

USET SPF ALERT: Carcieri Fix Bill Passes the House May 15, 2019
Dear USET SPF Membership,

We are pleased to share that after strong advocacy from Indian Country, including USET SPF, [H.R. 375](#) [bill text linked], Representative Tom Cole (R-OK) and Betty McCollum's (D-MN) bill to restore equity to the federal fee-to-trust process has passed the U.S. House of Representatives by a vote of 323-96. H.R. 375 contains the two features necessary to restore parity to the land-into-trust process: (1) a reaffirmation of the status of current trust lands; and (2) confirmation that the Secretary has authority to take land into trust for **all** federally recognized Tribal Nations.

As you know, USET SPF has been advocating for a fix to the Supreme Court decision in *Carcieri v. Salazar*, since it was handed down in 2009. *Carcieri* has created a deeply inequitable 2-class system, in which some Tribal Nations have the ability to restore their homelands and others do not. This 2-class system serves to deny these Tribal Nations a critical component of the trust relationship, vital aspects of the exercise of inherent sovereignty, and the opportunity to qualify for several government programs.

USET SPF extends its gratitude to Rep. Cole, Rep. McCollum, House Natural Resources Committee Chairman, Raul Grijalva (D-AZ), and the co-sponsors of H.R. 375, as well as supporters and advocates throughout Indian Country, for their tireless work toward the passage of the bill. The bill will now be sent to the U.S. Senate for consideration, where we will seek the same level of support. It is important to note that there continue to be small, but influential pockets of opposition to a *Carcieri* fix in the Senate. While the fix previously passed the House in 2010, it has never passed the Senate, due to this opposition and the nature of Senate procedure, which allows for any Senator to hold up consideration of a bill. With this in mind, advocacy and a unified voice from our member Tribal Nations and all of Indian Country is more important than ever.

We must achieve a clean fix once and for all. USET SPF calls upon the Senate to immediately take up and pass H.R. 375, and will continue to work to educate those in opposition to the bill.

We will provide updates as they become available.

Thank you,

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"The United States expects all nations to live up to their treaty obligations; it should live up to its own."
– U.S. Commission on Civil Rights briefing report, *Broken Promises: Continuing Federal Funding Shortfall for Native Americans*