



Little River Band of Ottawa Indians

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

Resolution # 05-0713-316

Directing the Comptroller General to Conduct an Investigation Regarding the 'Consent Decree' Funds Received Regarding US v. Michigan - Great Lakes Treaty Rights

WHEREAS, the status of the *Gaá Čhing Ziibi Daáwaa Anishinaábek* (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(i)(2), to manage the funds of the Tribe; and

WHEREAS, the Tribal Council authorized the Tribe's legal counsel to execute a Stipulation for Entry of the Consent Decree in the litigation entitled US v. Michigan - Great Lakes by resolution # 00-0724-13; and

WHEREAS, in accordance with the terms of the Consent Decree resolving the Great Lakes phase of US v Michigan, the Tribe has received settlement funds from both the State of Michigan and the United States which have been placed in a trust account and referred to by various names since the receipt of the funds; and

WHEREAS, the Tribal Council has been requested to authorize expenditures of these funds for purposes related to commercial fishing and other activities related to the Great Lakes, and has authorized those requests as appropriate; and

WHEREAS, some of the purposes for which the expenditure of funds were authorized, including proposals to acquire real property, were not implemented or did not require expenditure of the full amount of appropriations authorized; and

WHEREAS, the Tribal Council is concerned that these funds are not adequately accounted for and that prior to authorizing further expenditures an accounting needs to be conducted; and

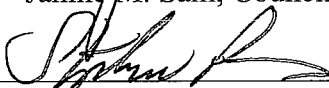
NOW THEREFORE IT IS RESOLVED THAT the Tribal Council of the Little River Band of Ottawa Indians hereby directs the Comptroller General, under section 4.03(a) of the Audit Reform Act of 2005, to investigate and report on the receipt, authorization, expenditure, and use of funds received under the Consent Decree entered into regarding US v. Michigan - Great Lakes and return such report within 30 days of adoption of this resolution.

CERTIFICATE OF ADOPTION

I do hereby certify that the foregoing resolution was duly presented and adopted by the Tribal Council with 7 FOR, 0 AGAINST, 0 ABSTAINING, 1 ABSENT, and 1 VACANT, at a Regular Session of the Little River Band of Ottawa Indians Tribal Council held on July 13, 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
Tribal Court