encountered within the aboriginal territory of the Burns Paiute Tribe shall be treated as American Indian until available evidence indicates otherwise.
- (C) If the burial site and/or human remains are discovered during the course of a ground disturbing activity, including an excavation, the activity must halt. Interim protective measures shall be developed and implemented as quickly as possible. No human remains or associated or unassociated funerary objects or artifacts shall be handled, removed, collected or photographed without approval from the Culture & Heritage Department Director or as otherwise authorized in writing by the Tribal Council.
- (D) Where necessary or appropriate, the Culture & Heritage Department Director shall inspect the burial site and/or human remains. The Culture & Heritage Department Director shall notify the Tribal Council Cultural Resources Contact of any plans for inspection, and shall permit all interested tribal members or employees to observe the investigation. Burial inspections, limited to non-destructive observational analysis, may be conducted to determine whether the skeletal remains are human, and if human, if the remains are modern or ancient. If evidence of looting, desecration, or other violation of applicable statutes exists, the Culture & Heritage Department Director shall thoroughly document such evidence and shall pursue appropriate enforcement measures.
- (E) Upon notification that ancestral human remains have been discovered, the Culture & Heritage Department Director shall, in consultation with the Tribal Council Cultural Resources Contact and any assembled Cultural Resources Committee, develop an appropriate plan to reinter the remains and any associated or unassociated funerary objects. It is the policy of the Burns Paiute Tribe to repatriate and reinter all human remains and associated or unassociated funerary objects originating from ancestral burial sites within the Tribe's aboriginal

territory. The Burns Paiute Tribe reserves the right to rebury any ancestral remains and/or associated or unassociated funerary objects without prior notification.

- (F) The repatriation of ancestral human remains will occur as quickly as possible, but no later than thirty days following their exhumation, removal, or repatriation. Reinterment shall occur in the same location or vicinity from which the remains came, and preference shall be given to "in-situ" preservation. If damage to or destruction of exposed remains is imminent, emergency removal and exhumation procedures shall be developed by the Culture & Heritage Department Director, in consultation with the Tribal Council Cultural Resources Contact and any assembled Cultural Resources Committee. Removed or repatriated remains and any other remains that cannot be reinterred in-situ or in the vicinity from which they came shall be reinterred in the Burns Paiute cemetery. If the remains cannot be immediately reinterred, the Culture & Heritage Department Director shall assemble a Culture & Heritage Committee to determine an appropriate and secure location to house the remains pending reinterment.
- (G) The Tribal Council Cultural Resources Contact, in consultation with the Tribal Council, the Culture & Heritage Department Director, and any assembled Culture & Heritage Committee, shall coordinate reinterment ceremonies with traditional practitioners. The Culture & Heritage Department Director shall notify the general membership of the Burns Paiute Tribe regarding opportunities to participate in reinterment and other ceremonial activities relating to the discovery of burial sites and/or human remains. Ancestral human remains shall be wrapped in muslin for reburial, and any associated or unassociated funerary objects shall be reinterred with the human remains. It is the policy of the Burns Paiute Tribe that all information regarding the existence of known burial sites shall be safeguarded by the Burns Paiute Tribe and shall not be disseminated outside the Burns Paiute community.
- (H) The Culture & Heritage Department Director shall complete GPS documentation of the reburial site, but shall not otherwise report or release any additional information regarding the site outside the Burns Paiute community.

10.0 Safeguarding Remains and Information

- (A) Where human remains discovered within the aboriginal territory of the Burns Paiute Tribe are determined to be American Indian, the Burns Paiute Tribe, in all cases, reserves the right to rebury the human remains and any associated or unassociated funerary objects without scientific study.
- (B) It is the policy of the Burns Paiute Tribe to allow discovered human remains and/or associated or unassociated funerary objects to undergo limited non-destructive observational analysis by a qualified physical anthropologist only where the general membership of the Burns Paiute Tribe votes in favor of such

action. No methods of study may be employed that diminish the integrity of the remains or objects. Where scientific study is permitted, a reasonable effort shall be made to retain all organic materials contained in or on the surface of any human bone or funerary object for the purposes of reburial.

- (C) It is the policy of the Burns Paiute Tribe to forbid scientific or other studies involving the Tribe's members, records, cultural sites, ceremonies, language, or other cultural resources unless the general membership of the Burns Paiute Tribe votes in favor of such action or as otherwise permitted by the laws of the Burns Paiute Tribe.
- (D) It is the policy of the Burns Paiute Tribe to encourage the Tribal Council to pursue funding for the construction and operation of a Burns Paiute archive and museum to safely store, and where appropriate, display artifacts, documents, literature, oral histories, records, and other material elements of the Tribe's culture and heritage.

11.0 Repatriation of Cultural Resources

- (A) It is the policy of the Burns Paiute Tribe that all human remains, associated and unassociated funerary objects, sacred or ceremonial objects, and other objects of cultural patrimony that have been removed from the Tribe's aboriginal territory be repatriated to the Tribe as quickly as possible. The Culture & Heritage Department Director and the Tribal Council shall take all necessary and appropriate action to ensure that these resources are returned to their homeland.
- (B) It is the policy of the Burns Paiute Tribe that the person, agency, or entity in possession of cultural remains shall contact the Culture & Heritage Department Director to develop a plan for appropriate repatriation handling. Where such contact is not possible, the remains shall be sent to the Culture & Heritage Department Director in the most safe and secure manner possible.
- (C) The Culture & Heritage Department Director shall receive all repatriated cultural remains on behalf of the Tribe, and shall notify the Tribal Council Cultural Resources Contact of their receipt. The Culture & Heritage Department Director shall record the receipt of the returned items. Reinterment activities shall occur in accordance with this Policy.

12.0 Definitions

As used in this Policy:

- (A) **Aboriginal territory** means the 5,250 square miles traditionally used by the ancestors of the Burns Paiute Tribe, which includes the region extending from the Rocky Mountains on the east and including the Snake River and its tributaries, to the Cascade Mountains on the west, as documented on the attached map.

- (B) **Cultural remains** means any objects, artifacts, or material remains with cultural, historical, archaeological, sacred, spiritual, or traditional value to the Tribe, including but is not limited to human remains (including disarticulated human remains), objects of cultural patrimony, sacred or ceremonial objects, and associated and unassociated funerary objects.
- (C) **Cultural resource** means any material objects of human life or activities that are of cultural, historical, archaeological, sacred, spiritual, or traditional interest to the Tribe. This shall include all remains, sites, objects, structures, artifacts, implements, plants, animals, and locations within the Tribe's aboriginal territory.
- (D) **Culture & Heritage Department Director** means the Director of the Burns Paiute Tribe's Culture & Heritage Department.
- (E) **Funerary objects** means any artifacts or objects that, as part of a death rite or ceremony of a culture, are reasonably believed to have been placed with individual human remains either at the time of death or later, or other items reasonably believed to have been made exclusively for burial purposes or to contain human remains.
- (F) **Human remains** means the physical remains of a body, including but not limited to bones, teeth, hair, ashes, or mummified or otherwise preserved soft tissues of a person, including articulated or disarticulated human bone(s) and/or teeth.
- (G) **Reinterment** means the tribal ceremonial or ritual aspect of the reburial of disinterred cultural remains.
- (H) **Repatriation** means the physical return of any cultural remains to the Tribe.
- (I) **Tribal Council** means the Burns Paiute Tribal Council.