

## **BIA's Flawed Recognition To Blame For Suits Vs. Pequots**

The lawsuits now piling up against the Historic Eastern Pequot Tribe have added a new dimension to the questions surrounding last year's recognition granted to the merged North Stonington tribe. And the questions regarding which court should hear any of the suits - including one filed by casino mogul Donald Trump - will pose new questions with legal ramifications for tribal sovereignty in general.

But one thing remains clear. When the federal Bureau of Indian Affairs last year granted formal recognition to two separate tribes - the Eastern Pequots and the Paucatuck Eastern Pequots - but recognized them as a single entity, it did an immense disservice to the tribes, not to mention to the towns and to state officials who have mounted legal challenges of their own.

The ink was hardly dry on the merged recognition approval when complications surrounding the two tribes' development agreements began to surface. The Eastern Pequots had signed a development agreement with David Rosow's Eastern Capital Development firm. But the Paucatuck Eastern Pequots - who filed for recognition separately, and had maintained independence from their North Stonington neighbors until after the BIA came down with its misguided ruling - signed agreements with Trump, Amalgamated Industries and with a group called First Casino.

Since the BIA recognized the tribes as one group, not two, the 14-member merged governing board includes just five representatives from the Paucatuck Eastern Pequot side. So the Historic Eastern Pequots have opted to maintain their agreement with Rosow. But Trump and Amalgamated - who both say they contributed millions toward getting the Paucatucks recognized - claim they, too, have development contracts with a tribe that has, in fact, gained recognition. And they may be right - even though that recognition took on a different form.

Aside from providing millions of dollars for the legal community, all of this should convince federal officials once and for all that the BIA - and its botched recognition process -- remains desperately in need of reform.

Since issuing last year's "compromise" decision - one which compromised the recognition process even more - the BIA has lost virtually all credibility in its ability to issue decisions. Now, even BIA officials should see the real damage its half-baked ruling has caused. In this case, the BIA has hurt the very people it's designed to serve.