RECEIVED
U.S. DISTRICT COURT
DISTRICT OF COLUMBIA
2003 FEB 10 PM 6: 57
NANCY M.
MAYER-WHITTINGTON
CLERK

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF COLUMBIA

ELOUISE PEPION COBELL, et al.,	)	
Plaintiffs,	)	
v.	)	Case No. 1:96CV01285
	)	(Judge Lamberth)
GALE A. NORTON, Secretary of the Interior, et al.,	)	
Defendants.	)	

DEFENDANTS' OPPOSITION TO
QUAPAW TRIBE'S MOTION TO FILE AMICUS BRIEF

The Secretary of the Interior, the Assistant Secretary - Indian Affairs, and the Secretary of the Treasury (collectively, " Defendants") file this opposition to the Motion of the Quapaw Tribe of Oklahoma (O-Gah-Pah) to File Brief Amicus Curiae ("the Quapaw's Amicus Request"). The Quapaw's proposed amicus brief does not meet the standard for being helpful to the Court because this is an IIM, not a tribal case, because the Quapaw's concerns are more appropriately directed to Congress and to the Department of the Interior, because it would focus on the Quapaw's narrow interests, and because the parties already address the tribe's concerns that are relevant to this lawsuit. Moreover, adding the Quapaw's proposed brief to the record would burden the Court and the parties, and potentially encourage other interested tribes to file similar amicus requests, thus further burdening the Court and the parties.

No statute or rule exists delineating the standard for assessing an amicus request at the District Court level.

> This court is not aware of any rule or statute that prescribes the procedure for obtaining leave to file an *amicus* brief in the district court nor is this court aware of any rule or statute which furnishes standards to guide the court in determining whether leave to file an *amicus* brief should be granted.

United States v. Gotti, 755 F. Supp. 1157, 1158 (E.D.N.Y. 1991). However, such guidance does exist in the Rules of the Supreme Court, and in the Federal Rules of Appellate Procedure. SUP. CT. R. 37 1 states:

> An *amicus curiae* brief that brings to the attention of the Court relevant matter not already brought to its attention by the parties may be of considerable help to the Court. An *amicus curiae* brief that does not serve this purpose burdens the Court, and its filing is not favored.

Federal Rule of Appellate Procedure 29 provides mostly procedural guidance to those wishing to file an amicus brief, but also states, "Any other amicus curiae [other than a government entity] may file a brief only by leave of court or if the brief states that all parties have consented to its filing." FED. R. APP. P. 29(a).

Case law also provides some guidance as to when a court should permit the filing of an amicus brief. "Other functions served by *amicus curiae* are to provide supplementary assistance to existing counsel and insuring a complete and plenary presentation of difficult issues so that the court may reach a proper decision." Gotti, 755 F. Supp. at 1158. In most cases, "'new issues raised by an *amicus* are not properly before the court in the absence of exceptional circumstances.'" Verizon Internet Servs., Inc. v. Recording Indus. Ass'n of Am., No. 02-MS-0323, 2003 WL 141147, at *15 (D.C. Cir. Jan. 21, 2003) (quoting Gen. Eng'g. Corp. v. Virgin Islands Water & Power Auth., 805 F.2d 88, 92 (3d Cir. 1986)).[1] Courts may be less likely to

---

[1] See also Verizon Internet Servs. v. Recording Indus. Ass'n. of Am., No. 02-MS-0323, 2003 WL 141147, at *15 (D.C. Cir. Jan. 21, 2003) (quoting Universal City Studios, Inc. v.

(continued...)

permit the filing of amicus briefs in cases that have developed an extensive record. See New York v. Microsoft Corp., No. 98-1233, 2002 WL 31628215, at *1 (D.D.C. Nov. 14, 2002) ("Given the extensive record created during over 32 trial days of testimony and argument, the presentation of additional information which the parties did not themselves present would serve little purpose.") Ultimately, the Court enjoys wide discretion in deciding whether to accept an amicus brief. Id. ("Since an *amicus curiae* does not represent the parties but participates only for the benefit of the Court, it is solely within the discretion of the court to determine the fact, extent, and manner of participation by the amicus.")

The Quapaw's proposed amicus brief would not meet these standards, and thus would not be helpful to the Court. This is an IIM case, not a tribal case. Tribal-specific concerns like those of the Quapaw do not belong in this IIM litigation.[2] The Court should therefore not permit the Quapaw to import their tribal-specific issues into this IIM lawsuit.

Much of what the Quapaw Tribe attempts to present through its proposed amicus brief is more appropriately addressed directly to the Department of the Interior or to Congress. The tribe's proposed amicus brief will contain "[s]uggestions for modifications to both the . . .

---

[1](...continued)
Corley, 273 F.3d 429, 445 (2nd Cir. 2001)) ("'Although an *amicus* brief can be helpful in elaborating issues properly presented by the parties, it is normally not a method for injecting new issues . . . , at least in cases where the parties are competently represented by counsel.'")

[2] In fact, the "Tribe is involved in similar litigation as a party seeking to enforce the . . . government's trust responsibility." The Quapaw's Amicus Request at 3. The Quapaw's case in the Northern District of Oklahoma is one of many similar lawsuits brought by individual tribes against Interior. At this time, the Department of Justice is litigating numerous cases brought by Indian tribes in various courts around the country. See e.g., Assiniboine & Sioux Tribes of Fort Peck Reservation v. Norton, No. 90-2-4-10540 (D.D.C. filed Jan. 7, 2002) (One of the Court's decisions in Assiniboine is reported at 211 F. Supp. 2d 157 (D.D.C. 2002) (case not referred to Calendar Committee for random assignment because of relation to Cobell v. Norton)).

government's and the plaintiffs' reform proposals . . . . " The Quapaw's Amicus Request at 4, 5. The proposed brief will also discuss "the nature of the . . . government's trust responsibility to 'direct service' Indian tribes . . . . " Id. at 5. Such suggestions for government trust reform and such analyses of the government's trust responsibilities are more properly before Interior and Congress rather than before the Court. Although Interior must consult with tribes on trust reform, see e.g., Department of the Interior Fiduciary Obligations Compliance Plan, Jan. 6, 2003, at 11, this duty should not extend to responding to the Quapaw's amicus brief in the context of this IIM litigation.

The Court should also deny the Quapaw's Amicus Request because the tribe's proposed amicus brief would impermissibly inject new issues into the case. Throughout its amicus request, the Quapaw consistently focuses on the unique perspective that its amicus brief would bring to the case. "The extent of this federal management . . . gives the Tribe and its members a perspective . . . that is different from that of many other Indian nations and their members." The Quapaw's Amicus Request at 2. "As a so-called 'direct service' tribe, the Quapaw Tribe stands in a unique position . . . . " Id. "In view of its somewhat unique perspective, the Tribe believes that it could be of assistance to the Court concerning the issues at hand." Id. at 3. "[T]he Tribe has a unique interest and has developed unique claims . . . . " Id. While these unique issues are undoubtedly important to the Quapaw Tribe, the Court should not consider these new issues or perspectives in this IIM litigation in the absence of exceptional circumstances. Verizon, 2003 WL 141147, at *15 (quoting Virgin Islands Water & Power Auth., 805 F.2d at 92). Because no such exceptional circumstances exist in this litigation (and the Quapaw Tribe points to none in its request), the Court should deny the Quapaw's Amicus Request because the Quapaw's proposed

amicus brief would inject new issues into this case. See id., (quoting Universal City Studios, Inc. v. Corley, 273 F.3d 429, 445 (2nd Cir. 2001)).

In the same vein, the Court should deny the Quapaw's Amicus Request because the issues the tribe seeks to brief are too narrow. Along with describing the tribe's unique perspective, the Quapaw's Amicus Request also states, "Neither the plaintiffs nor the . . . government are in a position to adequately represent the Quapaw Tribe's interest in ensuring that the . . . government's trust responsibility to it is described and articulated in a manner that protects the Tribe's longstanding interests . . . . " The Quapaw's Amicus Request at 4. "Unless the Quapaw Tribe is permitted to file a brief as *amicus curiae*, its interests . . . may not be presented adequately to this Court." Id. (emphasis added). In its conclusion, the tribe states that its proposed amicus brief will suggest modifications to the plaintiffs' and the government's "reform proposals that comport with the trust responsibility that the . . . government has to the Quapaw Tribe as a 'direct service' tribe." Id. at 5. These quotes indicate that the Quapaw tribe intends to focus its proposed amicus brief on its own insular interests rather than on the issues already before the Court and affecting the parties to the litigation. The Court should not permit the filing of an amicus brief addressing such narrow issues. See Microsoft, 2002 WL 31628215, at *1 ("Court failed to see a need for the presentation of additional material, some of which appears to be concerned with rather narrow and parochial matters."[3]) The Court should be especially wary of considering such narrow matters where, as in this case, the parties themselves have already developed such an

---

[3] The Microsoft court rejected the additional material, characterizing the information proffered by the putative amici as "akin to 'unsworn expert testimony.'" 2002 WL 31628215, at *1. Likewise, the Quapaw's proposed amicus brief would likely constitute untested and unsupported evidence about the tribe and its trust assets, how Interior has historically treated the tribe, and the alleged impacts of trust reform on that particular tribe.

extensive record. See id. ("Given the extensive record created during over 32 trial days of testimony and argument, the presentation of additional information which the parties did not themselves present would serve little purpose.")

Under Federal Rule of Appellate Procedure 29(a), an amicus curiae "may file a brief only by leave of court or if the brief states that all parties have consented to its filing." In this instance, not only have all parties not consented to the Quapaw's Amicus Request, but in fact all parties oppose the Quapaw's Amicus Request. Although the Court retains great discretion in deciding on the Quapaw's request, the Court should hesitate to grant the request in the absence of consent from either party. Gotti, 755 F. Supp. at 1158 (Amicus request denied where the brief was "not accompanied by the written consent of either party . . . .")

Under the Supreme Court standard, an amicus brief should contain relevant information not already brought to the Court's attention by the parties. SUP. CT. R. 37 1. Given the voluminous information already presented to the Court by the parties in this litigation, it is difficult to imagine how the Quapaw Tribe could present any relevant matter not already in the record. To the extent that the Quapaw Tribe would present new material to the Court, it would not likely be relevant to this particular litigation. The presentation of such new material to the Court, whether new and immaterial or old and cumulative of other matter already in the record, would burden the Court and its filing should therefore not be favored. Id.

The filing of the Quapaw's amicus brief would not only burden the Court, but would also burden the parties. The parties to this suit have plenty of pleadings from their opponents to respond to, and should not have to divert their focus from the case in chief to respond to an amicus brief.

Another potential danger to the Court and to the parties of granting the Quapaw's Amicus Request is that other interested tribes may follow the Quapaw's lead and also seek to file amicus briefs.[4] There are approximately 180 reservations that contain allotments to different Indian tribes. See Defendants' Joint Response to Plaintiffs' Fourth Set of Interrogatories, Response to Interrogatory No. 1 (dated Jan. 23, 2003; Attachment 1). If the Court grants the Quapaw's Amicus Request, it is likely that other groups of Indians will follow suit. There would then be other amicus requests that the parties would have to respond to, and which the Court would have to address. Such a scenario would truly burden the Court as well as the parties.

As complex as this litigation is, neither the Court nor the parties would benefit from the Quapaw's proposed amicus brief. The Court should not consider the Quapaw's tribal concerns in this IIM litigation. The Quapaw's concerns are more properly addressed to Congress and the Department of the Interior. The Court and the parties should focus solely on the trust reform plans presented by the parties, rather than being distracted by the Quapaw's analyses and proposals.

CONCLUSION

The Quapaw's proposed amicus brief does not meet the standard for being helpful to the Court. The tribe's proposed brief does not belong in this IIM case. The tribe's concerns are more properly addressed to Congress and the Department of the Interior. Moreover, the tribe's proposed brief will focus on the Quapaw's narrow interests without addressing any relevant matters that the parties have not already brought to the Court's attention. Filing the Quapaw's

---

[4] As of this time, the National Congress of American Indians has already filed a request with the Court to file an amicus brief.

proposed amicus brief would burden the court and the parties, and potentially set a burdensome precedent if other tribes also seek to file amicus briefs. Put more simply, the tribe's proposed amicus brief is neither necessary nor helpful to the Court or to the parties.

> [I]t "may be thought particularly questionable" for the court to accept an *amicus* when it appears that the parties are well represented and that their counsel do not need supplemental assistance and where the joint consent of the parties to the submission by the *amicus* is lacking.

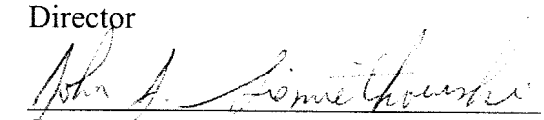
Gotti, 755 F. Supp. at 1159, (quoting Strasser v. Doorley, 432 F.2d 567, 569 (1st Cir. 1970)).

Therefore, the Court should deny the Quapaw's Amicus Request.

Dated: February 10, 2003

Respectfully submitted,

ROBERT D. McCALLUM, JR.
Assistant Attorney General
STUART E. SCHIFFER
Deputy Assistant Attorney General
J. CHRISTOPHER KOHN
Director



SANDRA P. SPOONER
D.C. Bar No. 261495
Deputy Director
JOHN T. STEMPLEWICZ
Senior Trial Attorney
JOHN J. SIEMIETKOWSKI
Trial Attorney
Commercial Litigation Branch
Civil Division
P.O. Box 875
Ben Franklin Station
Washington, D.C. 20044-0875
(202) 514-3368
(202) 514-9163 (fax)

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF COLUMBIA

ELOUISE PEPION COBELL, et al.,	)	
	)	
Plaintiffs,	)	
	)	
v.	)	Case No. 1:96CV01285
	)	(Judge Lamberth)
GALE A. NORTON, Secretary of the Interior, et al.,	)	
	)	
	)	
Defendants.	)	
	)	

ORDER

Having considered the Quapaw Tribe's Motion to File Brief as Amicus Curiae, and having considered the parties' responses to said Motion, it is hereby **Ordered that**:

The Quapaw Tribe's Motion is **DENIED.** The Quapaw Tribe may not file a brief amicus curiae.

Dated: _____

_____

Hon. Royce C. Lamberth
U.S. District Judge

cc:

Sandra P. Spooner, Esquire
John T. Stemplewicz, Esquire
Commercial Litigation Branch
Civil Division
P.O. Box 875
Ben Franklin Station
Washington, D.C. 20044-0875
Fax (202) 514-9163

Dennis M Gingold, Esquire
Mark Kester Brown, Esquire
1275 Pennsylvania Avenue, N.W.
Ninth Floor
Washington, D.C. 20004
Fax (202) 318-2372

Keith Harper, Esquire
Native American Rights Fund
1712 N Street, N.W.
Washington, D.C. 20036-2976
Fax (202) 822-0068

Elliott Levitas, Esquire
1100 Peachtree Street, Suite 2800
Atlanta, GA 30309-4530

Alan L. Balaran
Special Master
1717 Pennsylvania Avenue, N.W.
12th Floor
Washington, D.C. 20006

Joseph S. Kieffer, III
Special Master-Monitor
420 - 7th Street, N.W.
Apartment 705
Washington, D.C. 20004

Amy S. Koch, Esquire
Cameron McKenna LLP
2175 K St., N.W., Fifth Floor
Washington, D.C. 20037
Telefax: 202-466-0077

Jason B. Aamodt, Esquire
The Wrightsman Mansion
1645 S. Cheyenne Ave.
Tulsa, OK 74119
Telefax: 918-583-6104

Stephen R. Ward, Esquire
Conner & Winters, P.C.
3700 First Place Tower
15 E. Fifth St.
Tulsa, OK 74103-4344
Telefax: 918-586-8547

CERTIFICATE OF SERVICE

I declare under penalty of perjury that, on February 10, 2003 I served the foregoing Defendants' Opposition to Quapaw Tribe's Motion to File Amicus Brief by facsimile in accordance with their written request of October 31, 2001:

Keith Harper, Esq.
Native American Rights Fund
1712 N Street, N.W.
Washington, D.C. 20036-2976
(202) 822-0068

Dennis M Gingold, Esq.
Mark Kester Brown, Esq.
1275 Pennsylvania Avenue, N.W.
Ninth Floor
Washington, D.C. 20004
(202) 318-2372

By U.S. Mail upon:

Elliott Levitas, Esq.
1100 Peachtree Street, Suite 2800
Atlanta, GA 30309-4530

By facsimile and U.S. Mail upon:

Alan L. Balaran, Esq.
Special Master
1717 Pennsylvania Avenue, N.W.
12th Floor
Washington, D.C. 20006
(202) 986-8477

By Hand upon:

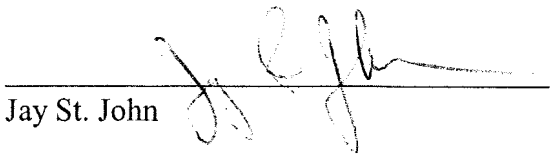
Joseph S. Kieffer, III
Special Master Monitor
420 7th Street, N.W.
Apartment 705
Washington, D.C. 20004

By facsimile upon:

Amy S. Koch, Esquire
Cameron McKenna LLP
2175 K St., N.W., Fifth Floor
Washington, D.C. 20037
202-466-0077

Jason B. Aamodt, Esquire
The Wrightsman Mansion
1645 S. Cheyenne Ave.
Tulsa, OK 74119
918-583-6104

Stephen R. Ward, Esquire
Conner & Winters, P.C.
3700 First Place Tower
15 E. Fifth St.
Tulsa, OK 74103-4344
918-586-8547



Jay St. John

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF COLUMBIA

ELOUISE PEPION COBELL et al.,	)	
Plaintiffs,	)	
v.	)	No. 1:96CV01285
GALE A. NORTON, Secretary of the Interior, et al.,	)	(Special Master Balaran) (Special Master-Monitor Kieffer)
Defendants.	)	

DEFENDANTS' JOINT RESPONSE TO PLAINTIFFS' FOURTH SET OF INTERROGATORIES

Pursuant to Rules 26 and 33 of the Federal Rules of Civil Procedure, Defendants provide this joint response ("Response") to Plaintiffs' Fourth Set of Interrogatories ("Interrogatories"). This Response reflects the Defendants' good faith diligent efforts to consider and investigate the subject matters covered by the Interrogatories and to respond to each of the Interrogatories within the allotted time. The statements made herein are based upon the information known as of the date of this response and are subject to correction, modification and supplementation if and when additional relevant information becomes known to a Defendant. This Response is, therefore, subject to change, and Defendants reserve the right to correct, modify or supplement any or all of the responses herein as Defendants determine to be necessary or appropriate.

The Interrogatories as propounded seek information responsive to one or more of 49 individual interrogatories. All of these Interrogatories are subject to one or more objections, which are asserted below. General Objections are objections that apply to every interrogatory in these Interrogatories and are to be read as forming part of the response to each of the 49

Attachment 1
Defs' Opp to Quapaw Tribe's
Motion to File Amicus Brief

RESPONSES TO PLAINTIFFS' FOURTH SET OF INTERROGATORIES

Without waiving the foregoing objections and subject to them, Defendants respond to each individual Interrogatory as follows:

INTERROGATORY NO. 1: Identify by name and geographic location the reservations of which any portion was ever allotted to individual Indians.

DEFENDANTS' RESPONSE: Defendants object to this interrogatory as vague and ambiguous as to the term "reservations." Plaintiffs did not define the term. Not all lands which are considered "reservations" for purposes of Federal law are lands which have been formally proclaimed as reservations under statute. For example, the so-called "informal reservations" of Oklahoma, although not formally designated as reservations, have been held to be such (for the purpose of preventing taxation by the state) by the Supreme Court in Oklahoma Tax Commission v. Citizen Bank of Potawatomi Indian Tribe, 498 U.S. 505 (1991). Similarly, certain Indian lands in California are called "Rancherias," and have not been formally designated as "reservations," but rancherias are "for all practical purposes" considered to be reservations. Solicitor's Opinion, M-28958 (April 26, 1939); 1 Op. Sol. On Indian Affairs 891 (U.S.D.I. 1979).

Defendants further object that the interrogatory is over broad, oppressive and unduly burdensome to the extent it seeks information about historical reservations which had portions allotted to individual Indians at some time in the past, but for which no allotted portions have survived to the present time. The names of reservations subject to allotment in the past, but which subsequently have had all allotted lands removed from trust status, are not readily retrievable. Accordingly, substantial research would have to be performed to add the names and

geographic locations of reservations which currently include no lands held in trust for individual Indians. For example, land within the Klamath Reservation was allotted to members of the Klamath Tribe beginning in 1895. Pursuant to the Klamath Termination Act of 1954, 25 U.S.C. 564 et seq., all trust land held for the tribe and tribal members lost trust status. Although Congress restored federal recognition to the Klamath Tribe in 1986, the restoration did not revive the original reservation or any trust land, including allotments. Rather, the Secretary was directed to accept into trust status, for the Tribe only, any parcel of land conveyed to her. By this authority, the Tribe has accumulated various parcels of trust land which by statutory direction constitute the "new" Klamath Reservation, but the new Reservation includes no allotments held for the benefit of individuals.

Subject to and without waiving the foregoing specific and general objections, the Interior Defendants provide the following information. The following list represents the reservations named by the Regional Offices of the Bureau of Indian Affairs, based on information in their possession. This list does include the "informal reservations" of Oklahoma and the "rancherias" of California mentioned above.

Navajo Nation, Arizona
Fort McDowell, Arizona
Pascua Yaqui, Arizona
Salt River Pima-Maricopa, Arizona
Havasupai, Arizona
Hualapai-Big Sandy, Arizona
Hualapai, Arizona
Yavapai-Apache, Arizona
Yavapai-Prescott, Arizona
Tonto-Apache, Arizona
Camp Verde, Arizona
Hopi, Arizona
Kaibab Paiute, Arizona

Ak-Chin (Maricopa Ak-Chin), Arizona
Gila River, Arizona
Cocopah, Arizona
Colorado River Tribes, Arizona (also located within California)
Fort Mojave, Arizona (also located within California and Nevada)
San Carlos, Arizona
Tohono O'odham, Arizona
San Xavier, Arizona
White Mountain, Arizona
Agua Caliente Reservation, California
Augustine Reservation, California
Cabazon Reservation, California
Chemehuevi, California
Fort Independence Reservation, California
Hoopa Valley Reservation, California
La Jolla Reservation, California
Morongo Reservation, California
Pala Reservation, California
Pechanga Reservation, California
Rincon Reservation, California
Round Valley Reservation, California
Sycuan Reservation, California
Torres-Martinez Reservation, California
Yurok (formerly, Hoopa Extension) Reservation, California
Big Sandy Rancheria, California
Big Valley Rancheria, California
Blue Lake Rancheria, California
Elk Valley Rancheria, California
Greenville Rancheria, California
Guidiville Rancheria, California
Hopland Rancheria, California
Mooretown Rancheria, California
North Fork, Rancheria, California
Picayune Rancheria, California
Pinoleville Rancheria, California
Redding Rancheria, California
Redwood Valley Rancheria, California
Robinson Rancheria, California
Rohnerville Rancheria, California
Scotts Valley Rancheria, California
Sheep Ranch Rancheria, California
Smith River Rancheria, California
Table Mountain Rancheria, California

Upper Lake Rancheria, California
Southern Ute, Colorado
Coeur d'Alene Reservation, Idaho
Fort Hall Reservation of Idaho, Idaho
Kootenai Tribe of Idaho, Idaho
Nez Perce Reservation, Idaho
Northwestern Band of Shoshoni Indians of Utah, Idaho
Iowa, Kansas (also located within Nebraska)
Kickapoo, Kansas
Prairie Band Potawatomi, Kansas
Sac & Fox of Missouri, Kansas (also located within Nebraska)
Keweenaw Bay Reservation, Michigan
L'Anse Reservation, Michigan
Saginaw Chippewa Reservation, Michigan
Ontonagon Reservation, Michigan
Isabella Reservation, Michigan
Fond du Lac Reservation, Minnesota
Grand Portage Reservation, Minnesota
Bois Forte (Nett Lake), Minnesota
Leech Lake Reservation, Minnesota
Red Lake Reservation, Minnesota
Mille Lacs Band, Minnesota
White Earth Reservation, Minnesota
Upper Sioux Reservation, Minnesota
Fort Peck Reservation, Montana
Northern Cheyenne Reservation, Montana
Crow Reservation, Montana
Fort Belknap Reservation, Montana
Blackfeet Reservation, Montana
Flathead Reservation, Montana
Omaha Reservation, Nebraska
Santee Sioux Reservation, Nebraska
Winnebago Reservation, Nebraska
Acoma Pueblo, New Mexico
Jicarilla Apache, New Mexico
Laguna Pueblo, New Mexico
Zuni Pueblo, New Mexico
Duckwater Shoshone, Nevada
Duck Valley Shoshone, Nevada (also located within Idaho)
Ely Colony, Nevada
Goshute, Nevada (also located within Utah)
Shoshone Paiute, Nevada
Battle Mountain Band of Te-Moak Tribe, Nevada

Elko Band of Te-Moak, Nevada
South Fork Band of Te-Moak, Nevada
Fallon Reservation, Nevada
Fallon Colony (Rattlesnake Hill), Nevada
Fort McDermitt, Nevada
Walker River, Nevada
Washoe, Nevada
Winnemucca Indian Colony, Nevada
Yerington Paiute, Nevada
Reno Sparks, Nevada
Ruby Valley, Nevada
Yomba, Nevada
Las Vegas Colony, Nevada
Odgers Ranch, Nevada
Lovelock, Nevada
Moapa, Nevada
Spirit Lake Sioux Reservation, North Dakota
Three Affiliated Tribes, North Dakota
Absentee-Shawnee Tribe of Oklahoma, Oklahoma
Cheyenne-Arapaho, Oklahoma
Citizen Band Potawatomi Nation, Oklahoma
Fort Sill Apache Tribe, Oklahoma
Iowa Tribe of Oklahoma, Oklahoma
Kaw Tribe of Oklahoma, Oklahoma
Kickapoo Tribe of Oklahoma, Oklahoma
Kiowa, Comanche & Apache, Oklahoma
Otoe-Missouri Tribe of Oklahoma, Oklahoma
Pawnee Tribe of Oklahoma, Oklahoma
Ponca Tribe of Oklahoma, Oklahoma
Sac & Fox Nation of Oklahoma, Oklahoma
Tonkawa Tribe of Oklahoma, Oklahoma
Wichita, Caddo & Delaware, Oklahoma
Confederated Tribes of Grand Ronde, Oregon
Confederated Tribes of Warm Springs Reservation, Oregon
Siletz Reservation, Oregon
Umatilla Reservation, Oregon
Cheyenne River Sioux Reservation, South Dakota
Crow Creek Reservation, South Dakota
Lower Brule Sioux Reservation, South Dakota
Rosebud Sioux Reservation, South Dakota
Oglala Sioux Reservation, South Dakota
Sisseton-Wahpeton Oyate Reservation, South Dakota
Turtle Mountain Chippewa Reservation, South Dakota

Yankton Sioux Reservation, South Dakota
Skull Valley, Utah
Uintah & Ouray, Utah
Chehalis Reservation, Washington
Hoh Indian Reservation, Washington
Jamestown Band of Klallam Indians of Washington, Washington
Lower Elwah Reservation, Washington
Quileute Reservation, Washington
Shoalwater Bay Indian Reservation, Washington
Skokomish Reservation, Washington
Squaxin Island Reservation, Washington
Lummi Reservation, Washington
Muckleshoot Reservation, Washington
Nisqually Reservation, Washington
Nooksack Indian Tribe of Washington, Washington
Port Gamble Reservation, Washington
Puyallyp Reservation, Washington
Sauk-Suiattle Indian Tribe of Washington, Washington
Stillaguamish Tribe of Washington, Washington
Port Madison Reservation Suquamish Tribe, Washington
Swinomish Tribe, Washington
Tulalip, Washington
Upper Skagit Indian Tribe of Washington, Washington
Spokane Reservation, Washington
Kalispel Reservation, Washington
Quinault Reservation, Washington
Yakima Reservation, Washington
Bad River Reservation, Wisconsin
Forest County Potawatomi Reservation, Wisconsin
Ho-Chunk (Winnebago) Reservation, Wisconsin
Lac Courte Oreilles Reservation, Wisconsin
Lac du Flambeau Reservation, Wisconsin
Oneida Reservation, Wisconsin
Red Cliff Reservation, Wisconsin
St. Croix Reservation, Wisconsin
Sokaogon (Mole Lake) Reservation, Wisconsin
Stockbridge-Munsee Reservation, Wisconsin
Wind River Reservation, Wyoming

INTERROGATORY NO. 2: For each reservation that YOU are called to identify in Interrogatory No. 1, identify by listing separately, with appropriate summary information, each and every ORIGINAL ALLOTMENT and the size of each such ORIGINAL ALLOTMENT (*i.e.*, the number of acres).