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Office of the Speaker
United States House of Representatives
Washington, DC 20515

June 10, 2003

The Honorable Gale A. Norton
Secretary
United States Department of Interior
1849 C Street, N.W.
Washington, DC 20240

Dear Secretary Norton:

We write to express our concerns over recent attempts of certain Indian tribes to develop off-reservation casino sites. We strongly believe that these attempts run counter to Congressional intent and pose a serious threat to the current regulatory scheme that governs Indian gaming.

When Congress passed the Indian Gaming Regulatory Act ("IGRA") in 1988, they did not intend to authorize "reservation shopping" by Indian tribes. Indeed, IGRA presumptively prohibits gaming on all after-acquired lands and only permits off-reservation gaming under extremely limited circumstances. However, some Indian tribes are apparently attempting to take advantage of IGRA's provisions and move into lucrative casino markets far from their reservations and lands where they have a historical connection.

This problem is not new to the Interior Department. During the negotiation for the tribal-state compact between the State of New York and the Seneca Tribe, you stated, "Tribes are increasingly seeking to develop gaming facilities in areas far from their reservations, focusing on selecting a location based on market potential rather than exercising governmental jurisdiction on existing Indian lands...IGRA does not envision that off-reservation gaming would become pervasive...I am extremely concerned that the principles underlying the enactment of IGRA are being stretched in ways Congress never imagined when enacting IGRA." We agree with your statement; "Congress in enacting IGRA, struck a delicate balance between State and tribal interests that did not create an absolute right to off-reservation gaming."

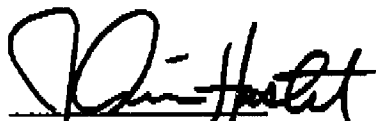
The delicate balance of which you spoke is now being tested. We strongly urge the Department of Interior to enforce IGRA and to carefully scrutinize all efforts to acquire off-reservation land to acquire a favorable casino location. This matter has received a great deal of attention recently because of the ongoing attempt by the Jena


Band of Choctaw Indians to take off-reservation land into trust for gaming, but there are many similar attempts already in force across the country with more certain to come.

If the Department of Interior permits Indian tribes to establish a reservation, take lands into trust and build a casino in areas with little or no present or historical connection, the Department of Interior will effectively sanction reservation shopping. This would establish a dangerous precedent whereby tribes could, and would, locate casinos in any state where gaming is allowed.

We strongly urge you to consider the consequences of allowing tribes to construct gaming facilities in areas where they have no historical connection. Thank you for your time and consideration of this important matter.

Sincerely,


J. Dennis Hastert
Speaker


Tom DeLay
Majority Leader


Roy Blunt
Majority Whip


Eric Cantor
Chief Deputy Whip