



December 19, 2023

The Honorable Deb Haaland
Secretary of the Interior
U.S. Department of the Interior
1849 C Street, N.W.
Washington, D.C. 20240

RE: Proceeding on Remand for *Scotts Valley Band of Pomo Indians v. United States Department of the Interior* (D.D.C. Case No. 19-1544 ABJ)

Dear Secretary Haaland:

I write on behalf of the Federated Indians of Graton Rancheria (“Graton Rancheria”) to ask for your assistance in establishing a fair and transparent process for remand proceedings in the above-referenced matters.

As you may be aware, the *Scotts Valley* litigation concerned a challenge by the Scotts Valley Band of Pomo Indians to a United States Department of the Interior (“DOI”) Indian Lands Opinion (“ILO”) addressing a proposed gaming project in Vallejo, California. The ILO concluded, on the basis of extensive evidence, that Scotts Valley lacks the “significant historical connection” required for the Vallejo site to qualify as “restored lands” under the Indian Gaming Regulatory Act. The ILO was thorough, well-reasoned, and supported by thousands of pages submitted by tribal governments, including our own. Among other things, the evidentiary record showed the Vallejo site is more than 90 miles from Scotts Valley’s rural Lake County homeland.

The United States owes a trust responsibility to all Indian tribes, not just the applicants before it seeking land into trust for a casino. Given this shared trust responsibility and the significant controversy attending this matter—including strong opposition to Scotts Valley’s position from numerous California tribal governments who wish to be heard—we respectfully request that you direct relevant officials to establish a *fair, transparent, and fact-based* process governing the proceedings on remand. At minimum, such a process must include (i) providing Graton Rancheria and other interested tribes with any materials on which Scotts Valley proposes to rely; and (ii) a reasonable opportunity to review and respond to such materials (including a reasonable opportunity to obtain review and comment by relevant experts). We understand similar principles have governed remand proceedings in comparable situations, including circumstances where (as here) there were tribal governments on both sides of the dispute.

Thank you for considering Graton Rancheria's concerns and our request for a fair process in this critically important matter.

Sincerely,

A handwritten signature in black ink that reads "Greg Sarris". The signature is written in a cursive, slightly slanted style.

Chairman Greg Sarris
Federated Indians of Graton Rancheria

cc: Hon. Alex Padilla, United States Senator
Hon. Laphonza Butler, United States Senator
Hon. Mike Thompson, United States Representative
Hon. John Garamendi, United States Representative
Laura Daniel-Davis, Acting Deputy Secretary, Department of the Interior
Bryan Newland, Assistant Secretary – Indian Affairs, Department of the Interior
Robert Anderson, Solicitor, Department of the Interior