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Clerk of Court
United States Court of Appeals
for the Seventh Circuit
Everett McKinley Dirksen United States Courthouse
219 S. Dearborn Street
Room 2722
Chicago, Illinois 60604

July 9, 2020

Re: Supplemental authority, *Oneida Nation v. Village of Hobart*,
No. 19-1981 (7th Circuit)

Clerk of Court:

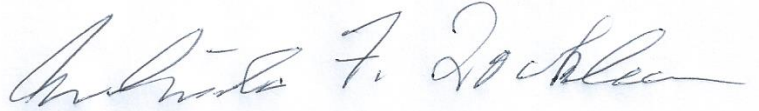
On April 13, 2020, the parties argued this appeal by telephone. The Court has not yet announced its decision. Today, the Supreme Court announced *McGirt v. Oklahoma*, No. 18-9526. Appellant Oneida Nation (“Nation”) brings this supplemental authority to the Court’s attention for the reasons set out here.

The Nation argued before this Court that the district court judgment, holding that the Oneida Reservation had been diminished as a result of the allotment and the conveyance of fee title to parcels therein to non-Indians under the General Allotment Act, conflicted with Supreme Court decisions that construed that Act. Brief and Appendix of Plaintiff Oneida Nation, Doc. 18, at 19-30. The Nation argued that the district court erred in relying on extra-textual sources to reach a contrary construction of the Act. *Id.* at 40-45. In addition, the Nation argued that the district court’s interpretation of these events conflicted with Congress’s statutory definition of Indian country. *Id.* at 45-50.

The General Allotment Act was not at issue in *McGirt v. Oklahoma*, but the Court addressed the allotment policy reflected therein by way of background. At pages 8-12 of the slip opinion, the Supreme Court rejected the construction of the General Allotment Act as altering reservation boundaries by the issuance of allotments and conveyance of former allotments to non-Indians in fee. The Court cautioned against reliance on extra-textual sources when evaluating reservation boundaries. Slip Op. at 20-21. The Supreme Court also pointed out that Congress expressly contemplated Indian country status for fee owned lands within reservations in the statutory definition of Indian country. Slip Op. at 10.

In general and in these particular respects, the Supreme Court's decision supports reversal of the district court judgment here.

Sincerely,

A handwritten signature in cursive script, appearing to read "Arlinda F. Locklear".

Arlinda F. Locklear
Oneida Nation counsel of record

By signing, the above certifies that the letter contains fewer than 350 words.

cc: counsel of record