

EXHIBIT A, TAB 4T

APR-30-1993 15:27 FROM DEPT OF INTERIOR PHX TO 6765 P.02



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UNITED STATES
DEPARTMENT OF THE INTERIOR
OFFICE OF THE SOLICITOR
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COPY

February 10, 1992

Memorandum

To: Area Director, Phoenix Area Office, BIA
Attn: Tribal Government Services

From: Field solicitor, Phoenix Field Office

Subject: Proposed Acquisition of Land for Gaming Purposes by
Tohono O'odham Nation



By memorandum dated January 29, 1992, you requested our review of the comments by the Branch of Real Estate Services on the proposed acquisition of land for use in gaming by the San Lucy District of the Tohono O'odham Nation. We concur in the conclusion reached by the Branch of Real Estate Services. The Gila Band Indian Reservation Lands Replacement Act, Pub. L. No. 99-503, § 6(d), 100 Stat. 1798 (1986) expressly provides that any land which the Secretary holds in trust "shall be deemed to be a Federal Indian Reservation for all purposes." Furthermore, the Indian Gaming Regulatory Act, 25 U.S.C. § 2719, provides that the restrictions on gaming on land acquired after October 17, 1988 will not apply to lands taken into trust as part of a settlement of a land claim. Any land which is acquired under the Act and accepted in trust will therefore not be subject to the prohibition on regulated gaming contained in 25 U.S.C. § 2719(a).

Please let us know if we can be of further assistance.

Fritz L. Goreham
Field Solicitor

Kathleen A. Miller
Kathleen A. Miller
For the Field Solicitor

KAM:dmg

