



**Little River Band of Ottawa Indians**

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RESOLUTION NO. #97-1123-01

ESTABLISHING QUALIFICATIONS FOR TRIBAL MEMBERS  
ELIGIBLE TO RECEIVE PER CAPITA PAYMENTS UNDER  
THE TRIBE'S PLAN(S) FOR USE AND DISTRIBUTION OF THE  
LITTLE RIVER BAND OF OTTAWA INDIANS' SHARE OF THE  
DOCKET 18-E AND 58 AND DOCKET 364 JUDGMENT FUNDS

WHEREAS, the Tribe's status as a federally-recognized Indian tribe was reaffirmed and restored by Congress pursuant to Public Law 103-324, 108 Stat. 2156 (25 U.S.C. §1300k et seq.)(hereinafter "Little River Act"; and

WHEREAS, Section 8(a)(2) of the Little River Act (25 U.S.C. §1300k-6(a)(2)), provides that the governing documents in effect as of September 21, 1994 shall be the interim governing documents for the Tribe until such time as a new governing document is enacted under the Secretarial election required by the Little River Act; and

WHEREAS, Section 7 of the Little River Act required submission to the Secretary, by May 2, 1996, a membership roll consisting of all individuals then enrolled with the Tribe; and

WHEREAS, the Tribal Council has approved and submitted to the Secretary a membership roll consisting of 1,214 individuals and such roll has been approved by the Secretary as published in the Federal Register, Volume 62 at page 58743, on October 30, 1997; and

WHEREAS, the Tribe has continued to enroll individuals who meet the eligibility requirements set forth in the Tribe's interim Constitution and Tribal Enrollment Ordinance, Ordinance No. #97-200-01; and

WHEREAS, Congress has approved H.R. 1604, which provides for the division of judgment funds of the Ottawa and Chippewa Indians of Michigan pursuant to dockets numbered 18-E, 58, 364, and 18-R; and



WHEREAS, the Little River Band of Ottawa Indians is the political successor to Grand River Ottawa bands who are entitled to share in the division of such judgment funds as recognized in H.R. 1604; and

WHEREAS, the Tribal Council has proposed alternative plans for use and distribution of the Tribe's share of the judgment funds which will be voted upon by the Tribal membership; and

WHEREAS, both of the proposed plans for use and distribution of the Tribe's share of the judgment funds provide for the distribution of per capita payments to qualified Tribal members; and

WHEREAS, the Tribal Council must establish the qualifications for Tribal members who will be eligible to receive per capita payment from the Tribe's share of the judgment funds and must notify eligible individuals of such qualifications.

NOW THEREFORE IT IS RESOLVED THAT the Tribal Council establishes and approves the following definition for "Qualified Tribal members" who will be eligible to receive a per capita payment from the Tribe's share of the judgment funds:

For purposes of determining eligibility for receiving a per capita payment under any Tribal plan for the use and distribution of the Little River Band of Ottawa Indians' share of the Dockets 18-E, 58, and 364 Judgment Funds, "Qualified Tribal member" shall mean any individual who has applied for enrollment before 12:00 a.m. (midnight), Friday, January 30, 1998, and is duly enrolled in the Little River Band of Ottawa Indians in accordance with Article III of the interim Constitution and Tribal Ordinance No. #94-1018-01 or Tribal Ordinance No. 97-200-01.

In order for any duly enrolled Tribal member to be entitled to the one time per capita payment, the member's application for enrollment must be **received** at the Tribal Offices before 12:00 a.m. (midnight), on Friday, January 30, 1998. If an applicant who timely files his/her application is denied enrollment and fails to appeal the decision, that person will lose his/her right to the one time per capita payment if he/she reapplies and becomes a duly enrolled member at a later date.

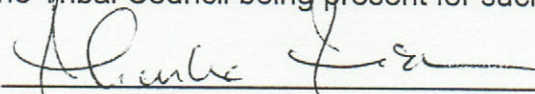


IT IS FURTHER RESOLVED THAT copies of these requirements and an explanation of the effect of these requirements shall be mailed to each adult member of the Tribe at his/her last known address, disseminated to other Indian tribes and organizations in Michigan and Wisconsin, and published in newspapers in the following locations: the Cities of Cadillac, Grand Rapids, Lansing, Ludington, Manistee, Muskegon, and Traverse City, and in Lake County by the end of the first week of December, 1997.

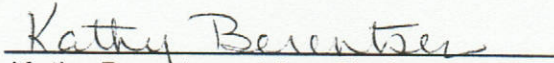
### CERTIFICATION OF ADOPTION

This resolution was adopted by the Tribal Council of the Little River Band of Ottawa Indians at a Special Session called for this purpose held on November 23, 1997, by a vote of 6 in favor, 0 opposed, 1 absent, and 0 abstentions. A quorum of the Tribal Council being present for such vote.

Date: 11/23/97

  
Charles Fisher, Council Secretary

Attest:

  
Kathy Berentsen, Vice-Chairperson