



Little River Band of Ottawa Indians

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

Resolution # 05-0309-104

*Authorizing Execution of a Subcontract with the Sault Ste. Marie Tribe
Inter-Tribal Fisheries Assessment Program for Biological Services for FY 2005*

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, 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 Tribe 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 Tribe, provided such contracts are approved and ratified by the Tribal Council; and

WHEREAS, the CORA-member Bands/Tribes, together with the United States, are signatories to a Consent Decree settling the Great Lakes fisheries portion of the *United States v Michigan* [2:73-CIV-26 (W.D. Mich)] treaty rights litigation; and

WHEREAS, the 2000 Consent Decree includes terms and conditions which requires CORA and its member Bands/Tribes to carry increased roles and responsibilities with respect to the regulation and biological assessment of treaty fishing activities and protection of the Great Lakes' fishery resources; and

WHEREAS, the Band has received an appropriation of funds from the United States to assist the Band in carrying out its administrative, biological and enforcement responsibilities under the Consent Decree; and

WHEREAS, the Band's representatives to CORA have also agreed to subcontract the amount \$46,400.00 to the Sault Ste. Marie Tribe of Chippewa Indians' Inter-Tribal Fisheries Assessment Program to perform biological services in accordance with the statement of work included in a subcontract agreement; and

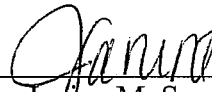
WHEREAS, the Tribal Ogema has been presented with a subcontract agreement with the Inter-Tribal Fisheries Assessment Program to accomplish the above purposes, which Subcontract would be added to the Scope of Work included in the Band's Pub. L. 93-638 Contract with the Bureau of Indian Affairs.

NOW THEREFORE IT IS RESOLVED THAT the Tribal Council of the Little River Band of Ottawa Indians hereby authorizes the Tribal Ogema to execute a Subcontract with the Sault Ste. Marie Tribe's Inter-Tribal Fisheries Assessment Program to secure the services described in the draft Subcontract presented and in an amount not to exceed \$46,400.00.

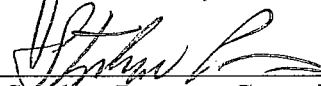
IT IS FURTHER RESOLVED, that the Tribal Ogema, or in his absence, the Tribal Council Speaker, is authorized to serve as the Tribal Senior Official Representative for purposes of the contract.

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 March 9, 2005, 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 (cc: Grants & Contracts)
Legal Department
CORA Executive Director
BIA Michigan Field Office