

109TH CONGRESS
2D SESSION

H. R. 5125

To amend the Indian Gaming Regulatory Act to provide that the Secretary of the Interior shall not approve a Tribal-State gaming compact under that Act unless the State involved has a State law providing for a gaming master plan that has been approved by the Secretary.

IN THE HOUSE OF REPRESENTATIVES

APRIL 6, 2006

Mr. COSTA (for himself and Mr. CARDOZA) introduced the following bill; which was referred to the Committee on Resources

A BILL

To amend the Indian Gaming Regulatory Act to provide that the Secretary of the Interior shall not approve a Tribal-State gaming compact under that Act unless the State involved has a State law providing for a gaming master plan that has been approved by the Secretary.

1 *Be it enacted by the Senate and House of Representa-*
2 *tives of the United States of America in Congress assembled,*

3 **SECTION 1. STATE GAMING MASTER PLAN.**

4 Section 11(d) of the Indian Gaming Regulatory Act
5 (25 U.S.C. 2710(d)) is amended—

6 (1) in paragraph (1)(B), by striking “entity,
7 and” and inserting “entity and has a State law pro-

1 viding for a gaming master plan that has been ap-
2 proved by the Secretary, and”; and

3 (2) by adding at the end the following new
4 paragraph:

5 “(10)(A) The Secretary is authorized to ap-
6 prove a Tribal-State compact under this Act only if
7 the State in which the gaming activities subject to
8 the compact will be conducted has a State law pro-
9 viding for a gaming master plan that has been ap-
10 proved by the Secretary.

11 “(B) The Secretary may approve a State gam-
12 ing master plan only if the plan contains, at a min-
13 imum, the following:

14 “(i) A list of federally recognized Indian
15 tribes with Indian lands within the boundaries
16 of the State and the location of those Indian
17 lands in reference to the Indian Economic Op-
18 portunity Zone, if such a zone has been estab-
19 lished, and other land in that State on which
20 gaming activities regulated under this Act are
21 conducted.

22 “(ii) A limit on the number of Tribal-State
23 compacts that the State may approve per year
24 in the 10 years following submission of the plan
25 to the Secretary.

1 “(iii) A limit on the number of slot ma-
2 chines that will be allowed under the Tribal-
3 State compacts that the State may approve in
4 the 10 years following submission of the plan to
5 the Secretary.

6 “(iv) A description of the process that the
7 State used to consult with the Indian tribes list-
8 ed pursuant to clause (i) regarding the criteria
9 set forth pursuant to this subparagraph.

10 “(v) A description of the process that the
11 State will use to determine civil and criminal
12 jurisdiction regarding gaming activities regu-
13 lated under this Act.

14 “(vi) A description of the cost-benefit anal-
15 ysis that the State will use to determine the
16 feasibility of any Tribal-State compact proposed
17 to be entered into under this Act.

18 “(vii) A description of the process that the
19 State used to allow interested parties to com-
20 ment on the plan.

21 “(viii) A description of the process that the
22 State requires for final approval of any new or
23 renewed Tribal-State compact.

24 “(C) If the Secretary does not approve or dis-
25 approve a State gaming master plan before the date

1 that is 30 days after the date on which the plan is
2 submitted to the Secretary for approval, the plan
3 shall be considered to have been approved by the
4 Secretary.

5 “(D) Nothing in this paragraph shall restrict
6 newly recognized, restored, or landless federally rec-
7 ognized Indian tribes from entering into Tribal-State
8 compact negotiations in accordance with this Act.

9 “(E) Nothing in this paragraph shall affect
10 Tribal-State compacts that are lawful, valid, and in
11 effect on the date of the enactment of this para-
12 graph.”.

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