



United States Department of the Interior

OFFICE OF THE SECRETARY
Washington, DC 20240

DEC 05 2022

Dear Tribal Leader:

The Department of the Interior (Department) invites you to consult on the Notice of Proposed Rulemaking (NPRM) for the Department's Land Acquisition regulations, 25 C.F.R. Part 151, and the NPRM for the Department's Class III Tribal State Gaming Compact Process, 25 C.F.R. Part 293.

25 C.F.R. Part 151, Land Acquisition

Since the Department first promulgated these regulations in 1980, it has developed extensive experience in the fee-to-trust acquisition process. Relying on that experience and input from Tribes, this proposed rule seeks to make the fee-to-trust process more efficient, simpler, and less expensive to support restoration of Tribal homelands.

- The proposed Part 151 Rule can be found in the Federal Register at: <https://www.govinfo.gov/content/pkg/FR-2022-12-05/pdf/2022-25735.pdf>
- The current regulations can also be found at: <https://www.govinfo.gov/content/pkg/CFR-2021-title25-vol1/pdf/CFR-2021-title25-vol1-part151.pdf>

25 C.F.R. Part 293, Class III Tribal State Gaming Compact Process

The Department is developing proposed updates to Part 293 to provide clear guidance regarding the Secretary's review and evaluation process for Tribal-State class III gaming compacts. The current regulations do not identify the factors the Department considers; rather, those factors are contained in a series of decision letters issued by the Department since the enactment of the Indian Gaming Regulatory Act in 1988. Recent and ongoing litigation highlights the need for the Department to clarify how it will review or analyze gaming compacts to determine whether they comply with Federal law.

- The proposed Part 293 Rule can be found in the Federal Register at: <https://public-inspection.federalregister.gov/2022-25741.pdf>
- The current regulations can also be found at: <https://www.govinfo.gov/content/pkg/CFR-2021-title25-vol1/pdf/CFR-2021-title25-vol1-part293.pdf>

Tribal Consultation

The draft proposed rules reflect input and recommendations provided by Tribes during the Tribal consultations hosted by the Department. On March 28, 2022, the Department published a Dear Tribal Leader Letter announcing Tribal consultation regarding proposed changes to Part 151 and Part 293. The Department held two listening sessions and four formal consultation sessions. The Department also accepted written comments until June 30, 2022.

The Department will conduct two virtual consultation sessions and one in-person consultation to obtain further Tribal input on the Part 151 NPRM and the Part 293 NPRM. The consultation sessions will be open to Tribal leadership and representatives of federally recognized Indian Tribes and Alaska Native Corporations. Please join us at one or more of the following consultations sessions:

In-Person

January 13, 2023
BLM National Training Center (NTC)
9828 N. 31st Ave
Phoenix, AZ 85051
9:00 a.m. – 12:00 p.m. MST (Part 151)
1:00 p.m. – 4:00 p.m. MST (Part 293)

Virtual

January 19, 2023
1:00 p.m. – 4:00 p.m. EST
Please register in advance at:
<https://www.zoomgov.com/meeting/register/vJIsd-2qrjwiH2bVXpLvS2VPUZEst2HgtKk>

January 30, 2023
2:00 p.m. – 5:00 p.m. EST
Please register in advance at:
https://www.zoomgov.com/meeting/register/vJIsduGtqzgtE1hw9EIFrDf3-X_1gy5wGR0

If you would like to provide written comments, please email them to consultation@bia.gov by 11:59 p.m. EST on Wednesday, March 1, 2023.

For further information about these consultation sessions, you may contact Oliver Whaley, Director, Office of Regulatory Affairs and Collaborative Action (RACA), Office of the Assistant Secretary – Indian Affairs, by telephone at (202) 738-6065, or email at RACA@bia.gov.

Sincerely,



Bryan Newland
Assistant Secretary – Indian Affairs