

H.R. 759, Ysleta del Sur Pueblo and Alabama-Coushatta Tribes of Texas Equal and Fair Opportunity Settlement Act

As ordered reported by the House Committee on Natural Resources on June 19, 2019

By Fiscal Year, Millions of Dollars	2019	2019-2024	2019-2029
Direct Spending (Outlays)	0	0	0
Revenues	0	0	0
Deficit Effect	0	0	0
Spending Subject to Appropriation (Outlays)	0	*	n.e.
Statutory pay-as-you-go procedures apply?	No	Mandate Effects	
Increases on-budget deficits in any of the four consecutive 10-year periods beginning in 2030?	No	Contains intergovernmental mandate?	No
		Contains private-sector mandate?	No
n.e. = not estimated; * = between zero and \$500,000.			

The Ysleta del Sur Pueblo and Alabama-Coushatta Indian tribes of Texas Restoration Act (Restoration Act) prohibits those two tribes from conducting gaming activities on their reservations—such as slot-machine gambling—if those activities are prohibited by the laws of Texas. That act could be in conflict with another federal law, the Indian Gaming Regulatory Act (IGRA), which generally provides that Indian tribes have the exclusive right to regulate gaming on their reservations so long as certain conditions are met. In March 2019, the Fifth Circuit Court of appeals upheld a federal district court ruling that the Restoration Act, not the IGRA, applies in determining whether the tribes may offer certain gaming activities in Texas.

H.R. 759 would amend the Restoration Act to clarify that the act shall not be construed to preclude or limit the applicability of the IGRA. The bill would effectively make the IGRA the controlling federal statute concerning gaming matters with regard to the Ysleta del Sur Pueblo and the Alabama-Coushatta tribes in Texas. If the legislation is enacted, it could result in an expansion of gaming on those tribal reservations in Texas, depending on the outcome of negotiations between the tribes and state.



Using information from the Bureau of Indian Affairs, CBO expects that the agency's Office of Indian Gaming could incur a small increase in administrative costs to review and approve any tribal-state gaming compacts, tribal revenue allocation plans, and determinations of eligibility for gaming on lands acquired in trust. CBO estimates that those costs would not exceed \$500,000; any spending would be subject to the availability of appropriated funds.

The CBO staff contact for this estimate is Jon Sperl. The estimate was reviewed H. Samuel Papenfuss, Deputy Assistant Director for Budget Analysis.