



Little River Band of Ottawa Indians

1762 U.S. 31 South
Manistee MI 49660
(231) 723-8288

ORIGINAL

RESOLUTION NO. #00-0408-04

REQUESTING CONGRESSIONAL SUPPORT FOR ADDITIONAL BIA FUNDING FOR FY 2001 FOR THE CHIPPEWA-OTTAWA TREATY FISHERY MANAGEMENT AUTHORITY

WHEREAS, the Little River Band of Ottawa Indians is a federally recognized tribe, as reaffirmed under P.L. 103-324, enacted on September 21, 1994, with property rights secured to it under the 1836 Treaty of Washington (7 Stat. 491) and the 1855 Treaty of Detroit (11 Stat. 621); and

WHEREAS, the Little River Band of Ottawa Indians is descended from, and is the political successor to, Grand River Ottawa Bands which were signatories of the 1836 Treaty of Washington (7 Stat. 491), as reaffirmed under P.L. 103-324, enacted on September 21, 1994; and

WHEREAS, the Little River Band of Ottawa Indians reserved certain rights to hunt, fish, trap and gather natural resources from the lands and waters in those portions of Michigan which were ceded under the 1836 Treaty. These treaty based rights were confirmed, in part, by United States v. Michigan, 471 F.Supp 192 (W.D. Mich. 1979); affirmed, 653 F.2d 277 (6th Cir. 1981); certiorari denied, 454 U.S. 1124, 102 S.Ct. 971 (1981), and reaffirmed by P.L. 103-324 section 5, and are protected by the United States Constitution (Art. 1, §8, cl. 3 and Art. 6, cl. 2); and

WHEREAS, the maintenance and preservation of the Tribe's treaty rights, including the reserved right to fish on the Great Lakes is a critical priority of the Tribe; and

WHEREAS, the United States has a trust responsibility to assist the Tribal governments with the protection of treaty-reserved Tribal property rights; and

WHEREAS, the 1836 Treaty Tribes, through COTFMA, have been successfully managing the treaty fishery resources by developing joint regulations, coordinated conservation enforcement, biological assessment, conservation court and information and education programs; and

WHEREAS, the Tribes, COTFMA/CORA, State, and the federal government (through the Department of Interior) are party to a Court Ordered Consent Agreement which allocated the Great Lakes fishery resources among various sovereigns; and

WHEREAS, the Tribes are currently negotiating with the Michigan Department of Natural Resources and Federal Agencies on a new agreement for the year 2000; and

WHEREAS, since the Little River Band of Ottawa Indians became a member of COTFMA/CORA in March 1998, and assumed the regulatory and management responsibilities associated with such membership, COTFMA/CORA has not received additional funds to provide Little River with base funds necessary for establishing its fishery management and enforcement programs; and

WHEREAS, COTFMA/CORA requires additional funding to enable it to meet its responsibilities, including enabling Little River to participate fully in COTFMA/CORA's management and enforcement activities.


NOW THEREFORE BE IT RESOLVED, that the Tribal Council of the Little River Band of Ottawa Indians hereby requests additional BIA funding for Fiscal Year 2001 in the amount of \$1,504,278 to enable the COTFMA/CORA to meet its responsibilities, including activities associated with renegotiating and implementing a new agreement for allocating and managing the treaty-reserved resources of the Great Lakes.

IT IS FURTHER RESOLVED THAT the Tribal Council specifically requests that the BIA fulfill its trust responsibility to Little River by including additional funding for COTFMA/CORA to provide the Tribe with base funding commensurate with that being provided to other COTFMA-member Tribes to assist the Tribe in establishing its fishery management and enforcement programs.

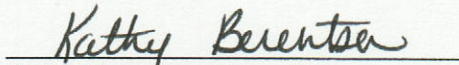
Certificate of Adoption

This resolution was adopted by the Tribal Council of the Little River Band of Ottawa Indians at its Regular Session held at the Little River Band Community Center in Manistee, Michigan on April 8, 2000, by a vote of 9 in favor, 0 opposed, 0 absent, and 0 abstentions. A quorum of the Tribal Council being present for such vote.

Date: 4/8/2000


Charles Fisher, Council Recorder

Attest:


Kathy Berentsen, Councilor