



treaty rights to an unelected federal government official who owes no obligation to the Nation or its citizens.

Supporters of tribal sovereignty across the country are gravely concerned about the position the Board has taken in this appeal. James D. Diamond; Sten Joddi; Representative Dewey McClain, State Representative for Georgia's 109th House District; Jordan Harmon, and Amy Warne ("Amici") respectfully request leave from this Court to file an amicus brief addressing the Citizenship Board's arguments regarding implicit abrogation of treaty rights via an opinion of the Solicitor of the Department of Interior.

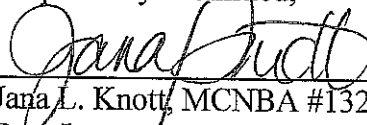
Amici submit to this Court that because the Board did **not** make this argument below, Amici could not have known within "fifteen (15) days of the entry of the initial review decision accepting the appeal" that participation as amici might be necessary. *See* MCNA, 27, App. 2, R. 7. However, Rule 15 of this Court's rules allows a person "not a party to an action" to request permission by motion to file an amicus brief with this Court and does not suggest any temporal limit on when such request must be made. *Id.* R. 15. To ensure that the briefing cycle is not delayed, Amici advise the Court that their brief can be filed within ten days of permission being granted, leaving the Board ample time to respond.

For this Court's reference and as is required under the Court's rules, the interests of Amici are stated more specifically as follows. James D. Diamond, S.J.D., is the Interim Director of the Indigenous Peoples Law and Policy Program and Professor of Practice at the University of Arizona James E. Rogers College of Law. He is a respected Indian Law Scholar and has taught at the National Tribal Trial College. Sten Joddi is an enrolled member of the Mvskoke Nation of Oklahoma. He is an award-winning hip-hop artist and uses his platform to bring awareness to issues affecting indigenous communities. Representative Dewey McClain is an enrolled member

of the Cherokee Nation and is originally from Okmulgee, Oklahoma. He now serves as a State Representative for Georgia's 109th House District and is a leading advocate for tribal sovereignty and treaty rights. Amy Warne is a citizen of the Mvskoke Nation, is Seminole, and Tiger Clan. Ms. Warne resides on Kickapoo, Osage, Kiowa, Comanche, and Wichita lands, known today as Oklahoma City. She is a passionate advocate and an expert on the issue of Indigenous Food Sovereignty and is a well-known advocate for Native women. Attorney Jordan Harmon is a Muscogee (Creek) Nation citizen residing in the Mvskoke reservation. Ms. Harmon received a Juris Doctorate with a certificate in Native American Law from the University of Tulsa and began her legal career as a Tribal attorney representing Tribal sovereign interests in Tribal, state, and federal court. Joining the staff of Indigenous Environmental Network in June of 2022, she is now a policy analyst and legislative advocate working to advance a national and international policy agenda that is centered on strengthening Indigenous nation-to-nation building, Indigenous rights and sovereignty, and Indigenous-based environmental justice.

Amici represent a diverse group of individuals who use their unique platforms across the United States to advocate for tribal sovereignty and the rights of indigenous peoples. For the reasons set forth herein, Amici respectfully request this Court grant leave to file a brief in the above-styled and numbered cause to address the Board's proposed theory of treaty abrogation.

Respectfully submitted,



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**CERTIFICATE OF SERVICE**


I hereby certify that on the 15th day of March, 2024 a true and correct copy of the foregoing instrument was served via email and U.S. Mail to the following:

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