



United States Department of the Interior

OFFICE OF THE SECRETARY
Washington, DC 20240

MAY 29 2009

Mr. Michael G. Rossetti
Akin, Gump, Strauss, Hauer & Feld LLP
Senior Policy Counsel
1333 New Hampshire Avenue, N.W.
Washington, D.C. 20036-1564

Dear Mr. Rossetti:

Thank you for your letter dated March 23, 2009 regarding your opposition of the Tohono O'odham Nation's request to acquire in trust 134.88 acres of land located in Maricopa County for the purpose of gaming.

The application by the Tohono O'odham Nation to acquire 134.88 acres in trust for the proposed casino project located in Maricopa County, Arizona is currently under review at the Bureau of Indian Affairs' Western Regional office. The application is for lands acquired under the authority of the Gila Bend Indian Reservation Replacement Act of 1986, P.L. 99-503 (Act), an Act of Congress that clearly and unambiguously mandates the acquisition of lands that are taken into trust under its authority. We have determined that the acquisition of the Gila River parcel is mandated by this Act.

We can assure you that the final decision to take land into trust for gaming will be made by the Assistant Secretary - Indian Affairs only after an exhaustive and deliberative review of all relevant criteria, factual information, and legal requirements. If you have any additional questions, or if we can be of further assistance, please feel free to contact the Office of Indian Gaming at (202) 219-4066.

Sincerely,

Paula L. Hart
Acting Director, Office of Indian Gaming