

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

TRIBAL RESOLUTION # 092823- 03

Acceptance of Tribal Settlement Trusts for the National Prescription Opiate Multi-District Litigation Tribal Opioid Abatement Funds

- WHEREAS** the Waganakising Odawak, known in English as Little Traverse Bay Bands of Odawa Indians ("LTBB" or "Tribe"), is a federally recognized Indian Tribe with inherent sovereignty and the right to self-governance;
- WHEREAS** the LTBB is a party to numerous Treaties with the United States, the most recent of which are the Treaty of Detroit of 1855 (11 Stat. 621) and the Treaty of Washington of March 28, 1836 (7 Stat. 491);
- WHEREAS** on September 21, 1994, the LTBB's nation-to-nation relationship with the Federal Government was reaffirmed by the enactment of Public Law 103-324;
- WHEREAS** on February 1, 2005, the LTBB Citizenship duly adopted the Tribal Constitution, which vests the Tribal Council with the Tribe's legislative authority and the Tribal Chairperson and Vice Chairperson, who oversee all Tribal Executive Departments, with the Tribe's executive authority;
- WHEREAS** the Tribe's treaty- and constitutionally-delineated reservation area encompasses approximately 337 square miles in Northwestern Lower Michigan;
- WHEREAS** according to the National Congress of American Indians Policy Research Center, American Indians have suffered the highest per capita rate of opioid overdoses in the nation; meaning the substantial costs associated with combatting the opioid crisis (health care, social services, child welfare, law enforcement, and other services) has diverted tribal funds from other needs;
- WHEREAS** in 2017, a federal judicial panel consolidated thousands of lawsuits, many of which were filed on behalf of Indian tribes, into the National Prescription Opiate Multi-District Litigation (MDL) and assigned the MDL to federal district court Judge Dan Polster, who appointed a Tribal Leadership Committee (TLC) to coordinate the tribal litigation and to advocate for Tribes in the litigation and in any settlement negotiations;
- WHEREAS** Directors for the Tribal Settlement Trusts that were established to implement the settlement agreements for the MDL released a Notice that all federally-recognized Tribes are eligible to participate in opioid settlements negotiated by the court-appointed TLC;

WHEREAS the Tribe determined to participate in the settlements and acknowledges that Tribal Abatement Funds received pursuant to the settlements must be used only for approved uses, which consist of prevention and abatement to address the opioid crisis;

WHEREAS starting in 2023, LTBB will receive Tribal Opioid Settlement distributions for the next 15 years with \$731,142.79 received for fiscal year 2023 from the settlements.

THEREFORE, BE IT RESOLVED that the Tribal Council of the Little Traverse Bay Bands of Odawa Indians acknowledges and accepts the settlement requirement that abatement settlement funds cannot be used for litigation fees related to these settlements as those fees have been handled separately by the court.

FINALLY, BE IT RESOLVED, that in accordance with the Constitution the Executive Branch shall administer such funds as appropriated by Tribal Council.

CERTIFICATION

As the 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 on September 28, 2023 at which a quorum was present, by a vote of 9 in favor, 0 opposed, 0 abstentions, and 0 absent as recorded by this roll call:

	In Favor	Opposed	Abstained	Absent
Fred Kiogima	X			
Tamara Munson	X			
William Ortiz	X			
Aaron Otto	X			
Melissa Pamp	X			
Jordan Shananaquet	X			
Leroy Shomin	X			
Emily Proctor	X			
Marcella Reyes	X			

Date: 10/02/23

Marcella R. Reyes
Marcella Reyes, Legislative Leader

Date: 10/02/23

Emily Proctor
Emily Proctor, Tribal Council Secretary

Received by the Executive Office on 10/02/2023 by Nura Johnson

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: 10-10-2023

Regina Gasco Bentley
Regina Gasco Bentley, Tribal Chairperson

Received from the Executive on 10.10.2023 by Binder Paker