

Congress of the United States
House of Representatives

DALE E. KILDEE
5TH DISTRICT, MICHIGAN

January 26, 2011

The Honorable Ken Salazar
Secretary of the Interior
1849 C St. NW
Washington, DC 20240

Dear Secretary Salazar,

I am writing to bring to your attention the delayed Indian Lands Determination (ILD) application by the Scotts Valley Band of Pomo Indians and to ask that you direct the Department of the Interior to promptly give this tribe a fair and impartial evaluation.

As you are aware, Congress passed the Indian Gaming Regulatory Act (IGRA) to promote economic development on reservations, strengthen tribal governments and increase self-sufficiency among tribal communities. Two decades after its enactment, IGRA continues to prove essential in Indian Country. Tribes long neglected by the federal government and harmed by a series of flawed policies are now able to prosper and address the remnants of a lifetime of broken promises, thanks in part to IGRA's clear rules and open, equitable process.

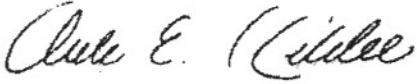
Despite this success, some people still seek to undermine the law's basic premises and key provisions for political and personal reasons. Too often, opponents of tribal gaming attempt to inject politics into what should be a merit-based process. IGRA establishes a clear distinction between the two-part determination process, with its overly political component, and the non-political process for restores tribes. The former process requires consultation with state and local officials, a determination that the proposed project would "not be detrimental to the surrounding community," and the Governor's agreement with the Secretary's ruling. In contrast, the determination process for restored tribes is intended to be a non-political process, where the Bureau of Indian Affairs is exclusively responsible for making an unbiased determination on a restored tribe's land-into-trust application.

To that end, I am disappointed that the Scotts Valley Band of Pomo Indians, a restored tribe native to the Bay Area of Northern California, has encountered numerous obstacles in its Indian Lands Determination application process. As you may be aware, the Scotts Valley Band of Pomo Indians was illegally terminated in 1965 by the California Rancheria Termination Act. The tribe now has no reservation, and a 2004 decision by the National Indian Gaming Commission precludes re-establishment of the now-terminated Rancheria, a site so squalid and neglected that a congressionally-created task force recommended the tribe's relocation.

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Therefore, I ask you to ensure that the ILD application of the Scotts Valley Band promptly receives a fair review. Please keep me informed as to the process of this application and all similarly situated applications.

Sincerely,



Dale E. Kildee
Member of Congress

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United States Department of the Interior

OFFICE OF THE SECRETARY
Washington, DC 20240

MAR - 8 2012

The Honorable Dale E. Kildee
House of Representatives
Washington, D.C. 20515-2209

Dear Representative Kildee:

Thank you for your letter to Secretary Salazar dated January 26, 2011, regarding an Indian lands determination for the Scotts Valley Band of Pomo Indians of California (Tribe). As you may know, the Tribe's original request to the Department of the Interior was withdrawn on November 23, 2010. On October 18, 2011, the Tribe resubmitted its trust application for approximately 30 acres of land located in Contra Costa County, and renewed its request for a determination that the requested 30 acres is eligible for gaming under the Restored Lands Exception of the Indian Gaming Regulatory Act, 25 USC §2719 (b)(1)(B)(iii), and the implementing regulations in 25 CFR Part 292. The Tribe's submission is presently under review. I can assure you that a fair and thorough review is being conducted.

Thank you for your interest in this important tribal economic development issue.

Sincerely,

Donald E. Laverdure
Principal Deputy Assistant Secretary - Indian Affairs

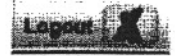


Data Tracking System (DTS)

U.S. Department of the Interior

Application: DTS | Username: robert_howarth@ios.doi.gov | Office: OES-Howarth/202-208-4451 | Today's Date: 02/14/2013

Data Tracking Help



DTS-Search Results-2 Records



DCN	Orig. Office	To (Recipient)	From (Author)	Lead Action Office	Sig. Level	Subject	Input Date	Due Date
ESO-00036304	OES-Burley/202-513-0705	Barbara Boxer	Greg Feere	BIA	Appropriate Action	Salazar cc'ed: re: support for the Scotts Valley Band of Pomo Indians' land-into-trust application	02/28/2012	
ESO-00035484	OES	Ken Salazar	Dale Kildee	IA	Assistant Secretary's Signature	re: Indian Lands Determination application by the Scotts Valley Band of Pomo Indians	02/06/2012	02/21/2012

Contra Costa Building and Construction Trades Council

2727 Alhambra Ave. Suite 5
Martinez, CA 94553
FAX (925) 372-7414



Greg Feere
C.E.O.
Phone (925) 228-0900

February 8, 2012

The Honorable Barbara Boxer
United States Senate
112 Hart Senate Office Building
Washington, DC 20510

Dear Senator Boxer:

On behalf of all the working men and women in the San Francisco Bay Area, we respectfully urge you to help ensure the land-into-trust application submitted by the Scotts Valley Band of Pomo Indians is subject to a fair, merit-based and impartial review by the Bureau of Indian Affairs, one that adheres to the inflexible statutes and regulations established by the Indian Gaming Regulatory Act of 1988.


As you may know, Scotts Valley—a completely landless tribe whose federal recognition was illegally terminated in 1965 and subsequently restored by federal court order in 1992—seeks to acquire title to a small parcel of land (29.86 acres) in unincorporated Contra Costa County, contiguous to the City of Richmond. For nearly seven years this tribe has worked with the federal government to ensure its land-into-trust application is in total compliance with all laws and regulations. In our opinion, the only thing preventing a positive determination is unauthorized influence—meddling that has no place in a process that, by law, is meant to be free of political consideration.

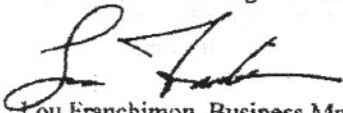
It is for this reason that we write to express our strong support for the Scotts Valley Band of Pomo Indians and its land-into-trust application. Scotts Valley's proposed project will provide hundreds of much-needed jobs to an impoverished area where the unemployment rate far exceeds the national average. In fact unemployment in the City of Richmond now exceeds 14%. It will deliver immediate economic relief and opportunity for the workers of northern California—workers who desperately need a steady paycheck, workers who are beginning to lose hope—and help our native people break the crippling cycle of poverty. This project, estimated to be in excess of \$350,000,000 will create of 500 direct construction jobs and over 1,900 full-time jobs once it is open.

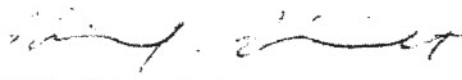
Scotts Valley's application deserves a fair, impartial and merit-based evaluation, one free from political consideration, outside influence and Department interference. We respectfully urge you to look into this matter and call or write the Secretary of the Interior to help ensure restored tribes receive a fair, unbiased, merit-based and lawful review that is subject only to the open, equitable and non-political process established in IGRA.

We thank you for your attention to this letter and consideration of this request. I look forward to your response.

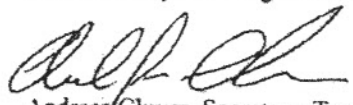
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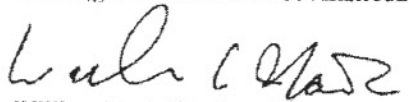

Greg Feere, Chief Executive Officer
Contra Costa Building and Construction Trades Council


Lou Franchimon, Business Manager
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