

# **PLEASE OPPOSE INDIAN GAMBLING LEGISLATION**

## **Highly Controversial – Opposed By Most Indian Tribes**

- This legislation would set a dangerous precedent and expand casino gaming by creating a shortcut to opening new casinos, not just in Michigan, but all over the country.
- Judiciary Committee strongly opposed the legislation with a unanimous, bipartisan vote against it.
- Most Indian Tribes in Michigan and other parts of the country oppose it.

## **Background**

- These bills purport to settle two Tribes' claims to their ancestral land in the Upper Peninsula of Michigan – claims that one Tribe (Bay Mills) already lost in federal and state court and the other Tribe (Soo Ste. Marie) has never bothered to pursue in court.
- The land to be granted to them is near Detroit - over 350 miles away from their reservations and the ancestral land they were claiming.
- This legislation would deem the newly acquired off-reservation land automatically eligible for casino gaming – overriding established federal and state law, including a referendum approved by Michigan voters to limit casino gaming in their state.
- These land claims are being used as a pretext to open new casinos off-reservation without the two Tribes involved having to abide by established federal and state procedures.
- It raises serious questions regarding procedural fairness, due process, and respect for the role of the States and the voters in our country.

### **Circumvents Review Required Under IGRA**

- The Indian Gaming Regulatory Act requires any Tribe asking that off-reservation land be taken into trust for casino gaming to submit an application to the Department of Interior.
- Interior carefully weighs a number of factors – including the distance from the Tribe’s reservation. The degree of scrutiny increases as the distance from the reservation increases because the benefits to tribal welfare diminish and the potential harms to tribal welfare increase.
- Interior also conducts extensive environmental review of the proposed land to ensure compliance with the National Environmental Policy Act – the federal government may be held liable for any NEPA liabilities that exist on the land.

### **Violates Tribal Compacts**

- The two Tribes which stand to benefit from this legislation are signatories to a 1993 compact requiring that any Tribe pursuing off-reservation gaming develop revenue-sharing agreements with the other signatory Tribes.

### **Overrides Wishes of Michigan Voters**

- The people of Michigan voted in a 2004 statewide referendum to strictly limit the expansion of casino gaming in Michigan
- Any new casino gaming facility must be approved by both a local and a State-wide vote.