

LITTLE TRAVERSE BAY BANDS OF ODAWA INDIANS
7500 Odawa Circle
Harbor Springs, MI 49740

TRIBAL RESOLUTION # 071209-10

The Little Traverse Bay Bands of Odawa Indians Tribal Council requests the University of Michigan disposition all remains and funerary objects identified as “Native American” or "unaffiliated/unidentifiable human remains” and turn custody of said remains over to the Little Traverse Bay Bands of Odawa Indians.

WHEREAS the Waganakising Odawak Nation, known as the Little Traverse Bay Bands of Odawa Indians, and its citizens are vested with inherent sovereignty and right to self-governance;

WHEREAS the Little Traverse Bay Bands of Odawa Indians 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);

WHEREAS The University of Michigan holds in its boxes and on its shelves the remains of numerous “Native Americans” and "unaffiliated/unidentifiable human remains” and associated funerary objects and claims it is illegal to disposition them;

WHEREAS It is entirely legal to return "unaffiliated/unidentifiable" remains to tribes under NAGPRA as it currently stands. It is allowable under Article 3 of NAGPRA;

“Current regulations implementing the Act require museums and Federal agencies to retain possession of culturally unidentifiable human remains until final regulations are promulgated or the Secretary recommends otherwise. The disposition of funerary objects associated with culturally unidentifiable human remains is not specifically addressed in the Act. During deliberations over recommendations regarding the disposition of culturally unidentifiable human remains, the Review Committee considered the intrinsic relationship of human remains to associated funerary objects and concluded that nothing in the Act precludes the voluntary disposition of these cultural items by museums or Federal agencies to the extent allowable by Federal law.”

The Little Traverse Bay Bands of Odawa Indians Tribal Council requests the University of Michigan disposition all remains and funerary objects identified as “Native American” or "unaffiliated/unidentifiable human remains” and turn custody of said remains over to the Little Traverse Bay Bands of Odawa Indians.
Page 1 of 3

WHEREAS Every major university and museum in the State of Michigan has--or is in the process of--returning all "unaffiliated/unidentifiable human remains" except the University of Michigan;

WHEREAS The Little Traverse Bay Bands of Odawa Indians believes all remains and funerary objects identified as "Native American" or "unaffiliated/unidentifiable human" remains held by the University of Michigan are being held in a culturally insensitive manner violating the traditions, culture and religious beliefs upheld in the Constitution of the Little Traverse Bay Bands of Odawa Indians;

WHEREAS The Little Traverse Bay Bands of Odawa Indians finds no other race in this great nation subject to such blatant cultural and religious discrimination;

THEREFORE, BE IT RESOLVED that the Little Traverse Bay Bands of Odawa Indians Tribal Council requests the University of Michigan disposition all remains and funerary objects identified as "Native American" or "unaffiliated/unidentifiable human remains" and turn custody of said remains over to the Little Travers Bay Band of Odawa Indians.

CERTIFICATION

As Tribal Council Legislative Leader and Tribal Council Secretary, we certify that this Tribal Resolution was duly adopted by the Tribal Council of the Little Traverse Bay Bands of Odawa Indians at a regular meeting of the Tribal Council held July 12, 2009 at which a quorum was present, by a vote of 8 in favor, 0 opposed, 0 abstentions, 1 absent as recorded by this roll call:

	In Favor	Opposed	Abstained	Absent
Fred Harrington, Jr.	<u>X</u>	<u> </u>	<u> </u>	<u> </u>
Melvin L. Kiogima	<u>X</u>	<u> </u>	<u> </u>	<u> </u>
Dexter McNamara	<u>X</u>	<u> </u>	<u> </u>	<u> </u>
Marvin Mulholland	<u>X</u>	<u> </u>	<u> </u>	<u> </u>
Rita Shananaquet	<u>X</u>	<u> </u>	<u> </u>	<u> </u>
Alice Yellowbank	<u>X</u>	<u> </u>	<u> </u>	<u> </u>
Gerald V. Chingwa	<u> </u>	<u> </u>	<u> </u>	<u>X</u>
Regina Gasco Bentley	<u>X</u>	<u> </u>	<u> </u>	<u> </u>
Beatrice A. Law	<u>X</u>	<u> </u>	<u> </u>	<u> </u>

Date: 07-12-09

Beatrice A. Law, Legislative Leader

Date: 07-12-09

Regina Gasco Bentley, Secretary

Received by the Executive Office on 07-13-09 by Lisa Flynn

Pursuant to Article VII, Section D, Subsection 1 of the Little Traverse Bay Bands of Odawa Indians Constitution adopted on February 1, 2005 the Executive concurs in this action of the Tribal Council.

Date: 07-12-09

Frank Ettawageshik, Tribal Chairperson