

LITTLE TRAVERSE BAY BANDS OF ODAWA INDIANS

7500 Odawa Circle

Harbor Springs, MI 49740

CERTIFIED MOTION # 08XX22-XX

Support of Tribal Amicus Brief in the case *Haaland v Brackeen* to be filed by the Native American Rights Fund (NARF) with the United States Supreme Court in August 2022

WHEREAS the Waganakising Odawak, known in English as Little Traverse Bay Bands of Odawa Indians is a nation of citizens with inherent sovereignty and right to self-governance;

WHEREAS 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);

WHEREAS the Little Traverse Bay Bands of Odawa Indians, according to the Tribal Constitution, Directive Principles, is directed to “*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*”;

WHEREAS the United States Congress enacted the Indian Child Welfare Act that provides vital protections to Indian children, Indian parents and families in response to a nationwide crisis: the removal of Indian children from their families by state and private child welfare agencies at rates far higher than those of non-Indians families;

WHEREAS the United States Fifth Circuit Court of Appeals erred to the extent that it held that the Indian Child Welfare Act is unconstitutional;

WHEREAS the Indian Child Welfare Act is one of the most important pieces of federal Indian legislation ever enacted providing immense and lasting benefits to Tribes as well as tribal organizations and their collective goals in furthering

tribal sovereignty and upholding the best interests of Indian children and families;

WHEREAS the Native American Rights Fund (NARF) is offering its services *pro bono* to prepare the Tribal Amicus Brief which will represent the Tribe's interest in defending the Indian Child Welfare Act declaring it constitutional in its entirety;

THEREFORE, BE IT RESOLVED that the Tribal Council of the Little Traverse Bay Bands of Odawa Indians supports the Tribal Amicus Brief in the case *Haaland v Brackeen* to be filed by the Native American Rights Fund (NARF) with the United States Supreme Court in August 2022.

FURTHER RESOLVED, that the Tribal Council authorizes the LTBB Tribal Chair to issue a Tribal Statement of Commitment to Tribal Amicus Brief in *Haaland v Brackeen* and to add the Little Traverse Bay Bands of Odawa Indians to the Tribal Amicus Brief and submit it to the Native American Rights Fund.

CERTIFICATION

Received by the Executive Office on _____ by _____

The Executive concurs and recommend this action of the Tribal Council.

Date: _____

Executive, Tribal Chair/Vice-Chair

Received by the Legislative Office on _____ by _____

As Tribal Council Legislative Leader and Tribal Council Secretary, we certify that this Certified Motion was duly approved by the Tribal Council of the Little Traverse Bay Bands of Odawa Indians at a regular meeting of the Tribal Council held August XX, 2022 at which a quorum was present, by a vote of ___ in favor, ___ opposed, ___ abstentions, ___ absent as recorded by this certification as an official action on behalf of Little Traverse Bay Bands of Odawa Indians.

Date: _____

Emily Proctor, Legislative Leader

Date: _____

Marcella R. Reyes, Secretary