

**ROSEBUD SIOUX TRIBE  
RESOLUTION NO. 2021-31**

- WHEREAS,** the Rosebud Sioux Tribe is a federally recognized Indian Tribe organized pursuant to the Indian Reorganization Act of 1934 and pertinent amendments thereof; and
- WHEREAS,** the Rosebud Sioux Tribe is governed by a Tribal Council made up of elected representatives who act in accordance with the powers granted to it by its Constitution and By-laws; and
- WHEREAS,** The Rosebud Sioux Tribal Council is authorized to promulgate and enforce ordinances for the maintenance of law and order, and to safeguard the peace and morals, and general welfare of the Tribe, pursuant to the Rosebud Sioux Tribe Constitution and By-Laws Article IV Sections 1 (1), (m), (p) and (q); and
- WHEREAS,** there is a vacancy in the position of United States District Judge for the District of South Dakota, Western Division; and
- WHEREAS,** Native Americans are vastly underrepresented on the federal bench as a whole and have never been appointed to the bench in the District of South Dakota; and
- WHEREAS,** Tracey A. Zephier is a highly-qualified candidate for the position of United States District Judge for the District of South Dakota, Western Division; and
- WHEREAS,** Ms. Zephier is currently the Attorney General of the Cheyenne River Sioux Tribe; and
- WHEREAS,** before that she was a partner in the law firm of Fredericks, Peebles & Morgan. LLP representing tribes on issues related to tribal governance and governmental operations, physical and legal infrastructure development, real estate and business transactions, education, taxation, and tribal-state relations. Her practice included representation of clients in various administrative proceedings and in tribal, state, and federal court litigation; and
- WHEREAS,** before that she was the President and CEO of First Nations Oweesta Corporation, in which she assisted Native organizations and tribal communities with Community Development Financial Institutions (CDFI); and
- WHEREAS,** she also has served as an adjunct professor at the University of South Dakota School of Law and at Oglala Lakota College, a board member of the Native Governance Center, and she also has served as the Executive Director of the South Dakota Equal Justice Commission; and
- WHEREAS,** she is a 1999 graduate of Yale Law School and an enrolled member of the Cheyenne River Sioux Tribe; and
- WHEREAS,** Ms. Zephier has spent her life in service of Native people and her appointment would help fulfill the stated diversity goals of the Biden-Harris administration;

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and

**WHEREAS**, Native Americans in South Dakota and elsewhere have been among the strongest supporters of Democrats, and up to now have precious little to show for it; and

**WHEREAS**, Ms. Zephier has excellent judicial temperament; now

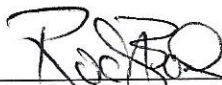
**THEREFORE BE IT RESOLVED** that the Rosebud Sioux Tribal Council hereby adopts this Resolution endorsing Tracey A. Zephier for nomination to the position of United States District Judge for the District of South Dakota, Western Division.

**C E R T I F I C A T I O N**

This is to certify that the above Resolution No. 2020-31 was duly passed by the Rosebud Sioux Tribal Council in session on February 24, 2021 by a vote of sixteen (16) in favor, zero (0) opposed and one (1) not voting. The said resolution was adopted pursuant to authority vested in the Council. A quorum was present.

**ATTEST:**

  
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Wayne Boyd, Secretary  
Rosebud Sioux Tribe

  
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Rodney M. Bordeaux, President  
Rosebud Sioux Tribe