Little River Band of Ottawa Indians
375 River Street
Manistee, MI 49660
(231) 723-8288

Resolution # 03-0924-305

Interpretation of the Enrollment Ordinance, # 02-200-01, Clarifying the Application and Interpretation of Durant Roll of 1908 in Regards to Membership Qualifications

WHEREAS, the status of the *Gaá Čhíng Ziíbi Daáwaa Anišhinaábek* (Little River Band of Ottawa Indians) as a sovereign and Treaty-making power is confirmed in numerous treaties, from agreements with the initial colonial powers on this land, to various treaties with the United States; and

WHEREAS, the Little River Band of Ottawa Indians (Tribe) is descended from, and is the political successor to, the Grand River Ottawa Bands, signatories of the 1836 Treaty of Washington (7 Stat. 491) with the United States, as reaffirmed by federal law in P.L. 103-324, enacted in 1994; 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 authorized under Article IV, Section 7(a) to provide for the public health, peace, morals, education and general welfare of the Little River Band and its members; and

WHEREAS, the Tribal Council has been presented with the question of application of Article II, Section 1 of the Constitution in regards to membership qualifications and the application of the 1870 Annuity Payrolls of the Chippewas and Ottawas of Michigan *(1870 Annuity Payrolls)* and the Durant Roll of 1908 as approved by the Secretary of the Interior in 1910 *(Durant Roll of 1908)*; and

WHEREAS, the 1870 Annuity Payrolls were created to identify those members of the Chippewa and Ottawa nations eligible to receive annuity payments made by the federal government; and

WHEREAS, the Durant Roll of 1908 was created under authorization of 35 Stat. L. 71, et seq. (25 USC 12, et seq.), for the purposes of identifying members of various tribes eligible to receive annuity payments made by the federal government; and

WHEREAS, the Durant Roll of 1908 was based on descendants identified on the 1870 Annuity Payrolls, and contains many notations and markings related to eligibility to receive annuity payments, not eligibility for membership, as identified in the correspondence of January 25, 1910 submitted with the Durant Roll of 1908 requesting approval by the Secretary of the Interior; and

WHEREAS, the Tribal Council, having received the question from the Enrollment Commission as to the application of 'red' and 'blue' markings appearing on the Durant Roll of 1908 finds that these markings contain no significance in relation to the eligibility for membership of any individual;

NOW THEREFORE IT IS RESOLVED THAT the Tribal Council of the Little River Band of Ottawa Indians hereby finds and directs that the Enrollment Commission shall not utilize the 'red' and 'blue' notations in the Durant Roll of 1908 as approved by the Secretary of the Interior in 1910 for purposes of defining or establishing a qualification for membership and approves the following amendment to the Enrollment Ordinance, #02-200-01.

      2.01(d) - at the end of the section add the following sentence.
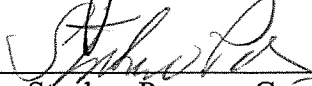   As further amended on [date] by resolution [number].
4.02. *Notations on Durant Roll of 1908.* The notations of 'red' and 'blue' markings on the Durant Roll of 1908 shall not be utilized for the purpose of determining eligibility for membership.

CERTIFICATE OF ADOPTION

I do hereby certify that the foregoing resolution was duly presented and adopted by the Tribal Council with _8_ FOR, _0_ AGAINST, _0_ ABSTAINING, and _1_ ABSENT, at a Regular Session of the Little River Band of Ottawa Indians Tribal Council held on September 24, 2003, at the Little River Band's Community Center in Manistee, Michigan, with a quorum being present for such vote.

_____
Janine M. Sam, Council Recorder

_____
Stephen Parsons, Council Speaker

Attest:

Distribution: Council Records
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