

United States Senate

WASHINGTON, DC 20510

November 2, 2022

Secretary Deb Haaland
United States Department of the Interior
1849 C Street, NW
Washington, D.C. 20240

Dear Secretary Haaland,

We write in opposition to the development of a new Class II casino in Jackson County, Oregon by the Coquille Indian Tribe. While we applaud the Coquille Indian Tribe in their efforts to build their economy and we respect the Tribe's sovereignty and the ideals of tribal self-determination, we believe this development would have significant, negative impacts on the surrounding community, undermine the self-sufficiency of neighboring Tribal governments, and would more closely resemble a Class III facility, not a Class II.

We believe that Tribal governments have a right to economic self-sufficiency and the pursuit of economic development initiatives, including through casinos on their reservations or land placed in trust through the Department's regulatory process. This is essential to Tribal sovereignty, which is why we have robust processes in place to consider these cases. We do not believe that anything in the Coquille Restoration Act (25 U.S.C. 715 et seq.) supersedes the requirements of the Indian Gaming Regulatory Act (IGRA) (25 U.S.C. ch. 29), so it is appropriate for Interior to evaluate the Tribe's casino application pursuant to IGRA, and apply a two part determination process. The CRA was not intended to create a situation that would unfairly benefit one tribe, to the detriment of all of the other tribes in the area. Allowing this case to supersede the established process defined by IGRA could destabilize the system and weaken public confidence in the framework that has helped so many tribes find economic independence.

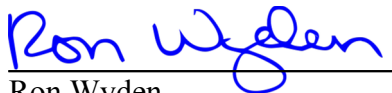
Currently, the Coquille Indian Tribe operates a Class III casino in North Bend, Oregon and is proposing to build a Class II casino in Medford, Oregon. In Oregon and California, we have a long history of walking that fine line between the pursuit of gaming revenues, which benefits tribal members and tribal governance enormously, and the risks associated with a significant increase in the number of gaming facilities, including to other Tribal governments. The bottom line is if the Coquille Tribe is allowed to build another casino in Oregon, it will likely lead to all-out gaming conflicts between Oregon and California tribes. It would also have a detrimental impact on tribes in Oregon and California that rely on the income generated by their gaming facilities and utilize those funds to provide vital governmental services. This would have negative consequences in many of our communities if Oregon and California's carefully crafted balance between producing gambling revenues and an overall focus of public good for our citizens were seriously compromised by the Department of Interior approving a second casino for the Coquille Tribe, to operate both at once, outside of the standard IGRA processes.

In addition, the current situation is further complicated by significant advances in gaming technology. When the Indian Gaming Regulatory Act (IGRA) was passed in 1988, a Class II

gaming facility was a simple bingo hall. Now, however, computer-based gaming technology enables Class II facilities to include machines that are, for all visible purposes, the same as those in Class III facilities. We are concerned that this technological advancement makes the Coquille proposal more like a Class III facility than a Class II facility. If that is the case, various problems arise with, for instance, the EIS having been completed with a Class II facility in mind rather than a Class III.

We request that you honor the original intent of the CRA and process the Coquille Indian Tribe's fee-to-trust application in accordance with legislative intent and as required by IGRA. If you have any additional questions, please do not hesitate to contact our offices.


Sincerely,



Ron Wyden
United States Senator



Jeffrey A. Merkley
United States Senator



Dianne Feinstein
United States Senator



Alex Padilla
United States Senator