



COALITION OF LARGE TRIBES

Blackfeet Nation • Cheyenne River Sioux Tribe • Confederated Tribes of the Warm Springs Indian Reservation of Oregon  
Crow Nation • Duck Valley Indian Reservation Eastern Shoshone Tribe • Fort Belknap Indian Community  
Mandan, Hidatsa & Arikara Nation • Muscogee (Creek) Nation • Navajo Nation • Northern Arapaho Tribe  
Oglala Sioux Tribe • Rosebud Sioux Tribe • Shoshone-Bannock Tribes • Shoshone-Paiute Tribes of the Duck Valley  
Indian Reservation • Sisseton Wahpeton Sioux Tribe • Spokane Tribe • Ute Indian Tribe • Ute Mountain Ute Tribe  
Walker River Paiute Tribe

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June 21, 2024

The Honorable Brian Schatz  
Chair  
Senate Committee on Indian Affairs  
838 Hart Senate Building  
Washington, DC 20510

The Honorable Bruce Westerman  
Chair  
House Natural Resources Committee  
1324 Longworth HOB  
Washington, DC 20515

The Honorable Lisa Murkowski  
Vice Chair  
Senate Committee on Indian Affairs  
838 Hart Senate Building  
Washington, DC 20510

The Honorable Raul Grijalva  
Ranking Member  
House Natural Resources Committee  
1324 Longworth HOB  
Washington, DC 20515

**Re: Coalition of Large Tribes Opposition to H.R. 6180/S. 3263**

Dear Chair Schatz, Vice Chair Murkowski, Chair Westerman, and Ranking Member Grijalva:

The Coalition of Large Tribes (COLT) is an intertribal organization representing the interests of the more than 50 tribes with reservations of 100,000 acres or more, constituting more than 95% of Indian lands in the United States and encompassing approximately one half of the Native American population. We write now to voice our opposition to H.R. 6180/S.3263. As an organization representing multiple tribes, we are concerned that this legislation wrongfully seeks to benefit one tribe and will set a precedent that harms hundreds of others. For this reason, we oppose this proposed legislation.

To be sure, how to address the Supreme Court’s 2008 decision in *Carcieri v. Salazar* has generated a good deal of debate and controversy over the last sixteen years. While many may disagree on how to effectuate a proper *Carcieri* fix, we believe strongly that the solution is not singling out one tribe for favorable treatment to the detriment of others. The Court’s *Carcieri* decision affects a multitude of tribes, and yet this proposed legislation seeks only to help the tribe that already has the *most* resources. No doubt, should this proposed legislation become law, the multitude of other tribes excluded from this legislation—whose need for a *Carcieri* fix is much greater—will be left at a significant disadvantage. The passage of single-tribe legislation will inevitably diminish the political will to achieve additional *Carcieri* fixes, and it sets a precedent that will require every affected tribe to seek to address *Carcieri* through individual legislation. There is no justification for passing a one-off piece of legislation to help the wealthiest of tribes when Indian Country and Congress should be working together towards a solution that will help *all* tribes affected by the Court’s decision in *Carcieri*.



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Second, the passage of this legislation would also set a dangerous precedent for sacred sites by rewarding the tribe that has used gaming as a weapon to destroy and desecrate the burial grounds of other tribes and, in doing so, incentivize more such acts in the future. There are many tribes negatively impacted by *Carcieri* that have not engaged in violations of federal law and have not defiled sacred sites listed on the National Register of Historic Places. Thus, if any tribe is to be rewarded in such an exclusive manner, it should not be the tribe whose course of conduct violates some of the most fundamentally basic moral codes understood by sister tribes throughout Indian Country.

Finally, while we can all agree that a *Carcieri* fix is essential, the desecration of Hickory Ground in Wetumpka, Alabama, serves to demonstrate why any proposed *Carcieri* fix legislation must include protections for sacred sites located within the historical homelands of removed tribes. The heresy of Hickory Ground was shocking and demoralizing. It would be beyond shameful to create a law that invites the destruction of a Native sacred site protected on the National Register of Historic Places to happen again. Thus, any proposed legislation seeking to address *Carcieri* must provide removed tribes with the ability and authority to protect their sacred sites and the burials of their relatives within their homelands. We all agree that gaming is a critical form of economic development that supports tribal sovereignty and tribal self-governance. No one wants to stand in the way of a tribe's ability to engage in gaming. But there is no need for any tribe to engage in gaming on another tribe's burial ground. Thus, protections to prevent repeating what happened at Hickory Ground are critical to any proposed *Carcieri* fix legislation.

Thank you for considering the position and perspective of COLT. We hope you will move away from H.R. 6180 and S. 3263 and instead focus on legislation that will benefit all tribes in Indian Country, not one, and that you will include protection for sacred sites in any land legislation. This is the *unanimous* policy of COLT and we hope you afford our views of our broad consensus the weight they deserve.

Sincerely,

Hon. Marvin Weatherwax, Jr., Chairman  
Coalition of Large Tribes;  
Member, Blackfeet Tribal Business Council