



United States Department of the Interior

OFFICE OF THE SECRETARY
Washington, DC 20240

JUL 23 2021

The Honorable David Sickey
Tribal Chairman, Coushatta Tribe of Louisiana
P.O. Box 818
Elton, Louisiana 70532

Dear Chairman Sickey:

On June 11, 2021, the Coushatta Tribe of Louisiana (Tribe) and the State of Louisiana (State) submitted an Amendment to the Tribal State Compact for the Conduct of Class III Gaming between the Coushatta Tribe of Louisiana and the State of Louisiana (Compact), providing for the regulation of class III gaming activities by the Tribe.

We completed our review of the Compact and conclude that it does not violate the Indian Gaming Regulatory Act (IGRA), any other provision of Federal law that does not relate to jurisdiction over gaming on Indian lands, or the trust obligations of the United States to Indians. 25 U.S.C. § 2710(d)(8)(B). Therefore, pursuant to my delegated authority and Section 11 of IGRA, I approve the Compact. 25 U.S.C. § 2710(d)(8)(A). The Compact takes effect when the notice of this approval is published in the *Federal Register*. 25 U.S.C. § 2710(d)(3)(B).

A similar letter is being sent to the Honorable John Bel Edwards, Governor, State of Louisiana.

Sincerely,

Bryan Newland
Principal Deputy Assistant Secretary – Indian Affairs

Enclosure

**AMENDMENT TO THE
TRIBAL-STATE COMPACT
FOR THE CONDUCT OF CLASS III
GAMING BETWEEN THE
COUSHATTA TRIBE OF LOUISIANA
AND THE
STATE OF LOUISIANA**

**AMENDMENT TO THE
TRIBAL-STATE COMPACT
FOR THE CONDUCT OF CLASS 111 GAMING
BETWEEN THE
COUSHATTA TRIBE OF LOUISIANA
AND THE
STATE OF LOUISIANA**

PREAMBLE	3
SECTION 6: LICENSING AND CERTIFICATION	4
SECTION 15: REQUIREMENTS EFFECTIVE DATE AND	5
SECTION 17: DURATION	6
EXECUTION	

**AMENDMENT TO THE
TRIBAL-STATE COMPACT
FOR THE CONDUCT OF CLASS III GAMING
BETWEEN THE
COUSHATTA TRIBE OF LOUISIANA
AND THE
STATE OF LOUISIANA**

WHEREAS, the Coushatta Tribe of Louisiana is a sovereign Indian Nation that possesses powers of self-government, and is recognized as an Indian Tribe by the United States of America; and

WHEREAS, the Coushatta Tribe of Louisiana possesses Indian lands that are located within the State of Louisiana, and that are held in trust by the United States of America; and

WHEREAS, in 1988, the Congress of the United States of America enacted the Indian Gaming Regulatory Act, which provided a statutory basis for the operation and regulation of gaming by Indian Tribes; and

WHEREAS, the Congress of the United States of America has recognized gaming activities on Indian lands as a means of generating Tribal governmental revenue; and

WHEREAS, the Congress of the United States of America has found that "Indian Tribes have the exclusive right to regulate gaming activity on Indian lands if the gaming activity is not specifically prohibited by federal law and is conducted within a state which does not as a matter of criminal law and public policy prohibit such gaming activity"; and

WHEREAS, certain gaming activities have been authorized by the State of Louisiana by the enactment of the Louisiana Gaming Control Law, La R.S. § 27: 1, et seq.; and

WHEREAS, the Coushatta Tribe of Louisiana was originally authorized to enter into this Tribal-State Compact for the conduct of Class III gaming by Resolution No. 92-11 of the Coushatta Tribal Council, and by the Indian Gaming Regulatory Act, and was authorized and did agree to amend and extend this Tribal-State Compact by Resolution No. 99-54, Resolution No. 20-16, Resolution No. 2000-48, Resolution No. 2000-52-B, and Resolution No. 2001-34 of the Coushatta Tribal Council, and is authorized to amend and extend this Tribal-State Compact by Resolution No. 2021-11 of the Coushatta Tribal Council; and

WHEREAS, the State of Louisiana is authorized to enter into this Tribal-State Compact for the conduct of Class III gaming by Act 888 of the 1990 Regular Session of the Legislature, as amended by Act No. 817 of the 1993 Regular Session of the Legislature, and by the Indian Gaming Regulatory Act;

WHEREAS, the Coushatta Tribe of Louisiana and the State of Louisiana agree that except as modified by this Amendment, all the terms of the Tribal-State Compact for the conduct of Class III gaming, which was originally entered into and became effective on November 4, 1992, and amended on September 4, 2001, shall remain unchanged and in full force and effect;

NOW THEREFORE WE, the Coushatta Tribe of Louisiana and the State of Louisiana, by virtue of the authority vested through the Constitution and laws of the United States of America and the State of Louisiana, and in order to preserve and to protect the health, safety, and welfare of our people, do hereby amend and extend this Tribal-State Compact for the conduct of Class III gaming, which was originally entered into and became effective on November 4, 1992, and amended on September 4, 2001, as further amended as set forth herein and enumerated below:

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SECTION 6: LICENSING AND CERTIFICATION REQUIREMENTS

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*

- (E) Each person or entity that provides the Class III gaming facilities or operation with non-gaming related supplies, services, or concessions during the immediate past twelve (12) month period, who has received in excess of \$500,000.00 annually (or such other dollar amount as promulgated, from time to time, by the Louisiana Gaming Control Board) from the Class III gaming facilities or operation as payment for providing non-gaming goods and services to the Tribal gaming operation shall, except as provided in subparts G and H of this section, be licensed by the Coushatta Tribe of Louisiana and be certified by the State of Louisiana prior to the sale of any goods or services, in excess of \$500,000.00, (or such other dollar amount as promulgated, from time to time, by the Louisiana Gaming Control Board) every two (2) years thereafter. Persons or entities that provide the Class III gaming facilities or operation with non-gaming related supplies, services, or concessions in amounts less than as provided above, are exempt from the licensing and certification requirements, provided:
 - (1) Not less than monthly, the Coushatta Tribe of Louisiana shall provide the State of Louisiana with the names and addresses of the persons or entities supplying goods and services under this exception to the certification requirements.

- (2) Not less than quarterly, the Coushatta Tribe of Louisiana shall provide the State of Louisiana with a statement of the dollar amount of goods and services provided by each person or entity.
- (3) The Coushatta Tribe of Louisiana shall not knowingly or willingly allow any person or entity to provide supplies, services, or concessions under another name for the purpose of evading State certification requirements.
- (4) No person or entity who provides supplies, services or concessions to the gaming operation, shall purposely and knowingly evade State Certification, by utilizing another name or scheme or by manipulating their billing cycle in any manner to avoid compliance with the provisions of this or any other section of this Tribal-State Compact. Any person or entity involved in such intentional evasion shall be subject to having their State Certification, including certification by presumptive suitability, suspended or revoked.
- (5) Any non-gaming State Certification issued pursuant to this section is a revocable privilege. Any non-gaming vendor or supplier may, at any time, be required by the State of Louisiana to demonstrate by clear and convincing evidence his/her suitability and qualifications, even if otherwise exempt or presumed suitable. Failure to pay any fee required by this Tribal-State Compact shall be grounds for the State of Louisiana to refuse to place a certified non-gaming vendor or supplier in an approved status.

* * *

SECTION 15: EFFECTIVE DATE AND DURATION

- (A) This Tribal-State Compact shall become effective and binding upon the Coushatta Tribe of Louisiana and the State of Louisiana, as hereby amended and extended, upon the publication in the Federal Register of notice of approval by the Secretary of the Interior of the United States of America.
- (B) This amended and extended Tribal-State Compact shall expire thirty (30) years after it becomes binding upon the Coushatta Tribe of Louisiana and the State of Louisiana, unless sooner terminated under the provisions hereof.
- (C) This amended and extended Tribal-State Compact shall automatically be extended for terms of thirty (30) years, unless the Coushatta Tribe of Louisiana or the State of Louisiana provides written notice of nonrenewal not less than 180 days prior to the expiration of the original term of this Tribal-State Compact or any extension thereof.


(D) In the event that written notice of non-renewal is provided to the Coushatta Tribe of Louisiana or the State of Louisiana, then the Coushatta Tribe of Louisiana may request the State of Louisiana to commence good faith negotiations for a successor Tribal-State Compact, as provided in the Indian Gaming Regulatory Act.

* * *

SECTION 17: EXECUTION


IN WITNESS WHEREOF, as duly authorized representatives of the Coushatta Tribe of Louisiana and the State of Louisiana, we have hereunto set our hands officially and caused to be affixed the Great Seals of the Coushatta Tribe of Louisiana and the State of Louisiana.

COUSHATTA TRIBE OF LOUISIANA



DAVID SICKEY, Tribal Chairman
Date: 6/3/2021

STATE OF LOUISIANA



JOHN BEL EDWARDS, Governor
Date: 5/27/2021

UNITED STATES OF AMERICA DEPARTMENT OF THE INTERIOR



Date: JUL 23 2021