Message

From: Byrne, Andrew [/O=EXCHANGELABS/OU=EXCHANGE ADMINISTRATIVE GROUP (FYDIBOHF23SPDLT)/CN=RECIPIENTS/CN=7780BA77939E4CB3A5F8AED1EDA8C70A-BYRNE, ANDREW]
Sent: 7/13/2020 3:58:43 PM
To: Wilson, Erika [Wilson.Erika@epa.gov]
Subject: RE: Supreme Court - OK reservation case

I know that the Region and OGC are pretty extensively researching this issue and we will have a presentation on the Thursday TPM call about this. Let's tee this up for discussion there, I'll give Region 6 a heads up that this question is coming up.

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From: Wilson, Erika <Wilson.Erika@epa.gov>
Sent: Monday, July 13, 2020 11:56 AM
To: Byrne, Andrew <Byrne.Andrew@epa.gov>
Subject: RE: Supreme Court - OK reservation case

Hi Andy,

I'm starting to get questions from some of my program offices about how this ruling impacts our programs, especially given the geographic focus of many of our programs. Is EPA looking into this issue in a collective way? Or is Region 6 preparing any materials for how this may affect implementation of environmental programs in Oklahoma?

From: Byrne, Andrew <Byrne.Andrew@epa.gov>
Sent: Thursday, July 09, 2020 11:11 AM
Subject: RE: Supreme Court - OK reservation case

Attached is a high level summary that came out just after the opinion was announced. In the next few days I assume legal analysts on SCOTUSblog will have a more detailed analysis which may be of interest. It would be posted on the following site: https://www.scotusblog.com/case-files/cases/mcgirt-v-oklahoma/

Andy

From: Byrne, Andrew
Sent: Thursday, July 9, 2020 11:00 AM
Subject: Supreme Court - OK reservation case

(Bcc to TPMs)

Today is the final day of the current Supreme Court term and the Court issued its decision in *McGirt v. Oklahoma*, finding that the Muscogee Creek Reservation was never diminished. Justice Gorsuch authored the 5-4 opinion, his reasoning is

based in his finding that Congress never explicitly terminated the Reservation. You can find a link to the decision below, we will see if we can have a discussion on the implications of the case on an upcoming TPM call.

https://www.supremecourt.gov/opinions/19pdf/18-9526_9okb.pdf

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