

# Turtle Talk

SKIP TO CONTENT

- HOME
- ABOUT
- INDIGENOUS LAW PROGRAM AND EVENTS
- ILPC RESEARCH AREAS
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SEPTEMBER 8, 2011 · 9:47 AM

[↓ Jump to Comments](#)

## Toward Intertribal Revenue Sharing

Indian gaming is heading for bad news, if it isn't already there. Indian tribes defending their share of big gaming markets are paying off states, lobbyists (and the federal Reps and Senators linked to them), and big time lawyers (hopefully someone who went to PLSI, so at least they have some soul), sometimes to the tune of millions of dollars.

It kinda works one of two ways, although they overlap. The first way, the oldest way, is political — Tribe A pays hundreds of thousands of dollars to a lawyer for advice. Big time lawyer says spend hundreds of thousands on campaign contributions to whomever in D.C. is in power, and perhaps the state elected officials, too, if gaming compacts negotiations are needed, to keep Tribe B from getting into Tribe A's market. Meanwhile, Tribe B is paying another big time lawyer for advice on how to get into Tribe A's market (of course, they don't agree it's Tribe A's market; to them, it's Tribe B's market). Tribe B's lawyers recommending spending hundreds of thousands more on the same political entities. Tribe A and B pay tons of dough really for nothing, since the political entities are getting a windfall.

Option two isn't much better (and must less used so far), with the bigger gaming tribe using the gaming compacting process to pay more money to the state to protect a gaming share. The smaller

gaming tribes who want into the bigger gaming tribes wheelhouse will naturally agreed to pay even more to the state. State gets more and more.

Option three is litigation, losers all around.

Why not negotiate among tribes *first*? Who says political entities in the federal government and states are good at gatekeeping or keeping their word? **If Tribe A wants Tribe B out, why don't they approach each other and at least ask what's it is worth to keep the status quo? Why should politicians and states ever get anything from an Indian tribe?**

Yeah, some tribes need gaming compacts. This might not help them, though after Rincon, states can't just ask for revenue sharing in exchange for a compact.

Intertribal revenue sharing has to be the future, or else all the intertribal conflict will destroy most of the good things about Indian gaming.