



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

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

Resolution #20-0219-060

Authorizing Unified Legal Department to Include Little River Band of Ottawa Indians as Signatory of the Brief of Amicus Curiae in Support of the Swinomish Indian Community in Swinomish v Azar, Currently Pending in the U.S. Court of Appeals for the D.C. Circuit

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 for the D.C. Circuit is currently reviewing the matter *Swinomish Indian Tribal Community v. Alex M. Azar, et. al.*; and

WHEREAS, Tribal Council is committed to the protection of Tribal funds and the furtherance of the programs available to members through the Tribe's Self-Governance Compacts; and

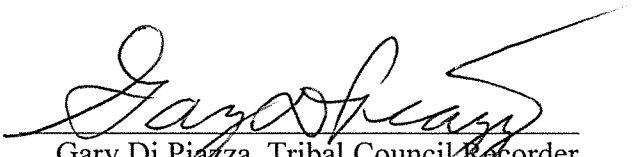
WHEREAS, the *Swinomish v Azar* case represents a significant issue for Tribes and the success of the Swinomish Tribe will help secure appropriate funding for contract support costs; and

WHEREAS, a consortium of Tribes and Tribal interests are represented in a Brief of Amicus Curiae in Support of the Swinomish Tribal Community 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 Swinomish Tribal Community in the matter *Swinomish Indian Tribal Community v. Alex M. Azar, et. al.*

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 Open Session of the Little River Band of Ottawa Indians Tribal Council held on February 19, 2020 at the Government Center in Manistee, Michigan, with a quorum being present for such vote.



Gary Di Piazza, Tribal Council Recorder



Ronald Pete, Tribal Council Speaker

Attest:

Distribution: Council Records
 Tribal Ogema