



Little River Band of Ottawa Indians

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

Resolution # 04-1027-426

Second Request to the Ogema for Report on Violation of Tribal Law and Policy

WHEREAS, the status of the *Gaá Čhíng Ziibi Daáwaa Aníshinaábek* (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 Tribe adopted amendments to the Constitution on April 26, 2004, which became effective upon approval by the Assistant Secretary-Indian Affairs on May 13, 2004; 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 is authorized under Article IV, Section 7(j) to take action necessary and proper to carry out the sovereign legislative powers of the Tribe; and

WHEREAS, the Tribal Council is authorized under Article VI, Section 5(a) direct how the administration and management of the Tribal government is conducted; and

WHEREAS, the Tribal Council approved a request for a response from the Ogema at its October 5th meeting regarding concerns that have been presented to Councilors and the Tribal Council by individuals as well as those identified by Councilors; and

WHEREAS, the Tribal Council forwarded a written request on October 6th which identified a October 16th deadline for response to the concerns presented; and

WHEREAS, the Tribal Council has not yet received a response to our concerns regarding violations of the Tribe's *Government Operations Procedures Manual*, the Indian Preference Ordinance, and other Tribal laws and policies;

WHEREAS, the Tribal Council finds that these are important questions and that answers must come from the Ogema's office in regards to clarification of erroneous information and/or corrective actions that will be taking place regarding the prior actions and avoiding these violations in the future;

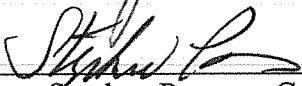
NOW THEREFORE IT IS RESOLVED THAT the Tribal Council of the Little River Band of Ottawa Indians hereby directs the Ogema to respond to the Tribal Council, in Closed Session, regarding all issues raised in the October 6, 2004 letter of concern - 'Substantial Violations of Tribal Policy and Tribal Law' - in writing by 5:00 p.m. on November 5th.

CERTIFICATE OF ADOPTION

I do hereby certify that the foregoing resolution was duly presented and adopted by the Tribal Council with 6 FOR, 2 AGAINST, 1 ABSTAINING, and 0 ABSENT, at a Regular Session of the Little River Band of Ottawa Indians Tribal Council held on October 27, 2004, at the Little River Band's Dome Room in Manistee, Michigan, with a quorum being present for such vote.



Janine M. Sam, Council Recorder



Stephen Parsons, Council Speaker

Attest:

Distribution: Council Records
Tribal Ogema
Tribal Court