United States Department of the Interior

OFFICE OF THE SECRETARY
Washington, DC 20240

AUG 2 4 2010

Dear Tribal Leader:

On July 18, 2010 Secretary Salazar issued a directive recommending a thorough review of the "current guidance and regulatory standards" used to make decisions for two-part determinations under Section 20(b)(1)(A) of IGRA, 25 U.S.C. 2719(b)(1)(A). In accordance with the Secretary's directive, and in keeping with Interior's commitment to government-to-government consultation, we are engaging tribal governments on: (1) the January 3, 2008 Memorandum regarding Guidance on Taking Off-reservation Land into Trust for Gaming Purposes; (2) the need to revise any of the provisions of 25 C.F.R. 292, Subpart A and Subpart C; and (3) whether the Department's process of requiring compliance with 25 C.F.R. Part 151 comes before or after the two-part determination.

The Office of Indian Gaming has scheduled the following consultation sessions:

September 23, 2010, 1:00 pm – 4:00 pm
Hilton Garden Inn Spokane Airport
9015 US 2 or 9015 W. Sunset Hwy.
Spokane, WA 99224
(509) 244-5866
Held on the last day of ATNI Annual Conference

October 5, 2010, 9:00 am – 12:00 noon
Red Lion Hotel at Arden Village
1401 Arden Way
Sacramento, CA 95815
(916) 922-8041

October 14, 2010, 1:00 pm – 4:00 pm
Turning Stone Resort & Casino
5218 Patrick Road
Verona, NY 13478-3012
(315) 361-8248
Held on the last day of USET Conference

October 21, 2010, 9:00 am - 12:00 noon
Mystic Lake Resort & Casino
2400 Mystic Lake Blvd
Prior Lake, MN 55374
(952) 445-9000 or (800) 262-7799
Held following NIGA Conference

November 16, 2010, 1:00 pm – 4:00 pm
National Indian Programs Training Center
1011 Indian School Road, NW
Albuquerque, New Mexico 87104
(505) 563-5400
Held concurrently with NCAI Conference

November 18, 2010. 1:00 pm – 4:00 pm
Rio Las Vegas Hotel & Casino
3700 West Flamingo Road
Las Vegas, NV 89103
(702) 777-7777
Held concurrently with G2E Conference

Comments may be mailed or hand delivered to the Office of Indian Gaming, 1849 C Street N.W., MS-3657-MIB, Washington, D.C. 20240. Please contact the Office of Indian Gaming at (202) 219-4066 for any additional questions you might have about the upcoming meetings.

Sincerely,

George T. Skibine
Acting Principal Deputy
Assistant Secretary – Indian Affairs

Enclosure

LIST OF ISSUES FOR CONSULTATION

1. Whether the definitions of the following terms in 25 C.F.R. 292.2 should be amended: (1) Appropriate State and local officials; (2) Nearby Indian tribe; (3) Significant historical connection; and (4) Surrounding community.

2. Whether any of the provisions in 25 C.F.R. 292.19 (How must an application describe the benefits and impacts of the proposed gaming establishment to the tribe and its members) should be modified.

3. Whether any of the provisions in 25 C.F.R. 292.18 (What information must an application contain on detrimental impacts to the surrounding community) should be modified.

4. Whether the consultation process with appropriate State and local officials and officials of nearby tribes described in 25 C.F.R. 292.19 is adequate.

5. Whether the information sought from consulted parties in 25 C.F.R. 292.20 is sufficient.

6. Whether the evaluation criteria contained in 25 C.F.R. 292.21 are appropriate.

7. Whether the timeframes for a governor's concurrence contained in 25 C.F.R. 292.23(b) should be modified.

8. Whether the Memorandum issued by Assistant Secretary Carl Artman on January 3, 2008, regarding guidance on taking off-reservation land into trust for gaming purposes should be withdrawn, modified, or incorporated into the regulations in 25 C.F.R. Part 292.

9. Whether land on which an Indian tribe proposes to establish a gaming establishment should be taken into trust before or after compliance with the requirements of the two-part determination in 25 U.S.C. 2719(b)(1)(A).