

Congress of the United States
House of Representatives
Washington, DC

October 6, 2011

The Honorable Ken Salazar
Secretary
U.S. Department of the Interior
1849 C Street, NW
Washington, D.C. 20241

Dear Secretary Salazar:

As the Congressman from the 19th district of California, I want to express my strong displeasure with your decision to approve an off-reservation gaming facility in my district. I have always supported the rights of the North Fork Rancheria to conduct gaming on their current reservation lands, but I am strongly opposed to off-reservation gaming.

There are over 100 tribes located within the state of California and many of them are located in non-urban areas. Your approval of this project will encourage Tribes from all across the state of California to seek new casinos for the simple reason of getting closer to population centers. In fact, I understand that the U.S. Department of Interior currently has over twenty gaming trust applications pending from California Tribes alone.

My concern grows when it appears your Department is making decisions on a case-by-case basis that doesn't appear to follow any set guidelines or criteria. The project site for the North Fork Rancheria is nearly 40 miles from their current reservation. Are Tribes now entitled to conduct off-reservation gaming 40 miles from their reservation? Is this the new distance standard for the Obama Administration in approving off-reservation casinos? Further, it is my understanding that the North Fork project is not located within their aboriginal lands, but is actually located in another Tribe's aboriginal lands. Does the Department believe a Tribe should operate a business within another Tribe's aboriginal land? These are important questions that must be answered in advance of new gaming decisions to ensure an open, fair and upfront policy for all of Indian Country to understand. Therefore, I would respectfully request that your office meet with all of the affected Tribes in this area to determine whose aboriginal lands this site sits on. In my view, that is a critical issue that must be resolved before this project moves forward.

The purpose of the Indian Gaming Regulatory Act (IGRA) was to allow Indian Tribes to conduct gaming on their aboriginal lands. Moreover, in 2000, the California voters approved Proposition IA. This measure was to authorize Class III gaming on tribal lands in order to promote tribal self-reliance; not to undermine sovereignty to advance the expansion of gaming wherever a Tribe determines that it is a good business decision for profitability.

The Honorable Secretary Salazar
October 6, 2011
Page 2

You have received letters from California's two U.S. Senators opposing off-reservation gaming. This project is opposed by federal, state and local elected officials on a bi-partisan basis which is counter to your own Department's determination documents regarding the approval of the North Fork application.

It is deeply troubling that your Administration would approve a project that has such wide-spread opposition. I strongly encourage you to reconsider your decision by fully understanding the aboriginal land ties in the area and reject this application as soon as possible.

I look forward to your response to these very important questions.

Sincerely,

A handwritten signature in black ink, appearing to read 'JD', with a long horizontal flourish extending to the right.

JEFF DENHAM
United States Representative

CC:

The Honorable Gerald "Jerry" Brown, Governor of the State of California
The Honorable Larry Echo Hawk, Assistant Secretary, Bureau of Indian Affairs