Indian Affairs - Office of Public Affairs

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WASHINGTON, D.C. – The Cowlitz Tribe of Indians in Washington State may conduct gaming under a decision approved by the Department of the Interior today.

Assistant Secretary-Indian Affairs Larry Echo Hawk announced the approval of the acquisition of 152 acres of land in trust for the Cowlitz Tribe of Indians in Clark County, Wash. The newly acquired lands will serve as the initial reservation of the Cowlitz Tribe, which was federally acknowledged by the United States in 2000. The Cowlitz Tribe intends to conduct Class III gaming on the newly acquired lands pursuant to the Indian Gaming Regulatory Act (IGRA).

"This project will allow the Cowlitz Tribe to create hundreds of jobs and invest in other forms of economic development. It will also allow the Tribe to begin the restoration of its homelands," Echo Hawk said.

The Department also disapproved a gaming application for the Redding Rancheria, a federally recognized tribe in California, after it was determined that its application to place lands in Shasta County, Calif., in trust did not satisfy IGRA and the Department's regulations on Indian gaming.

IGRA requires federally recognized tribes to enter into tribal-state gaming compacts authorizing Class III gaming prior to conducting Class III gaming activities. Class III gaming consists of card games played against the house, slot machines, dog and horse racing, jai alai and all other types of casino gaming.

IGRA prohibits Indian gaming on lands acquired in trust after its enactment in 1988 unless one of three explicitly crafted exceptions applies. One exception, known as the "equal footing exception," was intended to ensure that a number of tribes had an equal opportunity to pursue Indian gaming on their own lands as those tribes that had lands eligible for gaming in 1988. The application approved today satisfies this exception.

The Cowlitz Tribe's application to place land into trust was filed under the Indian Reorganization Act, which required the Department to examine whether it could be approved under the Carcieri Supreme Court decision. The Interior Solicitor's office conducted a thorough review of the application and determined that it satisfied the requirements of the Indian Reorganization Act and the Carcieri decision.

"We worked very closely with our attorneys in the Office of the Solicitor on the Cowlitz Tribe's land-into-trust application and determined that it clearly satisfied the law," Echo Hawk said. "We will continue our work to process other pending applications."

Officials from the Department's Office of Indian Gaming recently concluded a consultation process with tribal leaders on developing the Department's policy for implementing the third category of exceptions under IGRA: the so-called "off-reservation" exception. A June 18, 2010, memorandum from Interior Secretary Ken Salazar to Assistant Secretary Echo Hawk directed the Department to engage Indian tribes in developing principled and transparent criteria to implement this policy. The tribal consultation

process for this effort ended December 18, 2010.