Registration Information

Registration Fee Includes (lunch & refreshments)
- Standard Registration ............................................. $100
- Tribal Government & SU Law School Alumini ............ $75

1 CLE Credit  Pending Approval of Application

Payment & Hotel Information

Due to limited seating availability, registration is ONLY available online by credit card at
http://www.regonline.com/June32010

Early Registration is Advised

Hotel Info.: http://www.law.seattleu.edu/x1260.xml

Contact Us

The meeting will be recorded and transcribed. Transcribed copies will be available for a fee. To order a copy contact us at CILP@seattleu.edu and provide us with your name and contact information. Please also let us know if you would like to be included on our list serv for future Indian Law CLE’s, seminars, and our new online journal. We look forward to hearing from you!

For more information contact Guadalupe Ceballos at (206) 398-4284 or visit our website at:
http://www.law.seattleu.edu/Centers_and_Institutes/Center_for_Indian_Law_and_Policy.xml

Perspectives on Tribal Land Acquisition in 2010:
A Call to Action

Thursday, June 3, 2010
8:30 A.M – 5:00 P.M
Reception
5:00 PM to 7:00 PM
Law School Annex Room 142

Presented by:

Center for Indian Law & Policy
This panel will provide an overview of the fee
land will meet the requirements of the Indian Gaming Regulatory Act.
the Department will conduct yet another analysis as to whether the
analyses required by the National Environmental Policy Act as part of
published regulations, but also by internal Departmental guidance, not
The formal process for taking land into trust is governed not just by
financial circumstances in which these tribes increasingly find themselves.
The dynamics of land
acquisition authority was imple-
Department of the Interior's land acquisition authority was imple-
For decades after the Indian Reorganization was enacted in 1934, the
Department of the Interior
The Hon. Del Laverdure, Deputy Assistant Secretary for Indian Affairs , U.S.
The Hon. Del Laverdure, Deputy Assistant Secretary for Indian Affairs , U.S.
Darryl LaCounte, Bureau of Indian Affairs Central Office
Marie Howard, Former Staff Director, Office of Indian Affairs, Committee on
College of Law
Tom Cater, Bureau of Land Management Indian Lands Surveyor
The Hon. Phil Harju, Vice Chair, Cowlitz Indian Tribe
David Zweig, President, AES
The formal process for taking land into trust is governed not just by
published regulations, but also by internal Departmental guidance, not
all of which is published. Further, the Department must conduct the
analyses required by the National Environmental Policy Act as part of
the fee-to-trust process. Finally, for land that will be used for gaming,
the Department will conduct yet another analysis as to whether the
land will meet the requirements of the Indian Gaming Regulatory Act.
This panel will provide an overview of the fee-to-trust, NEPA and
IGRA review processes, and it will also discuss the significant costs
incurred by tribes trying to navigate the process.
11:00-11:15 AM - Break

11:15 – 12:15 PM - LAND IS EVERYTHING, AND GAMING IS NOT A DIRTY
WORD
Moderator: Ron Allen, Chairman, Jamestown S’Klallam Tribe
Panel: The Hon. Leonard Foresman, Chairman, Suquamish Tribe
The Hon. John Miller, former Chairman, Pokagon Band of Potawatomi
Alex Skibine, S.J. Quinney Professor of Law, University of Utah S.J. Quinney College of Law
Steven Light, Associate Professor, Institute for the Study of Tribal Gaming Law and Policy, University of North Dakota
This panel will discuss the importance of a tribal land base to tribal self-
determination, tribal economies and cultural preservation, and the significant
economic and other disadvantages suffered by tribes with little or no develop-
able land. In addition, the panel will discuss the palpable improvements in
education, housing, health care and other fundamental governmental services
that have been made possible by revenue generated by gaming and other eco-
omic development where new, developable land has been acquired in trust for
trikes.

12:15-1:15 PM- Lunch Presentation:
Carcieri v. Salazar, John Collier, and the Meaning of
“Under Federal Jurisdiction”
Robert T. Anderson, Associate Professor of Law & Director, Native American Law Center, University of Washington, School of Law

1:15 – 1:30 PM  -Break

1:30-2:30 PM- FINDING MONEY, RUNNING OUT OF MONEY
For a financially disadvantaged tribe (many of which are landless or nearly
landless), putting together an application to request that the United States
accept trust title has become an expensive undertaking. A tribe must find the
money to acquire clear title to land, to pay for the Bureau’s NEPA compli-
ance, to obtain a title commitment, to ensure that adequate infrastructure and
services will be provided to the property (this often requires negotiation of
a memorandum of understanding with a local city or county), and almost al-
ways, to hire legal assistance. In addition, if the acquisition is for gaming-
related economic development, the applicant tribe must find the money to
develop the data to demonstrate that the land will meet the requirements
of Section 20 of the Indian Gaming Regulatory Act.
Since federal funding for land acquisition is non-existent, this panel will discuss
the ways in which tribes have had to find money, and will also discuss the dire
financial circumstances in which these tribes increasingly find themselves.
Moderator: Eric Eberhard, Distinguished Indian Law Practitioner in Residence, School of Law, Seattle University
Panel: Barry W. Brandon, President, Humken Consulting
Jeff Carey, Managing Director, Native Finance, Bank of America
Phil Harju, Vice Chairman, Cowlitz Indian Tribe

2:30 – 3:30 PM- THE HUMAN COST OF DELAYED DECISIONS
Moderator: Ron Allen, Chairman, Jamestown S’Klallam Tribe
Panel: The Hon. Mark Garrow, Chief, St. Regis Mohawk
The Hon. Ned Norris, Jr., Chairman, Tohono O’odham Nation
The Hon. Ron Sappah, Confederated Tribes of Warm Springs
During transitional periods the Department’s processing of fee-
trust applications sometimes comes to a near stand-still. Whether
such cessations in processing fee-to-trust applications is the result of
Departmental disinterest, external political pressure, or internal
concerns about potential policy changes, such delays cause enormous
hardships for tribes and communities caught in limbo. During such
hiatuses, tribes and local governments both are forced to continue
spending funds to try to obtain a decision. This panel will discuss the
impact that delay on fee-to-trust decisions has had on their tribes.

3:30-4:35 PM- BREAK

3:45 – 5:00 PM - ROUND TABLE DISCUSSION: LOOKING FORWARD
Moderator: Robert T. Anderson, Associate Professor of Law & Director, Native American Law Center, University of Washington, School of Law
Panelists: John Dossett, General Counsel, National Congress of the American Indians
Alex Skibine, S.J. Quinney Professor of Law, University of Utah S.J. Quinney College of Law

Marie Howard, Former Staff Director, Office of Indian Affairs, Committee on Natural Resources, United States House of Representatives
Darryl LaCounte, Bureau of Indian Affairs Central Office - Invited
As tribal governments contemplate how to strengthen and diversify
tribal economies in the twenty-first century, the question of whether
the land acquisition process can be made more functional (and afford-
able) for disadvantaged tribes becomes increasingly crucial. These
panelists will discuss the political and legal forces that may shape
federal policies going forward.

RECEPTION
5:00-7:00 PM
LOCATION - TBA