

**§ 290.23 How does the Indian tribe resolve disputes arising from per capita payments to individual members or identified groups of members?**

You must utilize or establish a tribal court system, forum or administrative process for resolving disputes arising from the allocation of net gaming revenue and the distribution of per capita payments.

**§ 290.24 Do revisions/amendments to a tribal revenue allocation plan require approval?**

Yes, revisions/amendments to a tribal revenue allocation plan must be submitted to the ABO for approval to ensure that they comply with § 290.12 and IGRA.

**§ 290.25 What is the liability of the United States under this part?**

The United States is not liable for the manner in which a tribe distributes funds from net gaming revenues.

**§ 290.26 Are previously approved tribal revenue allocation plans, revisions, or amendments subject to review in accordance with this part?**

No. This part applies only to tribal revenue allocation plans, revisions, or amendments submitted for approval after April 17, 2000.

(a) If the ABO approved your tribal revenue allocation plan, revisions, or amendments before April 17, 2000, you need not resubmit it for approval.

(b) If you are amending or revising a previously approved allocation plan, you must submit the amended or revised plan to the ABO for review and approval under this part.

**PART 291—CLASS III GAMING PROCEDURES**

Sec.

291.1 Purpose and scope.

291.2 Definitions.

291.3 When may an Indian tribe ask the Secretary to issue Class III gaming procedures?

291.4 What must a proposal requesting Class III gaming procedures contain?

291.5 Where must the proposal requesting Class III gaming procedures be filed?

291.6 What must the Secretary do upon receiving a proposal?

291.7 What must the Secretary do if it has been determined that the Indian tribe is

eligible to request Class III gaming procedures?

291.8 What must the Secretary do at the expiration of the 60-day comment period if the State has not submitted an alternative proposal?

291.9 What must the Secretary do at the end of the 60-day comment period if the State offers an alternative proposal for Class III gaming procedures?

291.10 What is the role of the mediator appointed by the Secretary?

291.11 What must the Secretary do upon receiving the proposal selected by the mediator?

291.12 Who will monitor and enforce tribal compliance with the Class III gaming procedures?

291.13 When do Class III gaming procedures for an Indian tribe become effective?

291.14 How can Class III gaming procedures issued by the Secretary be amended?

291.15 How long do Class III gaming procedures remain in effect?

AUTHORITY: 5 U.S.C. 301; 25 U.S.C. sections 2,9 and 2710.

SOURCE: 64 FR 17543, Apr. 12, 1999, unless otherwise noted.

**§ 291.1 Purpose and scope.**

The regulations in this part establish procedures that the Secretary will use to promulgate rules for the conduct of Class III Indian gaming when:

(a) A State and an Indian tribe are unable to voluntarily agree to a compact and;

(b) The State has asserted its immunity from suit brought by an Indian tribe under 25 U.S.C. 2710(d)(7)(B).

**§ 291.2 Definitions**

(a) All terms have the same meaning as set forth in the definitional section of IGRA, 25 U.S.C. section 2703(1)–(10).

(b) The term “compact” includes renewal of an existing compact.

**§ 291.3 When may an Indian tribe ask the Secretary to issue Class III gaming procedures?**

An Indian tribe may ask the Secretary to issue Class III gaming procedures when the following steps have taken place:

(a) The Indian tribe submitted a written request to the State to enter into negotiations to establish a Tribal-State compact governing the conduct of Class III gaming activities;