



# United States Department of the Interior

OFFICE OF THE SECRETARY  
Washington, DC 20240

**DEC 06 2017**

Dear Tribal Leader:

In October, the Department held a listening session at NCAI's annual conference in Milwaukee regarding potential revisions to the trust acquisition regulations at 25 C.F.R. Part 151. The session was well attended and we received important feedback from tribal leaders. During the session, we heard repeated calls for additional time and sessions to consult on the draft revisions. In response to your requests and in light of other scheduling conflicts, I am announcing a new, revised consultation to begin in January 2018. The previously scheduled sessions in November will be held in January and February instead.

The new schedule is as follows:

| Date                        | Time<br>(Local)          | Location   |
|-----------------------------|--------------------------|--|
| Tuesday, January 16, 2018   | 9:00 a.m. –<br>1:00 p.m. | Sacramento Convention Center Complex<br>1030 15th Street<br>Sacramento, CA 95814 |
| Thursday, January 18, 2018  | 9:00 a.m. –<br>1:00 p.m. | Mystic Lake Casino Hotel<br>2400 Mystic Lake Boulevard<br>Prior Lake, MN 55372   |
| Tuesday, January 23, 2018   | 9:00 a.m. –<br>1:00 p.m. | Foxwoods Resort Casino<br>350 Trolley Line Boulevard<br>Mashantucket, CT 06338   |
| Thursday, January 25, 2018  | 9:00 a.m. –<br>1:00 p.m. | DoubleTree by Hilton Portland<br>1000 N.E. Multnomah<br>Portland, OR 97232       |
| Tuesday, February 20, 2018  | 9:00 a.m. –<br>1:00 p.m. | Heard Museum<br>2301 N Central Avenue<br>Phoenix, AZ 85004                       |
| Thursday, February 22, 2018 | 9:00 a.m. –<br>1:00 p.m. | Miccosukee Resort & Casino<br>500 S.W. 177th Avenue<br>Miami, FL 33194           |

Please RSVP to [consultation@bia.gov](mailto:consultation@bia.gov) if you plan on attending any of these sessions.

Additionally, based on the initial input received in response to the draft revisions provided with my October 4 letter to you, a broader discussion about the direction of updates to Part 151 may be more appropriate. In that vein, I suggest we consult instead on a list of questions, some of which were included in my October 4 letter:

1. What should the objective of the land-into-trust program be? What should the Department be working to accomplish?

2. How effectively does the Department address on-reservation land-into-trust applications?
3. Under what circumstances should the Department approve or disapprove an off-reservation trust application?
4. What criteria should the Department consider when approving or disapproving an off-reservation trust application?
5. Should different criteria and/or procedures be used in processing off-reservation applications based on:
  - a. Whether the application is for economic development as distinguished from non-economic development purposes (for example Tribal government buildings, or Tribal health care, or Tribal housing)?
  - b. Whether the application is for gaming purposes as distinguished from other (non-gaming) economic development?
  - c. Whether the application involves no change in use?
6. What are the advantages/disadvantages of operating on land that is in trust versus land that is owned in fee?
7. Should pending applications be subject to new revisions if/when they are finalized?
8. How should the Department recognize and balance the concerns of state and local jurisdictions? What weight should the Department give to public comments?
9. Do Memoranda of Understanding (MOUs) and other similar cooperative agreements between tribes and state/local governments help facilitate improved tribal/state/local relationships in off-reservation economic developments? If MOUs help facilitate improved government-to-government relationships, should that be reflected in the off-reservation application process?
10. What recommendations would you make to streamline/improve the land-into-trust program?

I hope you are able to attend one of the above consultation sessions and look forward to your input. If you would like to provide written input, please email the input to [consultation@bia.gov](mailto:consultation@bia.gov) by midnight Eastern Time on **February 28, 2018**. Please feel free to contact Elizabeth Appel at (202) 273-4680 if you would like any additional information on this effort and be sure to check the following website for updates to the schedule and transcripts of sessions as they become available:

<https://www.indianaffairs.gov/as-ia/raca/regulations-development-andor-under-review/fee-trust-regulations-25-cfr-151>

I look forward to our consultation on this topic and appreciate your flexibility in adapting to this new schedule.

Sincerely,

A handwritten signature in blue ink, appearing to read 'John Tahsuda', with a stylized, cursive script.

John Tahsuda  
Principal Deputy Assistant Secretary –  
Indian Affairs