
IN THE UNITED STATES COURT OF APPEALS
FOR THE FIRST CIRCUIT

No. 03-2647

DONALD L. CARCIERI, in his capacity as Governor
of the State of Rhode Island; STATE OF RHODE ISLAND
and PROVIDENCE PLANTATIONS;
TOWN OF CHARLESTOWN, RHODE ISLAND

Plaintiffs-Appellants

v.

DIRK KEMPTHORNE, in his capacity as Secretary of the
United States Department of the Interior
FRANKLIN KEEL, in his capacity as Regional Director of the
Bureau of Indian Affairs, U.S. Department of the Interior

Defendants-Appellees

ON APPEAL FROM THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF RHODE ISLAND

**SUPPLEMENTAL BRIEF FOR THE FEDERAL APPELLEES
ON REHEARING *EN BANC***

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