



United States Department of the Interior

OFFICE OF THE SECRETARY
Washington, DC 20240

JAN 23 2024

The Honorable Jonathan Cernek
Chairman, Coshatta Tribe of Louisiana
P.O. Box 818
Elton, Louisiana 70532

Dear Chairman Cernek:

On December 14, 2023, the Office of Indian Gaming received an amendment (Amendment) to the Tribal-State Compact for Class III Gaming between the Coshatta Tribe of Louisiana (Tribe) and the State of Louisiana. The Amendment removes Section 12 subpart (C) from the Tribe's Compact governing the conduct of class III gaming activities by the Tribe.

We have completed our review of the Amendment 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.

Therefore, pursuant to my delegated authority and Section 11 of IGRA, I approve the Amendment. 25 U.S.C. § 2710(d)(8)(A). The Amendment takes effect when the notice of this approval is published in the *Federal Register*, as required by 25 U.S.C. § 2710(d)(8)(D). I applaud the Tribe's and the State's efforts to remove a compact provision that conflicts with IGRA's prohibition on the imposition of a tax, fee, charge, or other assessment upon a Tribe engaged in the conduct of class III gaming. 25 U.S.C. § 2710(d)(4).

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

Sincerely,

Bryan Newland
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**

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WHEREAS, the Coshatta Tribe of Louisiana (hereinafter, the “Tribe”) is a sovereign American Indian tribe in a government-to-government relationship recognized by the United States of America; and

WHEREAS, the State of Louisiana (hereinafter, the “State”) is a sovereign state of the United States of America; and

WHEREAS, the Tribe is situated on and occupies federally-owned trust lands situated in the southwestern part of the State (hereinafter, the “Reservation”) which includes all those lands duly and officially now held in trust by the United States of America for the use and benefit of the Tribe; 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 Coshatta Tribe of Louisiana was originally authorized to enter into this Tribal-State Compact for the conduct of Class III gaming by Resolution 92-11 of the Coshatta 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 99-54, Resolution 00-16, Resolution 00-48, Resolution 00-52-B, Resolution 01-34, and Resolution 21-11 of the Coshatta Tribal Council, and is authorized to amend this Tribal-State Compact by Resolution 2023-____ of the Coshatta 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 was amended on September 4, 2001, and was further amended June 11, 2021, 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 this Tribal-State Compact for the conduct of Class III gaming, as set forth below:

This amendment hereby completely removes in its entirety the following Appendix:

**“APPENDIX D TO TRIBAL-STATE CLASS III GAMING COMPACT
COMMUNITY GRANT AGREEMENT”**

This amendment hereby also removes subparts (C) (1) and (2) of Section 12: Revenues.

This amendment hereby amends Section 12: Revenues, to read as follows:

SECTION 12: REVENUES


- (A) The gross proceeds of all Class III gaming activities, less the amount awarded in prizes and winnings, shall be segregated from other revenue of the Coushatta Tribe of Louisiana, and shall be placed in a separate account and shall be separately accounted for until such time as all related expenses have been paid. Such funds may then be commingled with other funds of the Coushatta Tribe of Louisiana on a monthly basis. Separate records of the gross proceeds of all Class III gaming activities shall be maintained for at least six (6) years by the Coushatta Tribe of Louisiana.
- (B)
 - (1) For the purposes of Section 12 of this Tribal-State Compact, “net revenues” shall mean gross revenues of an Indian gaming activity less amounts paid out as, or paid for, prizes and total operating expenses, excluding management fees.
 - (2) Net revenues from the conduct of Class III gaming shall not be used for purposes other than:

- (a) To fund Tribal government operations and programs.
- (b) To provide for the general welfare of the Coushatta Tribe of Louisiana and its members.
- (c) To promote Tribal economic development.
- (d) To donate to charitable organizations.
- (e) To help fund operations of local government agencies.
- (f) Any purposes authorized by the Indian Gaming Regulatory Act.

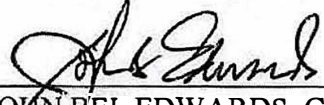
SECTION 17: EXECUTION

IN WITNESS HEREOF, 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

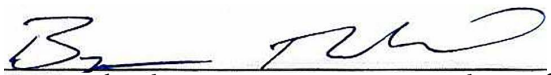
THE COUSHATTA TRIBE OF LOUISIANA

By: 
 JONATHAN CERNEK, Tribal Chairman
 Date: 12-14-23

THE STATE OF LOUISIANA

By: 
 JOHN BEL EDWARDS, Governor
 Date: 12-8-2023

**UNITED STATES OF AMERICA
 DEPARTMENT OF THE INTERIOR**


 Bryan Newland, Assistant Secretary - Indian Affairs
 Date: JAN 23 2024