

The Requirements of IGRA and the Pitfalls of Non-Compliance

Practical Exercise

Directions: Answer the following question using your Tribe's Gaming Ordinance or the Model Gaming Ordinance. Please indicate the specific section and/or page number where each IGRA requirement below can be found.

1. Does your Tribe have an approved Gaming Ordinance? _____
 - a. Date Approved by Tribe? _____
 - b. Date was it approved by the Chair of the NIGC? _____
 - c. Did the approval comply with the NIGC submission requirement? _____

2. Does the Ordinance's definition of Indian lands meet the IGRA Requirements?

3. Does the Tribe authorize Class III gaming? _____

 - a. If so, does the Tribe have a compact or Secretarial Procedures? _____

4. Does the Ordinance require that the Tribe have the Sole Proprietary Interest in the gaming conducted on tribal lands? _____

5. Does the Ordinance identify how gaming revenues may be used? _____

6. Does the Ordinance authorize Per Capita Payments? _____

7. Does the Ordinance require the Tribe to conduct background investigations? _____

8. Does the Ordinance require the Casino to have a Facility License? _____

9. Does the Ordinance require the Tribe to conduct an audit? _____

10. Does the Ordinance authorize the Tribe to use a 3rd Party Management Company? _____

Other Areas of Interest for Independent Exploration: Individually owned gaming, Compact Provisions, RAP Requirements.