



Little River Band of Ottawa Indians
1762 U.S. 31 South
Manistee MI 49660
(231) 723-8288

ORIGINAL
CONFIDENTIAL

RESOLUTION NO. #01-0307-10

SUPPORTING SUBMISSION OF AN FY 2001 LITIGATION SUPPORT REQUEST
BY THE CHIPPEWA OTTAWA RESOURCE AUTHORITY (CORA) TO
THE BUREAU OF INDIAN AFFAIRS

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 Tribe adopted a Constitution, pursuant to a vote of the membership on May 27, 1998, which Constitution became effective upon its approval by the Assistant Secretary-Indian Affairs on July 10, 1998; 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 nature, scope and current existence of the reserved rights to hunt, fish, trap and gather natural resources outside of the waters of the Great Lakes in the territory ceded under the 1836 Treaty have never been determined by any court, nor are such rights recognized by the State of Michigan; and

WHEREAS, the maintenance and preservation of the Tribe's treaty rights, including the reserved right to hunt, fish, trap and gather natural resources are a critical priority of the Tribe; and

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OCEANA, OTTAWA AND WEXFORD COUNTIES
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WHEREAS, it is the responsibility of the Tribe and of the United States to protect Tribal members and Tribal property; and

WHEREAS, the Chippewa Ottawa Resource Authority ("CORA") was established by the five tribes who are parties to United States v Michigan to administer the intertribal protection, management and regulation of the fish, wildlife and other natural resources within the area ceded under the 1836 Treaty;

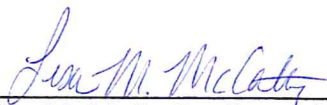
WHEREAS, the CORA representatives of each of the member Tribes have recommended approval and submission of a FY 2001 Litigation Support request to the Bureau of Indian Affairs to secure funding to support the Tribes litigation planning for the United States v Michigan litigation regarding the nature and scope of the Tribes' reserved treaty rights.

NOW THEREFORE BE IT RESOLVED, that the Tribal Council of the Little River Band of Ottawa Indians hereby approves and supports the submission of a request for FY 2001 Litigation Support funds by CORA to the Bureau of Indian Affairs.

IT FINALLY RESOLVED THAT the Tribal Council of the Little River Band of Ottawa Indians approves authorizing the Executive Director of CORA to undertake any and all actions to obtain approval of this request and to sign any resulting contract documents for approved funding under the provisions of Pub. L. 93-638, as amended.

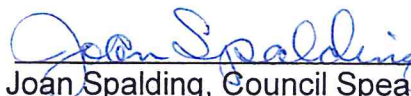
Certificate of Adoption

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 March 7, 2001, by a vote of 8 in favor, 0 opposed, 1 absent, and 0 abstentions. A quorum of the Tribal Council being present for such vote.



Lisa M. McCatty, Council Recorder

Attest:



Joan Spalding, Council Speaker