



Little River Band of Ottawa Indians

2608 Government Center Drive

Manistee, MI 49660

(231) 723-8288

Resolution #16-0127-024

Approving the Ogema's Execution of the FY-2016 Subcontract for Administration Services with the Chippewa Ottawa Resource Authority

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 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 is authorized by Article IV, Section 7(b), to authorize and ratify agreements and contracts negotiated by the Tribal Ogema on behalf of the Little River Band with political subdivisions or private parties on all matters within the authority of the Tribal Council; and

WHEREAS, the Tribal Council is authorized by Article IV, Section 7(i)(2) to manage any funds within the exclusive control of the Little River Band and to appropriate these funds for the benefit 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 Little River Band with governments, political subdivisions and private parties subject to authorization and ratification by Tribal Council; and

WHEREAS, nothing in this Subcontract shall be construed to be a waiver of the sovereign immunity of the Little River Band of Ottawa Indians or any of its subordinate enterprises or entities, and

WHEREAS, the Chippewa Ottawa Resource Authority (CORA) was established by the five Tribes who were parties to *United States v Michigan* (W.D. Mich. File No. 2:73-cv-26), to administer the intertribal protection and management of natural resources and the regulation of the exercise of treaty rights to harvest natural resources within the territory ceded in the 1836 Treaty of Washington as provided by two Consent Decrees entered to settle that Litigation; and

WHEREAS, the 2000 Consent Decree includes terms and conditions requiring CORA and its member Tribes to carry increased roles and responsibilities with respect to the regulation, biological assessment and enforcement of treaty activities and protection of natural resources; and

WHEREAS, the Tribe under its self-governing privileges and responsibilities must administer funds for the performance of these duties; and

WHEREAS, the Tribe is in receipt of a Subcontract from CORA designed to satisfy the requirements of the 2000 Consent Decree for administrative collaboration among the Tribes to protect and manage their natural resources and to regulate the exercise of Treaty Rights to harvest those natural resources.

NOW THEREFORE IT IS RESOLVED THAT the Tribal Council of the Little River Band of Ottawa Indians hereby authorizes the Tribal Ogema to Execute the FY-2016 Subcontract for Administrative Services with the Chippewa Ottawa Resource Authority.

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 a Regular Session of the Little River Band of Ottawa Indians Tribal Council held on January 27, 2016, at the Government Center in Manistee, Michigan, with a quorum being present for such vote.



Joseph Riley II, Tribal Council Recorder



Virgil Johnson, Tribal Council Speaker

Attest:

Distribution: Council Records
Tribal Ogema
Legal Department
Natural Resources Department