



**Little River Band of Ottawa Indians**  
**Tribal Council**  
2608 Government Center Drive  
Manistee, MI 49660  
(231) 723-8288

**Resolution #17-0125-023**

*Authorizing Support for Submission of Request to Bureau of Indian Affairs for FY 2018  
Litigation Support Funds*

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 Tribe adopted amendments to the Constitution on July 11, 2016 which became effective upon approval by the Assistant Secretary-Indian Affairs on August 24, 2016; and

WHEREAS, the Chippewa Ottawa Resource Authority (CORA) was established in 2000 to regulate the fishing of tribal members under rights reserved in the Treaty of March 28, 1836 (7 State. 491), as an exercise in tribal sovereignty and care for the fishery resource upon which tribal members have relied for ceremonial, subsistence and economic purposes from time immemorial; and

WHEREAS, this regulatory and fishery management system is subject to the jurisdiction of the United States District Court for the Western District of Michigan, in *United States, et al., v. State of Michigan*, Case No. 2: 73 CV 26, and its allocation order which expires on August 7, 2020; and

WHEREAS, the conduct of the treaty fishery and its exclusive regulation by the Tribes after expiration of the allocation order are issues to be resolved by future court action, causing the Tribes substantial costs to litigate; and

WHEREAS, the Tribe and other 1836 Treaty Tribes are undertaking cooperative efforts to prepare for negotiation and, if necessary, litigation of issues relating to the management and allocation of Great Lakes fishery resources; and

WHEREAS, the Tribe, as a party to *Unites States v. Michigan* and a member of CORA, has a responsibility to undertake certain activities to participate in the foregoing negotiations and litigation; and

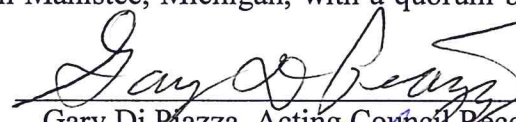
WHEREAS, CORA approved submission of the request for FY 2018 Litigation Support Funds to the Bureau of Indian Affairs on January 20, 2017.

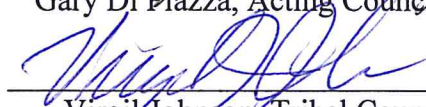
NOW THEREFORE IT IS RESOLVED that the Tribal Council approves submission of the Request to Bureau of Indian Affairs for FY 2018 Litigation Support Funds to assist with expenses incurred to prepare for negotiations and, if necessary, litigation concerning the Tribe's treaty reserved fishing rights.

BE IT FURTHER RESOLVED that the Tribal Council agrees to authorize the Executive Director of CORA to undertake any and all actions necessary to obtain approval of this request for litigation support funding, and to sign any resulting contract documents for approved funding pursuant to the provisions of P.L. 93-638, as amended.

### 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 January 25, 2017, at the Little River Band's Government Center in Manistee, Michigan, with a quorum being present for such vote.

  
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Gary Di Piazza, Acting Council Recorder

  
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Virgil Johnson, Tribal Council Speaker

Attest:

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