

TESTIMONY OF
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BEFORE THE
COMMITTEE ON RESOURCES
UNITED STATES HOUSE OF REPRESENTATIVES
HEARING ON H. R. 103
APRIL 17, 2002

Good morning, Mr. Chairman and Members of the Committee. I am pleased to be here today to provide testimony on H.R. 103, the "Tribal Sovereignty Protection Act," whose purpose is to ensure that Indian tribes are not forced to provide access to or otherwise unionize their casino employees as a condition of obtaining a federally approved Tribal-State Class III gaming compact under the Indian Gaming Regulatory Act (IGRA).

The bill, in its present form, amends Section 11(d)(3) of IGRA, 25 U.S.C. 2710(d)(3), by adding a subsection which would prohibit the inclusion of provisions pertaining to labor agreements in Class III gaming compacts. It also provides that such provisions in existing compacts shall be severed and considered null and void.

This legislation, if enacted, would affect the Tribal-State compacting process in different ways from state to state. The Department of the Interior is not prepared to speculate on how those effects will change the balance of negotiations between the Tribes and the States.

The Department is concerned about section 11(d)(3)(D) of the bill because it would reach back into existing compacts that already have been agreed to by States and Tribes and approved by the Department. This would have immediate impacts on existing labor agreements and could raise a number of unforeseeable contract issues that the Department is not prepared to discuss.

This concludes my remarks and I will be happy to answer any questions you may have.