

UNITED SOUTH AND EASTERN TRIBES, INC

RESOLUTION NO. 93-01NC

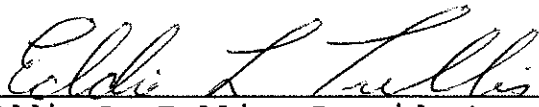
SUPPORT OF THE USET GAMING ASSOCIATION (UGA) AND THE
TRIBAL LEADERS, NCAI, NIGA GAMING TASK FORCE POSITION
PAPER TO BUILD CONSENSUS FOR SUPPORT OF IGRA

- WHEREAS, the United South and Eastern Tribes, Inc. (USET) is an inter-tribal organization comprised of twenty (20) federally recognized tribes; and
- WHEREAS, the actions taken by the USET, Inc. Board of Directors officially represent the intentions of each member tribe, as the Board of Directors is comprised of delegates from the member Tribes leadership; and
- WHEREAS, the USET supports Indian gaming for tribal economic development benefits and strengthening of tribal governments; and
- WHEREAS, the Tribal Leaders, NCAI, and NIGA gaming Task Force and UGA have adopted position papers to encourage joint meetings between tribal and state governments;

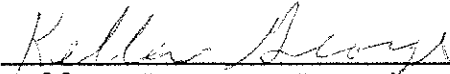
NOW, THEREFORE BE IT RESOLVED THAT the USET Board endorsed the consensus building process between Tribes and States for support of IGRA as stated in the UGA Position Paper (Attached)

CERTIFICATION

This resolution was duly passed at the Board of Directors Meeting, at which a quorum was present, in Cherokee, NC, on May 15, 1993.



Eddie L. Tullis, President
United South and Eastern Tribes, Inc.



Keller George, Secretary
United South and Eastern Tribes, Inc.

UNITED SOUTH AND EASTERN TRIBES, INC.

POSITION STATEMENT

ON THE INDIAN GAMING REGULATORY ACT

Indian gaming is a very important segment of economic development in the Eastern Area of the BIA. Currently the total employment for the 20 tribes located in this area is _____. There are _____ tribes with gaming operations, while _____ tribes will be opening gaming operations within the next twelve months. Gaming now accounts for _____ reservation jobs, and, when the projected gaming operations open, this total will rise to _____. These jobs account for _____% of total tribal employment. Gaming has gone a long way toward reducing unemployment not only for the reservations, but for the local surrounding communities as well -- at not cost to the tax payers.

Annual net gaming revenue to these tribes is \$_____. This money is currently being used to supplement tribal services, ranging from health care, educational programs and scholarships, new and repaired housing, law enforcement, social services, roads and infrastructure improvements, and day care centers. Tribes have invested some of their revenues in other new economic development projects.

The legal basis supporting tribal gaming is simple -- treaty rights, federal law, and Supreme Court decisions recognize the sovereign rights of tribal governments. The Indian Gaming Regulatory Act of 1988 (IGRA) authorizes tribes located in states where gaming is allowed as a matter of public policy the right to conduct their own gaming.

The Congress responded to the states' requests for an active role in development of Class III casino gaming on Indian reservations by allowing states to negotiate Compacts with tribes to govern certain common issues. In theory this process should work well; however, states have reneged on the role that they had originally requested from Congress. Many are refusing to recognize tribal rights expressed in the terms of the IGRA. The legal battles that have emerged are costing the tribes money and development opportunities. This process has to stop. Tribes should be allowed to exercise their sovereign rights recognized by Congress and the courts.

Senator Daniel Inouye, Chairman of the Senate Committee on Indian Affairs, has requested that tribal leaders not stand idly by and wait for attacks on the IGRA by the interest groups that wish to kill Indian gaming as a viable enterprise. Tribes should take action on the Senator's request and meet with officials of those states with a willingness to open a dialogue in an attempt to reach some consensus on open issues concerning the IGRA.

Tribes should continue planning and preparing a detailed statement defining existing national issues in implementing the terms of the Act and not focus

on regional or individual problems. The primary focus should address recognition of tribal and state sovereign rights issues and the role of the federal government in actively helping resolve regulatory and intergovernmental issues.

There are 33 states with federally recognized tribes and there are 324 tribes in the lower 48 states. Each state has its own gaming laws, as does each tribe. This creates a diversity of interests and issues. States have representation in numerous associations -- the National Governors Association, the Western Attorneys General Association, etc. Tribes are represented by numerous gaming and governmental associations -- USET, NCAI, NIGA, etc. Everyone appears to be dissatisfied with various aspects of the Act. Many of the proposed changes to the Act are self-serving and are without consideration to the overall well-being of Indian gaming.

USET suggests the detailed statement of pertinent issues be prepared by the same group of Indian representatives that would be selected to participate in face to face discussions with interested state and federal representatives. Participants in such discussions, to be carried out under the aegis of the Senate Committee on Indian Affairs, would include representatives from 12 tribal governments, 6 state governors, 6 state attorneys general, and 1 each from the Office of the Secretary of Interior, the Interior Solicitor's Office, the Justice Department, and the National Indian Gaming Commission.

The working group should be given sufficient time to reach a consensus on the national issues concerning Indian gaming. There is a strong hope that a consensus can be built as the various parties accept that tribal gaming can be a win-win situation; for as tribes develop economically, states will also benefit. During this process the Act should not be opened for amendments. Any attempt to legislatively change the Act during this period would destroy the trust necessary for consensus-building.

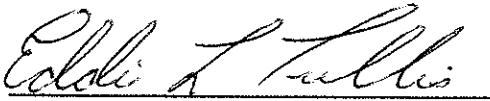
USET supports the resolution passed by the Tribal Leaders, NCAI, NIGA Task Force meeting with Senator Inouye at the May 1st meeting in Denver, Colorado. This resolution supports a consensus-building process focused on the national issues concerning Indian gaming that will protect tribal rights to maintain the economic opportunity as provided under the IGRA and requests that Senator Inouye use his resources to schedule a series of working group meetings among tribal, state and federal officials. The resolution further requests that no moratorium on Tribal/State Compact approval be considered by President Clinton's administration or the Congress, so that these meetings can be conducted in a good faith effort.

Every effort should be made by both Tribes and States to effect this consensus. The forum should be based upon a mutual understanding and be absent of the hobgoblins of mistrust that have often haunted discussion in times past.

USET Position Paper
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May 13, 1993

Respectfully Submitted,



Eddie Tullis
Eddie Tullis
USET PRESIDENT



Keller George
Keller George
USET SECRETARY