

**MAY 7, 2013 CROW TRIBAL LEGISLATURE**

**JAR No. 13-10**

Introduced by Chairman Darrin Old Coyote  
Crow Tribal Executive Branch

Co-Sponsored by Senator Arnold Coyote Runs, Center Lodge District

A Joint Action Resolution Titled:

**A JOINT ACTION RESOLUTION OF THE CROW TRIBE TO COMMISSION A RE-SURVEY OF THE EXTERIOR BOUNDARIES OF THE CROW INDIAN RESERVATION AND ALL ISLANDS OF THE YELLOWSTONE RIVER UPSTREAM FROM THE 107TH MERIDIAN AND TO REQUEST THE FEDERAL GOVERNMENT TO ASSIST IN SUCH EFFORTS**

Legislative Findings:

**WHEREAS**, Article V, Section 2(a) of the Crow Tribal Constitution vests the Crow Tribal Legislature (hereinafter “Legislature”) with the power and duty to promulgate and adopt laws and resolutions in accordance with the Crow Constitution and federal law for the governance of the Crow Tribe; and

**WHEREAS**, Article IV, Section 4(a) of the Crow Tribal Constitution provides that the “general duties” of the Executive Branch Officials shall include the duty to implement all laws, resolutions and policies duly adopted by the Legislature; and

**WHEREAS**, the exterior boundaries of the Crow Indian Reservation were established by the 1868 Fort Laramie Treaty between the United States and the Crow Tribe and defined the south boundary as the territorial line between Montana and Wyoming, the north and west boundary as the mid-stream of the Yellowstone River, and the east boundary as the 107th degree of longitude, also known as the “107th Meridian;” and

**WHEREAS**, subsequent agreements between the Crow Tribe and the United States resulted in Congressional land cession acts in 1882, 1891, and 1904 which ceded areas of the Crow Indian Reservation and resulted in the current exterior boundaries, which encompass approximately 2.3 million acres; and

**WHEREAS**, in 1958 Congress passed the Indian Land Restoration Act, contained in the Congressional Record as Public Law 85-420, which restored all vacant and un-disposed lands in the 1904 Ceded Strip to Crow tribal ownership as part of the Crow Indian Reservation, a total of approximately 10,261 acres and included islands and associated riparian lands gained by accretion of the Yellowstone River in the Ceded Strip; and

**A Joint Action Resolution of the Crow Tribe to Commission a Re-Survey of the Exterior Boundaries of the Crow Indian Reservation and All Islands of the Yellowstone River Upstream from the 107th Meridian and to Request the Federal Government to Assist in Such Efforts**

**WHEREAS**, the precise location of the exterior boundaries is not known by the Crow Tribe to be properly marked on the ground, especially in remote areas and along the southern, eastern, and western boundaries; and

**WHEREAS**, the location, size, and condition of all Yellowstone River islands beneficially owned by the Crow Tribe or which the Crow Tribe has a legal right to claim as such should be determined as soon as practical so appropriate actions may be taken to secure the interest and rights of the Crow Tribe in such lands.

**NOW, THEREFORE, BE IT HEREBY RESOLVED BY THE EXECUTIVE BRANCH  
AND LEGISLATURE IN SPECIAL SESSION:**

**Section 1. Commission of Re-Survey of the Exterior Boundaries of the Crow Indian Reservation.** The Crow Tribe shall commission a survey of the exterior boundaries using available state-of-the-art technologies and methods in order to accurately mark the boundaries in such places as to provide adequate public notice and, if necessary, to expand the territorial jurisdiction of the Crow Tribe. This survey shall be conducted by surveyors enrolled in the Certified Federal Surveyors Program, who shall work under the supervision and direction of the Executive Branch. All such expenditures of funds within the control of the Crow Tribe as may be required for this purpose shall be available in the Crow Tribal Budget. The federal government shall provide maximum financial support to the Crow Tribe as required or allowed by federal law before tribal general funds are used for this purpose.

**Section 2. Commission of Survey of Yellowstone River Islands.** The Crow Tribe shall commission a survey of the Yellowstone River islands and associated riparian lands south of the mid-stream points upstream from the 107th Meridian using available state-of-the-art technologies and methods for the purpose of determining exact acreage and location and to review all legal rights and claims held by the Crow Tribe. This survey shall be conducted by surveyors enrolled in the Certified Federal Surveyors Program, who shall work under the supervision and direction of the Executive Branch. All such expenditures of funds within the control of the Crow Tribe as may be required for this purpose shall be available in the Crow Tribal Budget. The federal government shall provide maximum financial support to the Crow Tribe as required or allowed by federal law before tribal general funds are used for this purpose.

**Section 3. Technical and Financial Assistance from Federal Government.** The Executive Branch shall take all necessary and proper measures to ensure the federal government, consistent with its role as trustee for the Crow Tribe and as otherwise required by federal law, assists with technical, legal, financial and other logistical aspects of the surveys described in Sections 1 and 2 of this Tribal Resolution.

**Section 4. Review of Bighorn River Land Claims.** The Executive Branch shall employ legal counsel to ascertain any and all claims against any person or entity other than the United States, including claims for monetary damages, with respect to the claim of the Crow Tribe of title to land created by the movement of the Bighorn River and the productive use of that land

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created by the movement of the Bighorn River to which the Tribe has previously claimed title or which the Tribe may properly claim title. There shall be a written report and legal opinion made to the Executive Branch and Legislature on or before the first day of the April 2014 quarterly legislative session, which shall include an official recommendation on the best course of action to protect and advance the rights and claims of the Crow Tribe to lands created by the movement of the Bighorn River.

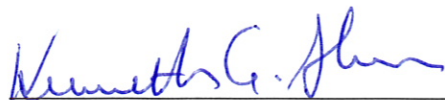
**Section 5. Report to Legislature, Crow Tribal General Council.** The Executive Branch shall report to the Legislature, through its designated committee(s), on the status and progress of the surveys described in Sections 1 and 2 of this Tribal Resolution during the April 2014 quarterly legislative session and in every regular legislative session thereafter until such time as all surveying efforts have been completed, at which time a final report on the surveys shall be made, in writing, to the Legislature and the Crow Tribal General Council and shall be a permanent tribal record to be kept by the Executive Branch Secretary.

**Section 6. Effective Date.** This Act shall become effective immediately upon becoming duly adopted by the Legislature and approval by the Executive Branch Chairman.

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### CERTIFICATION

I hereby certify that the Joint Action Resolution titled **A JOINT ACTION RESOLUTION OF THE CROW TRIBE TO COMMISSION A RE-SURVEY OF THE EXTERIOR BOUNDARIES OF THE CROW INDIAN RESERVATION AND ALL ISLANDS OF THE YELLOWSTONE RIVER UPSTREAM FROM THE 107TH MERIDIAN AND TO REQUEST THE FEDERAL GOVERNMENT TO ASSIST IN SUCH EFFORTS** was duly adopted by the Crow Tribal Legislature with a vote of 13 in favor, 0 opposed, and 0 abstained and that a quorum was present on this 7<sup>th</sup> day of May, 2013.



Senator Kenneth Shane  
Speaker of the House  
Crow Tribal Legislature

ATTEST:



Senator R. Knute Old Crow  
Secretary  
Crow Tribal Legislature

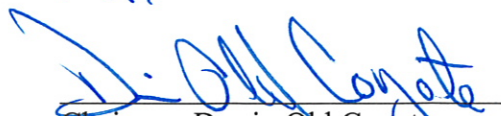


### EXECUTIVE ACTION

I hereby:

X approve  
\_\_\_\_\_ veto

The Joint Action Resolution titled **A JOINT ACTION RESOLUTION OF THE CROW TRIBE TO COMMISSION A RE-SURVEY OF THE EXTERIOR BOUNDARIES OF THE CROW INDIAN RESERVATION AND ALL ISLANDS OF THE YELLOWSTONE RIVER UPSTREAM FROM THE 107TH MERIDIAN AND TO REQUEST THE FEDERAL GOVERNMENT TO ASSIST IN SUCH EFFORTS** pursuant to the authority vested in the Chairman of the Crow Tribe by Article V, Section 8 of the Constitution and Bylaws of the Crow Tribe of Indians on this 14 day of MAY, 2013.



Chairman Darrin Old Coyote  
Crow Tribal Executive Branch

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**Bill or Resolution:** JAR13-10 **Introduced by:** Chairman Darrin Old Coyote **Date of Vote:** 5/7/2013  
**Number** **Co-Sponsor:** Senator Arnold Coyote-Runs, Sr.

<u>Representative:</u>	<u>Yes</u>	<u>No</u>	<u>Abstained</u>
H. Two Leggins	_____	_____	_____
V. Pretty Paint	_____	_____	_____
C. J. Stewart	<u>X</u>	_____	_____
L. Other Medicine	<u>X</u>	_____	_____
A.Coyote-Runs, Sr.	<u>X</u>	_____	_____
L. Not Afraid.	<u>X</u>	_____	_____
M. Covers Up, Sr.	<u>X</u>	_____	_____
P. Alden, Jr.	_____	_____	_____
M. Not Afraid	<u>X</u>	_____	_____
V. Crooked Arm	<u>X</u>	_____	_____
L. DeCrane	<u>X</u>	_____	_____
C. Goes Ahead	<u>X</u>	_____	_____
B. Hugs	<u>X</u>	_____	_____
G. Real Bird, Jr.	_____	_____	_____
M. Backbone	_____	_____	_____
G. Stewart	<u>X</u>	_____	_____
R. K. Old Crow, Sr. <i>Secretary of the House</i>	<u>X</u>	_____	_____
K. Shane <i>Speaker of the House</i>	<u>X</u>	_____	_____
<b>Totals:</b>	<u>13</u>	<u>0</u>	<u>0</u>


Result of Vote:

**Passed**

**Not Passed**

**Tabled**

**Veto-Override**

  
 \_\_\_\_\_  
 Senator Kenneth G. Shane Date  
 Speaker of the House

  
 \_\_\_\_\_  
 Senator R. Knute Old Crow, Sr. Date  
 Secretary of the House