



Little River Band of Ottawa Indians

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

Resolution # 05-1214-684

*Authorizing Execution of a Deputation Agreement with the Bureau of Indian Affairs and
Authorizing Submission of such Agreement for final approval*

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 has the authority to adopt laws and regulations to protect Tribal members and property pursuant to the powers vested in it by Article IV, Section 7 of the Constitution, approved July 10, 1998; and

WHEREAS, the regulation, control and prohibition of certain conduct on the Tribe's Reservation is necessary to protect the health, security and general welfare of the Tribe, its members, the general public and property on the Reservation; and

WHEREAS, the Tribal Council has, pursuant to Ordinance No. 99-400-03, adopted a Law and Order Ordinance, which incorporates the Code of Federal Regulations 25 C.F.R. Part 11, Subparts C and D, as Tribal law; and

WHEREAS, the Tribe has purchased approximately 2,750 acres of land within the Reservations established under the 1836 Treaty of Washington (the "Manistee Reserve") and the 1855 Treaty of Detroit; and

WHEREAS, the United States presently holds approximately 500 acres of lands within the Manistee Reserve in trust for the Little River band of Ottawa; and

WHEREAS, the Tribe anticipates that all 2,750 acres of land within the Tribe's Treaty Reservations will be held in trust for the Tribe by the United States in near future; and

WHEREAS, the Tribe and the Bureau of Indian Affairs presently lack sufficient personnel and resources needed to effectively police the Tribe's Reservation lands and enforce federal and Tribal laws applicable to the Tribal lands, properties and persons under the jurisdiction of the Tribe; and

WHEREAS, the Tribe desires to coordinate the use of personnel and resources with other law enforcement agencies, including the Bureau of Indian Affairs, to better police the Tribe's Reservation lands and protect the public (both Indian and non-Indian) who are present on Tribal lands; and

WHEREAS, the Tribal Council has determined that it is in the best interests of its members and the general public to enter into a deputation agreement with Bureau of Indian Affairs to better to protect the public's safety and welfare on Tribal lands and within the Tribe's Reservation and to provide a vehicle for encouraging State and local law enforcement agencies to enter into similar arrangements.


NOW THEREFORE BE IT RESOLVED, that the Tribal Council of the Little River Band of Ottawa Indians hereby authorized the Tribal Ogema, or in the absence of, the Tribal Council Speaker, to execute a deputation agreement with the Bureau of Indian Affairs to assist he Tribe in its efforts to enforce and promote law and order and the administration of justice eon Tribal lands within the Tribe's Reservation.

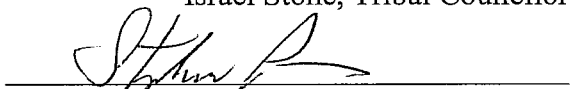
IT IS FURTHER RESOLVED THAT the Tribal Council hereby authorizes the Director of Public Safety, with advice and assistance from the Tribe's Legal Department and the Tribal Prosecutor, to implement and administer the terms of the Deputation Agreement, including the execution and issuance of written commissions to law enforcement personnel and other matters under this Agreement.

IT IS FURTHER RESOLVED THAT copies of this Resolution and the deputation Agreement shall be transmitted to representatives of the Bureau of Indian Affairs the Field Solicitor for the Department of the Interior and the United States Attorney for the Western District of Michigan.

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 December 14, 2005, at the Little River Band's Dome Room in Manistee, Michigan, with a quorum being present for such vote.


Israel Stone, Tribal Councilor


Stephen Parsons, Council Speaker

Attest:

Distribution: Council Records
Tribal Ogema
Tribal Court
Legal Department
Accounting Department