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Secretary of the Interior Don Hodel said today he has sent letters to the Pueblo of Santa Ana and to the New Mexico Attorney General rejecting the Pueblo's proposal to conduct parimutuel wagering on greyhound dog races on reservation land.

The Secretary said he recognizes the proposal was intended to raise income to accomplish "a variety of worthwhile and important objectives" for the reservation, but "it would be irresponsible for me silently to acquiesce in the Pueblo's engaging in activities which specifically have been called to my attention and which appear to violate federal criminal law."

Last November the Pueblo submitted to the Secretary a proposal to build a dog racing track on reservation lands near Albuquerque. Although the Pueblo later withdrew the request for Secretarial approval, news reports indicated that the Pueblo was proceeding with plans for the dog racing enterprise. The initial issue was whether parimutuel wagering on dog races is a violation of New Mexico and federal law.

Because a potential violation of federal criminal law is indicated, Hodel said he would refer the matter to the U.S. Justice Department.

Hodel, in his letter, said that "both an analysis of the gambling laws of the State of New Mexico and appropriate deference to the construction of such laws by the New Mexico Attorney General" caused him to conclude that betting on dog races would violate New Mexico's criminal laws and, therefore, would violate the federal Assimilative Crimes Act (ACA), which applies State criminal laws to Indian reservations.

Referring to the Pueblo's proposed lease of its reservation lands and to a proposed contract with an individual from Abilene, Kansas to manage the dog races, Hodel said that "since the proposed gambling activities would violate federal criminal law, I will not approve either the lease or the management contract." In response to public statements by attorneys for the Pueblo and for the manager indicating that the gambling project would proceed without Secretarial approval, Hodel said, "Because I will not acquiesce to a potential violation of federal criminal law nor ignore in these circumstances federal statutes requiring Secretarial approval of the lease and contract, I am referring this matter to the Attorney General of the United States."

Hodel's letters were delivered Tuesday as he was in New Mexico for a two-day visit which includes a meeting with the All Indian Pueblo Council.

Before leaving Washington last week for a month-long western trip, Hodel told a news conference that attempts by Indian tribes to engage in gambling operations such as parimutuel wagering that are in conflict with State laws could jeopardize Indian bingo enterprises already in existence on many reservations across the country.

"I believe that Indian bingo has been extremely significant for about 85 reservations," Hodel said at the

news conference. "It is one of the few sources of income for some of those reservations which basically have no other resource."

In his letter rejecting the Pueblo of Santa Ana proposal, Hodel noted that the objective of the planned enterprise was to obtain "badly needed funds for services to its people and economic development on the reservation so as to enable employment opportunities and improved lifestyle." The Secretary said, however, that despite the laudable objectives he could not approve any gambling operation that would be in conflict with federal laws.