



United States Department of the Interior

OFFICE OF THE SOLICITOR

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WASHINGTON, DC 20240

APR 27 2012

Henry Breiteneicher, Associate Executive Secretary
Office of the Executive Secretary
National Labor Relations Board
1099 14th Street, NW
Washington, DC 20570

Re: *Little River Band of Ottawa Indians Tribal Government, Respondent, and Local 406, International Brotherhood of Teamsters, Charging Union, Case 7-CA-51156*

Dear Mr. Breiteneicher:

On March 11, 2011, the U.S. Department of the Interior (Interior) filed a motion for leave to file an *amicus curiae* brief in support of the Little River Band's position in the above-captioned matter. The motion for leave to file an *amicus* brief was granted on July 11, 2011.

The parties then filed a joint motion to transfer the case to the National Labor Relations Board (Board) on a stipulated record, and a March 16, 2012 deadline was set for Interior's *amicus* brief. Counsel for Interior requested a 45-day extension of time, from March 16, 2012 to April 30, 2012, to potentially file an *amicus* brief.

After further consideration, Interior has decided not to file an *amicus* brief in this case. Nevertheless, as indicated in a December 7, 2011 letter to the NLRB's Acting General Counsel, we would welcome the opportunity to present, outside the context of individual cases in litigation, general issues concerning whether and how the NLRA should be applied to Indian tribes. We appreciate the Board's willingness to consider our views and look forward to future engagement with the Board on these issues.

Sincerely,

Michael J. Berrigan
Associate Solicitor, Division of Indian Affairs

Cc: Kaighn Smith, Jr.
Brad Howell
Ted Iorio
Dennis Boren

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DEPARTMENT OF THE INTERIOR

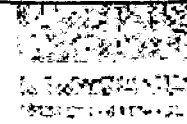
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