

Stand Up For California!

“Citizens making a difference”

www.standupca.org

P.O. Box 355
Penryn, CA 95663

April 1, 2009

Honorable Arnold Schwarzenegger
Governor of California
Attn: Andrea Hoch, Legal Affairs
Office of the Governor
State Capitol
Sacramento, CA. 95814

RE: Upcoming Senate Indian Affairs Hearing – *Carcieri v. Salazar* Fix

Dear Governor Schwarzenegger:

As you know, California has been dynamically affected by the fee-to-trust process for the acquisition of land by established and landless tribal governments. The recent United States Supreme Court ruling of *Carcieri v. Salazar* has many implications affecting not only the fee-to-trust process but the governance of tribes potentially undermining the ability to contract, secure loans or provide insurance coverage. This raises serious concerns over requirements made on tribes in the negotiation of tribal state compacts for gaming in California.

Stand Up For California respectfully request the Governor’s Office to submit comment to both the House Resources Committee and the Senate Committee of Indian Affairs describing our states unique circumstances and needs to assist in the development of a legislative fix. Included with this letter is Stand Up For California’s congressional position paper on *Carcieri v. Salazar* and proposed draft language for a *Carcieri* Fix. We hope you find this useful information.

The April 1st hearing in the House Resources Committee raised many concerns and many more unanswered questions. Nevertheless, the Congressman on the committee concluded that a fix was necessary and assured tribal members in the audience, the tribal panelists and their clients that a fix is imminent. While tribal representatives made it clear their intent was to preserve the status-quo, no one was available to present the need to restore the balance of authorities between tribes, states and the federal level of government. California will be significantly affected by the development of any fix. Thus we hope you will submit comment to assist in the drafting of a proposed fix.

Sincerely,

Cheryl Schmit – Director
916-663-3207
cherylschmit@att.net