



United States Department of the Interior

OFFICE OF THE SOLICITOR

1849 C STREET N.W., MS-6554

WASHINGTON, DC 20240

JAN 13 2017

Andrew Gottlieb
Chairman
Town of Mashpee Board of Selectmen
16 Great Neck Road North
Mashpee, Massachusetts 02649

Dear Chairman Gottlieb:

Thank you for your correspondence dated August 18, 2016 regarding the Mashpee Wampanoag Tribe's ("Tribe") trust land located in the Town of Mashpee. The Department issued a decision to acquire these lands into trust on September 18, 2015, and that decision was litigated in the United States District Court for the District of Massachusetts, *Littlefield v. United States Dep't of Interior* (No. 16-10184-WGY). The United States has since filed a notice of appeal in the United States Court of Appeals for the First Circuit, *Littlefield v. United States Dep't of Interior* (No. 16-2481).

As you are aware, the July 28, 2016, Memorandum and Order issued by the District Court in the *Littlefield* litigation remanded the matter to the Department for further consideration, and on October 12, 2016, the Court clarified the scope of issues the Department may consider on remand. The Court has not vacated the September 18, 2015, Departmental decision to acquire the lands in trust. Nor has it ordered the Department to remove the lands from trust status. Therefore, the lands currently remain in trust.

From what I understand, the Tribe and the Town of Mashpee have resolved any concerns regarding the potential effect of this litigation on the Memorandum of Agreement between the Tribe and the Town of Mashpee and this resolution post-dates your August 18, 2016 letter. The Department strongly encourages the efforts of tribes and local governments to work together and applauds your ability to successfully do so in this instance.

If you have questions, please contact me at (202) 208-3233.

Sincerely,

Eric N. Shepard

Associate Solicitor- Indian Affairs