



Little River Band of Ottawa Indians

375 River Street
Manistee MI 49660
(231) 723-8288

ORIGINAL

Resolution No. #01-0801-01

Designating Tribal "Service Area" for Purpose of Delivery
of the BIA Housing Improvement Program and Requesting
Approval of that Designation by the Area Director
in Accordance with 25 CFR Part 256

WHEREAS, the status of the Little River Band of Ottawa Indians (the "Band") as a federally recognized tribe was reaffirmed and restored by Congress pursuant to Public Law 103-324, 108 Stat. 2156 (25 U.S.C. 1300k et seq.)(the "Little River Act"), 1994; and

WHEREAS, the Band 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, both the Little River Act and Constitution recognize that the Band is the political successor to nine (9) of the nineteen (19) Grand River Ottawa Bands that were signatories to the 1836 Treaty of Washington (7 Stat. 491); and

WHEREAS, the traditional villages of the Grand River Bands from the Band descends were located on the Thornapple River (Kent County), Grand River (Kent and Ottawa Counties), White River (Muskegon and Newaygo Counties), Pere Marquette River (Mason, Oceana and Lake Counties) and the Big and Little Manistee Rivers (Manistee, Lake and Wexford Counties); and

WHEREAS, the Tribe and its members are eligible for all services and benefits provided by the federal government to Indians as members of federally recognized Tribes; and

WHEREAS, a significant portion of the Band's members live near the Band's Reservations and near the traditional village sites located in Kent, Lake, Manistee, Mason, Muskegon, Newaygo, Oceana, Ottawa and Wexford Counties; and

WHEREAS, Section 4(b)(2)(B) of the Little River Act provides that for purposes of the delivery of federal services to enrolled members of the Band, the Counties of Manistee, Mason, Wexford and Lake (collectively "the Four County Area") shall be deemed to be within or near the Band's Reservation; and

WHEREAS, the Band currently delivers housing-related services to Band members residing in the Nine County Area under the authority of the Native American Housing Assistance and Self-Determination Act of 1996 (NAHASDA), the Indian Health Services, U.S. Department of Health and Human Services, and tribally-funded programs; and

WHEREAS, the Tribal Council, pursuant to Article IV, Section 7(b) of the Constitution of the Little River Band of Ottawa Indians ("Tribal Constitution"), has the power to authorize and ratify agreements and contracts negotiated on behalf of the Band with the federal government; and

WHEREAS, the Tribal Ogema, pursuant to Article VI, Section 5(a) of the Tribal Constitution, is authorized to negotiate and execute contracts on behalf of the Band, provided such contracts are approved and ratified by the Tribal Council; and

WHEREAS, the Tribal Council desires to extend the Bureau of Indian Affairs Housing Improvement Program to serve Band members residing in the Nine County Area to coordinate the full range of available housing services to better meet the needs of Band members; and

WHEREAS, the Office of the Field Solicitor has previously determined that the "service area" provision of Little River Act does not prohibit expansion or revision of the "near reservation" or "service area" designated for the Band; and

WHEREAS, the regulations applicable to the Housing Improvement Program, at 25 CFR 256.2, provide that a "service area" for delivery of housing improvement program services to Band members may be "designated by the tribe and approved by the Area Director" for an area in "which equitable services can be delivered."

NOW THEREFORE BE IT RESOLVED, that the Tribal Council of the Little River Band of Ottawa Indians hereby requests the Director for the Midwest Regional Office of the Bureau of Indian Affairs to approve the Band's designation of the following counties as the Band's "service area" for purposes of delivery of Housing Improvement Program (HIP): Kent, Lake, Manistee, Mason, Muskegon, Newaygo, Oceana, Ottawa and Wexford Counties.

SERVING KENT, LAKE, MANISTEE, MASON, MUSKEGON, NEWAYGO,
OCEANA, OTTAWA AND WEXFORD COUNTIES
FAX (231) 723-8020

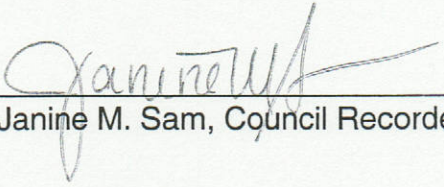
IT IS FURTHER RESOLVED THAT the Tribal Council requests a modification to the Band's Fiscal Year 2001 Self-Determination Contract with the Bureau of Indian Affairs to authorize HIP services to be delivered to Band members in the five (5) additional Counties to be included in the Band's HIP service area.

IT IS FINALLY RESOLVED THAT the Tribal Council authorizes the Tribal Ogema, or his designee, to forward this request to the Midwest Regional Director, to take such actions as may be necessary to obtain the Regional Director's approval of this request, and execute any documents that may be necessary implement such approval.

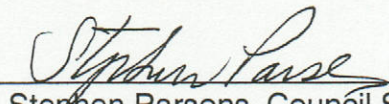
CERTIFICATE OF ADOPTION

I do hereby certify that the foregoing resolution was duly presented and adopted by the Tribal Council with 9 FOR, 0 AGAINST, 0 ABSENT, and 0 ABSTAINING, at a Regular Session of the Little River Band of Ottawa Indians' Tribal Council held at the Little River Band Community on August 1, 2001, in Manistee, Michigan, with a quorum of the Tribal Council being present for such vote.

Date: 8/01/01


Janine M. Sam, Council Recorder

Attest:


Stephen Parsons, Council Speaker

Distribution: Tribal Council Records
Tribal Ogema (Grants Manager)
Tribal Court
Legal Department
BIA-Midwest Region
BIA-Michigan Agency