

(a) **IN GENERAL.**—For fiscal year 2011 and each fiscal year thereafter, in addition to any other requirements under applicable Federal law, gaming shall not be conducted on land taken into trust by the Federal Government after the date of enactment of this Act, unless the Secretary of the Interior determines when taking land into trust for gaming purposes that the Indian tribe demonstrates —

- (1) a substantial direct modern connection to the land taken into trust; and
- (2) a substantial direct aboriginal connection to the land taken into trust.

(b) **APPLICABILITY.**—

(1) Subsection (a) shall not apply---

(A) to such lands that are located within or contiguous to the boundaries of the reservation of the Indian tribe on October 17, 1988; or

(B) if the Indian tribe has no reservation on October 17, 1988, and -

(i) such lands are located in Oklahoma and -

(I) are within the boundaries of the Indian tribe's former reservation, as defined by the Secretary, or

(II) are contiguous to other land held in trust or restricted status by the United States for the Indian tribe in Oklahoma; or

(ii) such lands are located in a State other than Oklahoma and are within the Indian tribe's last recognized reservation within the State or States within which such Indian tribe is presently located.

(2) This section shall not apply to a final agency decision issued before the date of enactment of this Act.