



**Little River Band of Ottawa Indians  
Tribal Council**

2608 Government Center Drive  
Manistee, MI 49660  
(231) 723-8288

**Resolution #20-0403-100**

*Approving Emergency Assistance and Relief Payment Program of 2020*

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)(1) and (2) to exercise the inherent powers of the Tribe by establishing laws through the enactment of ordinances and adoption of resolutions to govern the conduct of Tribal Members and others within the Tribe's jurisdiction and to promote, protect and provide for the public health, peace, morals, education and general welfare of the Tribe and its members; and

WHEREAS, the Tribal Council approved the Revenue Allocation Plan by Tribal Council Resolution #08-0123-20 including Sections 4 and 6 allowing for assistance for Tribal Members through the funding of government programs that provide services and at times direct funds to address general welfare concerns; and

WHEREAS, on March 13, 2020, the President of the United States declared the ongoing Coronavirus Disease 2019 (“COVID-19”) pandemic of sufficient severity and magnitude to warrant an emergency declaration for all states, tribes, territories, and the District of Columbia pursuant to section 501 (b) of the Robert T. Stafford Disaster Relief and Emergency Assistance Act, 42 U.S.C. 5121-5207 (the “Stafford Act”); and

WHEREAS, on March 20, 2020, the Tribal Ogema, pursuant to Executive Order No. 20-0320-01, officially declared a state of emergency (the “Executive Order”) for the Little River Band of Ottawa Indians in response to the COVID-19 pandemic to protect the public health, safety and welfare of the community; and

WHEREAS, tribal members are incurring additional personal, family, and/or living expenses in connection with the COVID-19 pandemic and Tribal Council deems it in the best interest of the Band and its members to provide stimulus payments (the “Relief Payments”) to help tribal members defray these additional costs; and

WHEREAS, under §139 of the Internal Revenue Code of 1986, as amended, gross income of an individual does not include any amount received by an individual as a qualified disaster relief payment, which includes an amount paid to an individual from any source to reimburse or pay reasonable and necessary personal, family, living, or funeral expenses incurred as a result of a qualified disaster; and

WHEREAS, under §139 of the Code, a “qualified disaster” includes an federally declared disaster pursuant to the Stafford Act, such as the COVID-19 pandemic; and

WHEREAS, the Tribal Council has identified a gap in the provision of services to persons affected by COVID-19 global pandemic, especially where federal, state and local programs are unable to meet the immediate needs of those persons, including basic food, clothing, shelter, and health care needs; and

WHEREAS, the Tribal Council has identified that as a result of long term federal policies, and personal economic needs of individuals, that members live throughout the United States, and the world; and

WHEREAS, the Tribal Council has identified that members, regardless of where they reside, in times of a global pandemic impacting the workforce and economy of many nations including the United States, should be able to rely upon their government, the Little River Band of Ottawa, as they have historically relied upon each other, to provide assistance in times of natural disasters; and



WHEREAS, because the Tribal Council is aware of the immediate needs of members across the nation as unemployment claims have risen exponentially in a matter of weeks as the pandemic has spread, and knowing that these immediate needs may not be adequately met by federal, state, local and non-profit organizations, the Tribal Council has identified that sufficient funds exist to address these immediate needs and has determined to create a temporary program until such time as a permanent program can be developed.

NOW THEREFORE IT IS RESOLVED THAT the Tribal Council of the Little River Band of Ottawa Indians hereby creates the *Emergency Assistance and Relief Payment Program of 2020* which is created for the benefit of members everywhere to provide direct economic assistance. This program directs the following relief be made available to members, as administered through the Members Assistance Program:

1. *Relief Funds.* The following level of relief funds shall be made available to members in the area impacted by the devastation caused by the COVID-19 global pandemic on a one time basis only unless further funding is directed and approved by Tribal Council Resolution.
  - a. *Tribal Members.* For each single adult member, the sum of \$500.00 shall be available for the month of April and an additional sum of \$500.00 shall be available for the month of May.
  - b. Adult Members are members who are at least eighteen years of age at the time that this Resolution is passed.
2. *Accessibility.* Every member as defined above will be sent the above sums through the current on file mechanism for tribal payments with the accounting department.
3. *Verification.* In order to protect tribal assets, the Members Assistance Department may create forms and certification documents to facilitate administering the Emergency Assistance and Relief Payment Program of 2020. Every effort shall be made to assist impacted members in completing the forms and electronic signatures shall be acceptable.
4. *Funds.* The Accounting Department is directed to process direct payments.
5. *Reporting.* The Members Assistance Program is directed to report to the Tribal Council regarding the activities of this program and recommendations for development of a permanent program, if a need is determined. A final report and recommendations shall be submitted to Tribal Council within 90 days of the end of the program.
6. *Conclusion of Program.* This program shall be concluded on December 31, 2020.

IT IS FURTHER RESOLVED THAT Tribal Council designates the Relief Payments as qualifying disaster relief payments under §139 of the Internal Revenue Code of 1986, as amended, and excluded from the recipient tribal members' gross income for federal income tax purposes. The Accounting Department is directed to report to the Tribal Council, if notice is given that this program is for any reason not acceptable as a direct relief program.

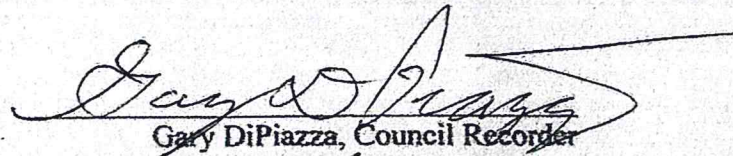


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**CERTIFICATE OF ADOPTION**

I do hereby certify that the foregoing resolution was duly presented and adopted by the Tribal Council with 9 FOR, 0 AGAINST, 0 ABSTAINING, and 0 ABSENT, at an Emergency Meeting of the Little River Band of Ottawa Indians Tribal Council held via teleconference on April 3, 2020 at the Government Center in Manistee, Michigan, with a quorum being present for such vote.



Gary DiPiazza, Council Recorder



Ron Pete, Council Speaker

cc: Council Records  
Tribal Ogema  
Members Assistance  
Accounting