

LITTLE TRAVERSE BAY BANDS OF ODAWA INDIANS

7500 Odawa Circle

Harbor Springs, MI 49740

**DECLARATION # 121811-001
PER CAPITA DISTRIBUTIONS**

A Declaration is a formal written public statement in support or opposition of an issue or matter. One or more Tribal Councilors may sign onto a Declaration as individual Councilors. A Declaration shall not obligate or commit the Tribal Council in any manner. Declarations do not require formal action by the Tribal Council.

The Waganakising Odawak is a nation of citizens with inherent sovereignty and right to self-governance; and

The Little Traverse Bay Bands of Odawa Indians (LTBB) is a federally recognized Indian Tribe under Public Law 103-324, and is a party to numerous Treaties with the United States the most recent of which being the Treaty of Washington of March 28, 1836 (7 Stat. 491) and the Treaty of Detroit of 1855 (11 Stat. 621); and

Recently, Tribal Council made available to the Tribal Citizens a *Revenue Allocation Plan and Liability Fact Sheet* that provided information on the amount of money and liability that the Tribe has regarding the Odawa Casino Resort and other governmental debt.

Tribal Council is mandated by the Constitution, Article I. to consider the next seven generations in their decision making process;

Knowing that the Tribe receives limited revenues from OCR, \$12.6 million, and of that 15.5% is already being distributed in per capita payments to the Tribal Citizen; and that the Tribe is in debt for more than \$42 million dollars, it would be unconscionable to consider raising the per capita payment until the Tribal debt is paid off;

Tribal Council is morally responsible to look out for the best interests of all Tribal Citizens including future generations, thus it is mandated by the Constitution, Article I: *“In consideration of the next seven generations, each generation of the Tribal Membership to assert tribal*

sovereignty directs the Legislative, Executive and Judicial branches of government to:

- 1. Promote the preservation and revitalization of Anishinaabemowin and Anishinaabe culture;*
- 2. Promote with special care the health, educational and economic interests of all the people, especially our children and elders, and shall protect them from social injustice and all forms of exploitation;*
- 3. Regard the raising of the level of nutrition and the standard of living of our people, and the improvement of public health as among their primary duties;*
- 4. Establish and maintain within the limits of their economic capacity and development, effective provision for securing the right to work, to education and assistance in cases of unemployment, old age, sickness and disablement, and in other cases of need; and*
- 5. Assure and promote that children are given opportunities and facilities to develop in a healthy manner and in conditions of freedom and dignity, and that youth and elders are protected against exploitation.*

Increasing the per capita payment beyond the \$500.00 a year, would only serve for immediate gratification of a few and leave the next generation with a \$40 million dollar debt and no means to pay it. Also, such an increase would undermine the Constitutionally mandated “Directive Principles” by forcing the cut in funding to the Elder program, youth services, child welfare, funeral assistance, foster care, Elder’s ramp program, Indian health services, educational assistance, emergency assistance and so many more needed and valuable services to our Tribal Citizens.

Tribal Council is charged to be fiscally responsible, and although would desire to pay more in per capital payments to assist each of the Tribal Citizens, it is not feasible at this time and will not be until such time as the debt is paid.

The undersigned Tribal Councilors declare that they support the Constitutionally mandated *Directive Principles* and to use sound fiscal responsibility with the use of the revenues received by OCR to fulfill such Constitutional mandates.

Signed on this date: December 18, 2011

William A. Denemy, Tribal Councilor

Winnay J. Wemigwase, Tribal Councilor

Belinda Bardwell, Tribal Councilor

Kevin A. Gasco, Tribal Councilor

Aaron Otto, Tribal Councilor

John Keshick III, Tribal Councilor

John Bott, Tribal Treasurer

Regina Gasco Bentley, Tribal Secretary

Melvin L. Kiogima, Legislative Leader

A copy of this Declaration is on file at the Tribal Council Legislative Office.