



Senate Indian Affairs Committee Approves Feinstein Bill to Restore Oversight Process for San Pablo Casino Project

June 28, 2005

Washington, DC – The Senate Indian Affairs Committee today approved legislation sponsored by Senator Dianne Feinstein (D-Calif.) to require that the Lytton Band of Pomo Indians go through the same regulatory oversight process for opening a casino as any other tribe that acquired land after October 17, 1988 – the date the Indian Gaming Regulatory Act was enacted.

“I believe that the Lytton Tribe should have to go through the same process under federal law that all other tribes must go through,” Senator Feinstein said. **“Today’s vote will help ensure that the Lytton Tribe isn’t able to short-circuit the regulatory process and proceed with Las Vegas-style gaming in the heart of the Bay Area.”**

“This should be a signal that off-reservation, in-city gaming is not acceptable. Propositions 1A clearly stated that all Indian gaming would stay on tribal lands. I believe that this commitment to the People of California should be kept.”

“My great thanks go to Chairman McCain and the Indian Affairs Committee for passing this legislation. It is my hope that the Senate will pass the bill soon.”

Senator Feinstein’s bill would strike a provision in the 2000 Indian Omnibus Advancement Act – inserted by Congressman George Miller (D-Calif.) – which allows the Lytton Tribe to sidestep gaming requirements in the Indian Gaming Regulatory Act. The provision required the Secretary of Interior to backdate the acquisition of a card club property in San Pablo to October 17, 1988.

The committee voted 9-3 in favor of the bill. If the legislation is approved by Congress and signed into law, the Lytton Tribe would be required to go through a two-part determination process that requires both the Secretary of Interior and a State’s Governor to sign off on plans to build a gaming facility. This process also provides for consultation with local communities and nearby tribes prior to its completion.

Background

Last year, California Governor Arnold Schwarzenegger entered into a compact with the Lytton Tribe that authorized 5,000 slot machines in a 6-8 story casino in the city of San Pablo.

The proposed facility would have been the largest casino outside of Connecticut, including those in Las Vegas.

Alarmed by the size of the proposed project, the Legislature refused to take up and approve the compact, even after the Governor scaled back the proposal to include only 2,500 slot machines.

Subsequently, the Lytton Tribe announced that it was temporarily dropping its pursuit of a casino, but it could reverse these plans at anytime and is already proceeding with plans for Class II electronic bingo machines that function and look like slot machines. These would not be permitted without IGRA authorization.

###