



LAPHONZA BUTLER  
UNITED STATES SENATOR

COMMITTEE ON THE JUDICIARY  
- Chair, Subcommittee on the Constitution

COMMITTEE ON BANKING, HOUSING,  
AND URBAN AFFAIRS

COMMITTEE ON HOMELAND SECURITY  
AND GOVERNMENTAL AFFAIRS

COMMITTEE ON RULES AND ADMINISTRATION

December 20, 2023

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

Dear Secretary Haaland,

I write today to urge you to decline the Coquille Indian Tribe's (Coquille) application to have land taken into trust under the restored lands exemption for gaming to open a second casino in Medford, Oregon. I join Senators Wyden (D-OR), Merkley (D-OR), and Padilla (D-CA) in expressing opposition to this application.

I am proud to support the Indian Gaming Regulatory Act (IGRA), which Congress carefully drafted and passed to support Tribal government gaming. This law resulted in extraordinary and unprecedented opportunity for tribal governments across the nation, and I commend the Department for helping facilitate this growth over the past 35 years. Unfortunately, this growth may be reversed if the Department deviates from its longstanding precedent and approves the Coquille project.

In this case, the Coquille application proposes utilizing the "restored lands exemption" for gaming on the Medford, OR property. This exemption was created by Congress to provide equity for restored Tribes and Tribes that had no land eligible for gaming when the IGRA was enacted. Accordingly, when Congress passed the Coquille Restoration Act (CRA) – shortly after passing IGRA – it allowed the Coquille Indian Tribe to open a gaming facility, in Coos or Curry Counties, pursuant to the restored lands exception.

When enacting the IGRA, Congress anticipated that some Tribal governments may wish to seek additional economic opportunity, and so it created another process that has become known as the "two-part determination." Under this exemption, a Tribal government has much greater flexibility over where it operates a casino, but recognizing that in these cases a Tribe is operating in a way that is similar to commercial establishments, the flexibility is balanced with greater engagement with other Tribal and local stakeholders.

Given the requirements set out in the IGRA and the CRA, the Department should consider this application using a two-part determination. More than 50 Tribal nations have also urged you to use the two-part determination process for this proposal—a position outlined in two recent letters from the Tribal Alliance of Sovereign Indian Nations (TASIN) and the California Nations Indian Gaming Association (CNIGA).

Under your leadership, this Administration has taken historic steps to support Tribal Nations and Native communities. I appreciate your commitment to upholding the federal government's trust and treaty responsibilities and commitment to advancing equity—both for and among Tribes. A decision to give an advantage to one restored Tribe at the expense of so many other Tribes would stand in stark contrast to that commitment.

Thank you for your consideration of my views. I look forward to continuing to work with you to ensure that all Tribes have the opportunity to participate in this process and benefit from gaming.

Sincerely,

A handwritten signature in blue ink, reading "Laphonza Butler". The signature is fluid and cursive, with the first name "Laphonza" written in a larger, more prominent script than the last name "Butler".

Laphonza Butler  
United States Senator

cc: Bryan Newland  
Assistant Secretary - Indian Affairs