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Echo Hawk Issues Decisions on Two Tribal Gaming Applications

WASHINGTON – Assistant Secretary-Indian Affairs Larry Echo Hawk today took action on two tribal gaming applications from tribes in Michigan and New York.

The Assistant Secretary approved a proposed gaming facility in Marquette County, Mich., determining it would be in the best interest of the Keweenaw Bay Indian Community and would not be detrimental to the surrounding community.

“I undertook a careful and thorough review of the Keweenaw Bay Indian Community’s application. The tribe’s application satisfies the rigorous standards contained in the Indian Gaming Regulatory Act and our regulations,” Echo Hawk said. “The tribe demonstrated that it has a significant historical connection to the proposed gaming site, and its proposal to move an existing gaming facility closer to its reservation has strong support from the local community.”

The Assistant Secretary also dismissed a gaming application submitted by the Cayuga Nation of New York for the acquisition of land in trust for gaming purposes in Seneca County, N.Y., returning the application to the tribe. The tribe’s application was incomplete, and did not address all of the requirements contained in the Department’s regulations. The Department has removed the application from consideration, although the tribe can submit a new application at a time when it is prepared to address all of the relevant factors in the regulations.

The Keweenaw Bay Indian Community is located in Baraga County, Mich., and has approximately 3,310 members. It has more than 6,000 acres of existing trust lands on its reservation in the state’s Upper Peninsula. The tribe has been operating and regulating a class III gaming facility in Marquette County, about 90 miles from its headquarters, since at least 2000. The tribe is proposing to relocate this existing facility to a new location within Marquette County, on an 80-acre parcel at the site of the former Marquette County Airport. The new site is 18 miles closer to the tribe’s reservation than its existing facility. Under a 2000 settlement agreement with the state of Michigan, the tribe has agreed to close its existing off-reservation

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gaming facility if its proposal receives final approval and it begins gaming activities on the new site.

The Indian Gaming Regulatory Act (IGRA) prohibits Indian gaming on lands acquired in trust after the law's enactment in 1988, unless one of three explicitly crafted exceptions applies. The Keweenaw Bay Indian Community submitted its application under IGRA's "Secretarial Determination" exception, which requires the Secretary to determine the proposed gaming establishment is in the best interest of the tribe and its citizens, and would not be detrimental to the surrounding community. The governor of Michigan must concur in this determination before the land can be acquired in trust for the tribe for gaming.

Under IGRA, the governor of Michigan has one year to concur in the Assistant Secretary's determination. If the governor does not concur in the Assistant Secretary's determination, then the tribe may not conduct gaming on the proposed site.

For more information concerning these decisions, please click on the following links:

[Keweenaw Bay Indian Community](#)

[Cayuga Nation of New York](#)

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