



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

**Resolution #20-0311-091**

*Authorization of Tribal Council to Seek Assistance from Bureau of Indian Affairs in Obtaining a Waiver to the Two Year Residency Requirement for Tribal Employee*

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 legislative powers of the Tribe are vested in the Tribal Council according to Article IV, Section 1 of the Constitution; and

WHEREAS, the Tribal Council is authorized by Article IV, Section 7(a) to provide for the public health, peace, morals, education and general welfare of the Tribe and its members; and

WHEREAS, the executive powers of the Tribe are vested in the Tribal Ogema according to Article V, Section 1 of the Constitution; and

WHEREAS, the Tribal Ogema is authorized to consult, negotiate and execute agreements and contracts on behalf of the Tribe with governments, political subdivisions and private parties, subject to authorization and ratification by Tribal Council; and

WHEREAS, the Tribal Ogema is authorized to oversee the administration and management of the Tribal government in accordance with the laws, resolutions, and motions adopted by the Tribal Council; and

WHEREAS, the Tribe chose to become an Interior Self-Governance Tribe in Calendar Year (“CY”) 2013 and has been operating its Bureau of Indian Affairs (“BIA”) programs under an existing Self-Governance Multi-Year Funding Agreement (“MYFA”) with the BIA since CY 2014; and

WHEREAS the federal regulations 25 CFR §900.3(a) identifies that it is a policy of Congress that the Federal Government maintain a unique and continuing relationship with, and responsibility to, individual Indian tribes and to the Indian people as a whole through the establishment of meaningful Indian self-determination policy with the goal of effective and meaningful participation in the planning, conduct, administration of programs and services to Indian people; and

WHEREAS the federal regulations 25 CFR §900.3(b) identifies that it is a policy of the Secretary of the Interior to facilitate the efforts of Indian tribes and tribal organizations to plan, conduct and administer programs, functions, services and activities or portions thereof, which the Departments are authorized to administer for the benefit of Indians because of their status as Indians, making the best efforts to remove any obstacles which might hinder Indian tribes and tribal organizations including obstacles that hinder tribal autonomy and flexibility in the administration of such programs; and

WHEREAS the Tribe has identified a need to request a waiver of the two year residency requirement for a tribal employee that is participating in work training program under a J1 Visa; and

WHEREAS the federal rules for this waiver require that the request come from a United States Government agency.


NOW THEREFORE IT IS RESOLVED, that the Tribal Council supports the request to seek Assistance from Bureau of Indian Affairs in order to obtaining a waiver to the two year residency requirement for a tribal government employee who can provide critical and specialized services to the tribal government.

**CERTIFICATE OF ADOPTION**

I do hereby certify that the foregoing resolution was duly presented and adopted by the Tribal Council with 6 FOR, 3 AGAINST, 0 ABSTAINING, and 0 ABSENT, at a Regular Session of the Little River Band of Ottawa Indians Tribal Council held on March 11, 2020, at the Little River Band's Government Center in Manistee, Michigan, with a quorum being present for such vote.



Gary Di Piazza, Tribal Council Recorder



Ronald Pete, Tribal Council Speaker

Attest:

Distribution: Council Records  
Tribal Ogema  
Legal Department