



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

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

**Resolution #17-0118-015**

*Authorizing Unified Legal Department to Include Little River Band of Ottawa Indians as Signatory of the Brief of Amicus Curiae in Support of the Respondents in the Matter Murray Energy Corporation, et al. v. United States Environmental Protection Agency, et al.*

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 Tribal Council is authorized under Article IV, Section 7(a) of the Constitution to provide for the public health, peace, morals and education and general welfare of the Little River Band and its members; and

WHEREAS, the Tribal Council is authorized by Article IV, Section 7(e) to employ legal counsel; and

WHEREAS, the United States Court of Appeals is currently reviewing Final Agency Action in the matter Murray Energy Corporation, et a. v. United States Environmental Protection Agency, et al.; and

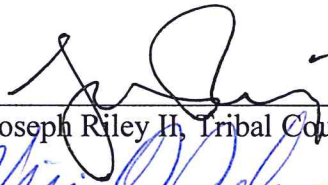
WHEREAS, Tribal Council is committed to the protection of Tribal members and Tribal Natural and Cultural Resources and that mercury emissions regulated by the Rule and Supplemental Finding on the Rule at issue in this matter have a significant impact on Great Lakes Tribal populations; and

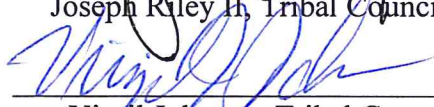
WHEREAS, a consortium of Tribes and Tribal interests are represented in a Brief of Amicus Curiae in Support of the Respondents in the matter.

NOW THEREFORE IT IS RESOLVED, that the Tribal Council hereby authorizes the Unified Legal Department to include Little River Band of Ottawa Indians as signatory of the Brief of Amicus Curiae in Support of the Respondents in the Matter Murray Energy Corporation, et al. v. United States Environmental Protection Agency, et al.

**CERTIFICATE OF ADOPTION**

I do hereby certify that the foregoing resolution was duly presented and adopted by the Tribal Council with 7 FOR, 0 AGAINST, 0 ABSTAINING, 1 ABSENT, and 1 Vacant, at a Regular Session of the Little River Band of Ottawa Indians Tribal Council held on January 18, 2017 at the Government Center in Manistee, Michigan, with a quorum being present for such vote.

  
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Joseph Riley II, Tribal Council Recorder

  
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Virgil Johnson, Tribal Council Speaker

Attest:

Distribution: Council Records  
Tribal Ogema