

IOWA TRIBE OF KANSAS AND NEBRASKA  
EXECUTIVE COMMITTEE  
MAY 19, 2021

- WHEREAS,** The Iowa Tribe of Kansas and Nebraska Executive Committee being duly organized met in Special Session this 19<sup>th</sup> day of May 2021; and,
- WHEREAS,** The Iowa Tribe Executive Committee has authority to act for the Iowa Tribe under the present Constitutional authority, as provided in Sec. 2, Article IV - Governing Bodies; and,
- WHEREAS,** The Iowa Tribe of Kansas and Nebraska being organized and empowered by their Constitution and Bylaws (approved November 6, 1978, and amended August 27, 1980); and,
- WHEREAS:** The Iowa Tribe of Kansas and Nebraska has believed that in times past and now Baxóje people bless the deep river, the rolling prairies, the forest woodlands, the rocks, the mounds, and the trails. We pray for the health of all the animals, and prudently harvest and manage the greatness of the land. We never waste and use every bit of the deer, turkeys, fish, and other land and river animals. This whole land, this Baxóje country, stayed in balance, kept that way by our good stewardship, hard work, wise laws, and constant prayers to the Creator, Ma<sup>^</sup>uN.
- WHEREAS:** The Tribe and its members have had a strong relationship with Nyisoje, also known as the Missouri River, since being moved to this area in 1836, after we signed the Platte Purchase Treaty that brought us by 1837 to this reservation in what was then Indian Country, and Baxóje culture, ceremonies, religion, subsistence, economics, residence, and all other lifeways are intertwined with the health of the River, its ecosystem, and the multiple species reliant on a thriving Missouri River ecosystem;
- WHEREAS:** The Missouri River ecosystem encompasses the surrounding areas in and around the reservation, the sacred high country, its contributing tributaries and underground aquifers, and through and past the estuary into the Mississippi River;
- WHEREAS:** All species connected to the Missouri River are environmentally and culturally significant and should be protected in their traditional forms, natural diversity, and original integrity;

- WHEREAS:** All the native species within and dependent on the Missouri River ecosystem are vital to the cultural, legal, subsistence, and economic interests of the Tribe;
- WHEREAS:** It is the inherent sovereign right of the Baxóje and the Tribe and an international legal norm declared under the United Nations Declaration of the Rights of Indigenous Peoples ("UN DRIP"), Article 26(1), to sustainably harvest plants, animals, and other life-giving foods and medicines;
- WHEREAS:** It is the inherent sovereign right of the Baxóje and an international legal norm declared under UN DRIP, Article 29, to conserve and protect the Tribe's current territory including the Missouri River, its ecosystem, and species;
- WHEREAS:** The Tribe must continue to protect the health and wellbeing of the Missouri River, its ecosystem, and species through the establishment of Tribal law and grassroots activism for the River itself and to ensure the continuance of Baxóje lifeways for future generations;
- WHEREAS:** At the core of the Tribe's sacred responsibilities to the Baxóje and essential to their survival is protecting the Missouri River, its ecosystem, and the species within its ecosystem from the many current threats such as, but not limited to, climate change, excessive water diversion, farm industry, genetic engineering, chemical pesticides, other toxic contaminants, and other industrial, corporate, and governmental practices; and
- WHEREAS:** The Iowa Tribe of Kansas and Nebraska's Executive Council recognize that to protect the Missouri River, its ecosystem, species, and our people, the Tribe must secure the highest protection of the Missouri River through the recognition of legal rights.
- NOW THEREFORE BE IT RESOLVED:** That the Iowa Tribe of Kansas and Nebraska's Executive Committee now establishes the Rights of the Missouri River to exist, flourish, and naturally evolve; to have a clean and healthy environment free from pollutants; to have a stable climate free from human-caused climate change impacts; and to be free from contamination by genetically engineered organisms.

**BE IT FURTHER RESOLVED:** That this resolution serves as written notice to the United States of America, the State of Kansas, and all other entities which threaten and endanger the freshwaters, ecosystem, and species of the Missouri River, that it has become necessary to provide a legal basis to protect the Missouri River, its ecosystem, and species for the continuation of the Baxóje and the Tribe for future generations.

**BE IT FURTHER RESOLVED:** That the Iowa Tribe of Kansas and Nebraska's Executive Council will adopt an ordinance establishing Tribal law which will grant the Missouri River, its ecosystem, and species the rights of personhood, thus granting standing in causes of action against entities inflicting harm in violation of the Missouri River, its ecosystem, and species rights.

**BE IT FURTHER RESOLVED:** That such an ordinance will detail the rights of the Baxóje to protect the Missouri River and to harvest plants, fish, animals, and other life-giving foods and medicines for both subsistence and commercial use.

**BE IT FURTHER RESOLVED:** That such an ordinance will detail the statements of law providing the prohibitions necessary to secure the rights of the Missouri River, its ecosystem, and species; the enforcement, liability, and damages provisions; and the effective date of the ordinance.

**BE IT FURTHER RESOLVED:** That this resolution is not a waiver of the Iowa Tribe of Kansas and Nebraska's sovereign immunity.


**CERTIFICATION**

The foregoing Resolution was duly adopted this date, May 19<sup>th</sup>, 2021 in a Special Session of the Executive Committee at which 5 members of the Committee were present, constituting a quorum, by a vote of 4 for, 0 against. Chairman abstained.



Timothy N. Rhodd, Chairman  
Iowa Tribe Executive

Committee  
ATTEST:

  
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Anthony G. Fee, Secretary  
Iowa Tribe Executive Committee