



## LITTLE RIVER BAND OF OTTAWA INDIANS

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### Resolution # 01-1205-13

#### *Opposing the Presentation for Action of H.R. 2495 of the United State House of Representatives Regarding Proposed Settlement of Land Claims and Affecting Land Uses by Other Tribal Governments*

WHEREAS, the Tribe's status as a federally-recognized Indian tribe was reaffirmed and restored by Congress pursuant to Public Law 103-324, 108 Stat. 2156 (25 U.S.C. §1300k et seq.); and

WHEREAS, the Tribe adopted a new 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 Tribal Council is delegated responsibility under Article IV, Section 7(a) of the Constitution to "protect and provide for public health, peace, morals, education and general welfare of the Little River Band and its members;" and

WHEREAS, the Tribal Council's responsibility to the Tribe and its members includes monitoring legislative activities of the federal government; and

WHEREAS, the Tribal Council has determined that actions by Tribes within the State of Michigan will more likely than not have an impact on the Tribe; and

WHEREAS, Representative Bart Stupak has sponsored H.R. 2495 which has been referred to the House Committee on Resources ; and

WHEREAS, H.R. 2495 proposes to provide for the settlement of certain land claims of the Bay Mills Indian Community and the Sault Ste. Marie Tribe of Chippewa Indians; and

WHEREAS, H.R. 2495 has not been scheduled for hearings in the House Committee on Resources such that no effective notice has been given to any Tribe regarding its potential impact, whether they may be Tribes in the State of Michigan or throughout the United States; and

WHEREAS, H.R. 2495, in its proposed amended version, has been proposed to be attached as a 'rider' to other pending bills and to be released from the House Committee on Resources without requiring a single hearing or committee discussion; and

WHEREAS, H.R. 2495, in its proposed amended version, seriously affects the activities of all Tribes in the State of Michigan without a single consultation or comment by the affected Tribes which violates the United States' trust responsibility to Tribes and the historical government-to-government relationship traditionally maintained between Tribes and the Executive Branch which has long been respected by Congress; and

WHEREAS, H.R. 2495, in its proposed amended version, sets a potentially dangerous precedent of settling land claims litigation prior to argument or presentation of evidence of the merits of the claim and further proposes 'Alternative Lands' to settle the claim which are both outside of the traditional historical Chippewa territories and inside the traditional historical Ottawa territories; and

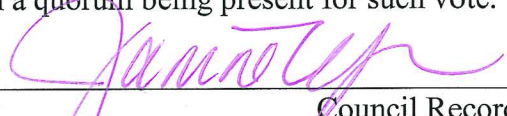
WHEREAS, H.R. 2495, in its proposed amended version, negatively affects the Tribe, and all Tribes in the State of Michigan, by prohibiting gaming authorized under the Indian Gaming Regulatory Act, would amend the Indian Gaming Regulatory Act, and would impair the rights of Tribal governments to conduct activities which ultimately result in governmental services to their membership through employment and generated revenue; and

WHEREAS, H.R. 2495, in its proposed amended version, would identify lands held by the Tribe as 'initial reservation lands' which would change the relationship between the Little River Band of Ottawa and the United States as established by Public Law 103-324 which both restored the relationship of the Tribe and the United States and re-affirmed the 1836 Treaty of Washington and the 1855 Treaty of Detroit;

NOW THEREFORE IT IS RESOLVED THAT the Tribal Council of the Little River Band of Ottawa Indians, for the foregoing reasons, hereby opposes the presentation of H.R. 2495, in its initial or proposed amended form, for action by Congress without full hearings by the House Committee on Resources which would allow for a full and complete opportunity for all Tribes to address the proposed legislation and its effects.

**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 Center on 12/5, 2001, with a quorum being present for such vote.

  
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Council Recorder

  
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Attest: Council Speaker