



**PALA BAND OF
MISSION INDIANS**

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June 7, 2013

Attorney General Kamala Harris
California Attorney General's Office
P.O. Box 944255
Sacramento, CA 94244-2550

Re: Request for Withdrawal of Comment Letters for Fee-to-Trust Acquisitions

Dear Attorney General Harris:

On behalf of the California Fee-to-Trust Consortium, a partnership between member tribes and the Bureau of Indian Affairs Pacific Regional Office created to expedite processing of fee-to-trust applications; we are pleased that your Office hosted a meeting with our members on May 29, 2013 in Sacramento, California. We appreciate the attendance of Chief Assistant Attorney General Mark Breckler, Section Chief of the Indian and Gaming Law Section, Sara Drake and Office of Native American Affairs Director Olin Jones.

As a follow-up to that meeting, I am writing to request that your Office withdraw and cease to issue regressive comment letters issued by your Office in response to tribal fee-to-trust acquisitions. As your Executive Staff heard at our meeting, most, if not all, tribes in California do not have sufficient land to meet current housing, community, and economic development needs, and some tribes are landless. Fee-to-trust acquisitions are intended to further tribal sovereignty and allow tribes to provide governmental services for our people. As Obama Administration officials have stated, restoration of tribal homelands is one of the top priorities in Indian affairs.

As noted at the meeting, recent comments submitted by your Office in response to fee-to-trust applications have attacked the very foundation of the federal statutes authorizing land in trust acquisitions, fostering discord and misunderstanding between tribal Nations and the State of California. They also cause Indian Nations to incur unnecessary expense and time in responding to these attacks. These comments show a misunderstanding of the current law and policy in regard to Indian Nations and offend tribal sovereignty.

Therefore, on behalf of the California Fee-to-Trust Consortium, I request that your Office: 1) issue a moratorium on further comments objecting to fee-to-trust acquisitions, 2) review current policies regarding fee-to-trust acquisitions, and 3) withdraw previously submitted pejorative and regressive comment letters. I appreciate your attention to this issue and hope that the Attorney General's office and tribal nations in California can continue to interact productively.

Sincerely,

Chairman Robert Smith
California Fee-to-Trust Consortium

cc: Jacob Appelsmith, Office of the Governor