

Jamul-Dulzura

Community Planning Group

P.O. Box 613, Jamul, CA 91935

May 13, 2024

The Honorable Brian Schatz
Chairman of the US Senate Committee on Indian Affairs
838 Hart Senate Building, Washington, DC 20515

RE: Bill H.R. 6443 and Bill S. 3857 “Jamul Indian Village Land Transfer Act”, introduced to the Senate and referred to the Committee on Indian Affairs on 4/10/24 and 2/29/24, respectively.

Dear Chairman Schatz,

To introduce ourselves, we are the Jamul-Dulzura Community Planning Group in the Unincorporated County of San Diego. We are publicly elected to serve in the best interest of the community regarding land matters. We are grateful to have another opportunity to participate in the democratic process and share our perspective on the very unique circumstances and context of the Jamul Indian Village (JIV) and Jamul Casino in our planning area.

Since learning of the “Jamul Indian Land Transfer Act” Bill H.R. 6443 on December 5, 2023, we have written to our Congressman, Darrell E. Issa, and to Chair Harriet Hageman of the Indian Affairs and Insular Committee and cc’d a lengthy list including Senator Alex Padilla and US President Joseph Biden. This letter sent on January 9, 2024, is attached. We make the case against the “Land Transfer Act” as the means to accomplish this land to trust acquisition. There exists a Federally recognized process through the Bureau of Indian Affairs (BIA) and the Department of the Interior (DOI) for handling land to trust applications which will engage the local community and the County Board of Supervisors in resolving land use issues, jurisdictional conflicts and provide the planning and resources to ensure public safety as our community expands with commercial entertainment venues by the Jamul Casino.

In contrast, the Pala Mission Band of Indians Land Transfer Act Bill H.R. 423, approved by the Senate on July 27, 2023, which saved the 721-acre Gregory Canyon from a landfill operation proposal in North San Diego County, was opposed by everyone; local governments, conservation groups and the Pala Tribe itself. This was a great outcome. The tribe in effect saved the day by purchasing it. This Bill presented by Representative Darrel E. Issa and sponsored by Senator Alex Padilla was a grand win-win success story, although we have no doubt the DOI would have

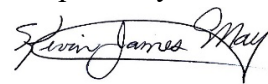
streamlined this through the process. However, our situation is very different, and this one method cannot be arbitrarily applied to all cases.

In the Report accompanying Bill H.R. 6443, Chair Westerman of the House on Natural Resources gives a very brief background on the tribal history with information qualified “as according to the Tribe” and concludes the need for this legislation as the right remedy. We could not disagree more. This Report is very incomplete. There is no mention of the possible reasons for the internal conflicts between the Jamul Indian Village (JIV) and the Bureau of Indian Affairs (BIA) alluded to in this Report that would impede land to trust applications. Our letter delineates numerous problems with the JIV’s choice of land parcels, but one source of great concern for the BIA might be found in the history of the casino developers. In 2018, the JIV defaulted on a 48-million-dollar loan and other financial obligations totaling close to 77 million dollars. Simultaneously, the developer Penn National Gaming was ousted as manager of the Hollywood Casino yet still holds a 101acre parcel of land that is contiguous to the 4-acre JIV. This should be a huge red flag for this Committee. Afterwards, the JIV started buying up noncontiguous parcels for land to trust acquisitions near the middle of the town center.

This Land Transfer Act is not an alternative of last resort as suggested in the Westerman Report. On May 5, 2021, the San Diego County Board of Supervisors voted to lift a County wide blanket opposition to “fee-to-trust” applications, in place since 1994, and they laid the framework for future “fee-to-trust” proposals. There is a path forward here in San Diego County.

Working through the Federal process approach lives up to the cooperative “*nation to nation ties*” ideal of the Proclamation of Indigenous People. Our Community Planning Group welcomes the opportunity to meet and discuss and answer any question you have. We look forward to hearing from you.

Respectfully,



Kevin James May

Chair, Jamul-Dulzura Community Planning Group

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ATTACHMENT:

1. JDCPG Letter of January 7, 2024, to Chair Harriet Hageman; Indian Affairs and Insular Committee concerning the Darrel E. Issa Bill H.R. 6443
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CC: ***Senate Committee on Indian Affairs***
Lisa Murkowski, Vice Chair
House Committee on Natural Resources
Bruce Westerman, Chairman
The Indian Affairs and Insular Subcommittee
Harriet Hageman, Chair
Federal Elected Representatives
Alejandro “Alex” Padilla, US Senator for California, Sponsor Bill S. 3857
Laphonza Butler, Junior Senator for California, Co-Sponsor Bill S. 3857
Representative Darrell E. Issa, District 48, Sponsor Bill H.R. 6443
Representative Juan Vargas, District 52, Co-Sponsor, Bill H.R. 6443
San Diego County, Board of Supervisors
Nora Vargas, Chair (District 1); Denise Garcia, Chief of Staff
Joel Anderson (District 2); Maggie Sleeper, Chief of Staff