



United South and Eastern Tribes, Inc.  
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**USET Resolution No. 2010:026**

**SUPPORT OF THE STUDY OF INTERNET GAMING AND ITS POTENTIAL BENEFITS FOR INDIAN TRIBES**

- WHEREAS,** United South and Eastern Tribes Incorporated (USET) is an intertribal organization comprised of twenty-five (25) federally recognized Tribes; and
- WHEREAS,** the actions taken by the USET Board of Directors officially represent the intentions of each member Tribe, as the Board of Directors comprises delegates from the member Tribes' leadership; and
- WHEREAS,** the U.S. Constitution, U.S. Supreme Court decisions and various treaties, statutes, and regulations recognize the sovereignty of Indian Tribes and their status as distinct governments; and
- WHEREAS,** Congress, in 1988, enacted the Indian Gaming Regulatory Act (IGRA) to promote Tribal economic development, self-sufficiency and strong Tribal Governments; and
- WHEREAS,** IGRA acknowledged and confirmed the inherent sovereign powers of Tribal Governments; and
- WHEREAS,** under IGRA, Indian Tribes conduct gaming as an exercise of inherent sovereign authority as a source of revenue for Tribal Government functions, services and to provide for the general welfare of Tribal members; and
- WHEREAS,** many Indian Tribes have established successful gaming operations to create jobs and promote economic opportunities for Indian and non-Indian communities; and
- WHEREAS,** internet gaming is a rapidly expanding sector within the gaming industry, estimated to generate billions of dollars, with the majority of revenue originating from the U.S.; and
- WHEREAS,** because the laws of the U.S. do not clearly allow Tribal Governments or U.S. companies to engage in internet gaming, all internet gaming revenue within the U.S. benefits individuals and companies outside the U.S.; and
- WHEREAS,** legislation has been introduced during the 111<sup>th</sup> Congress in the U.S. Senate (S.1597) and House of Representatives (H.R. 2266 and 2267) that would provide a mechanism for the legalization and regulation of various forms of internet gaming; and
- WHEREAS,** attempts at prohibition of internet gaming have proven unsuccessful, with the offshore internet gaming industry thriving despite legislation and regulations aimed at prohibiting the processing of payments for internet wagers; and
- WHEREAS,** the subject of internet gaming legislation and its potential impact on Indian Tribes has been a much discussed topic at recent Tribal meetings, including the 2009 NCAI Convention in Palm Springs, CA, the 2009 Annual USET Meeting in Hollywood, FL, and the 2010 NIGA Trade Show and Convention in San Diego, CA; and

- WHEREAS,** at the 2009 Annual USET Meeting, the USET Board of Directors unanimously approved Resolution 2009:065, on October 29, 2009, calling for active engagement with the sponsors of internet gaming legislation in Congress to ensure the interests of Indian Tribes and Tribal gaming operations are protected; and
- WHEREAS,** on March 29, 2010, House Financial Services Committee Chairman Barney Frank requested USET's requesting assistance in modifying H.R. 2267 to address the concerns of Indian Tribes; therefore, be it
- RESOLVED** the USET Board of Directors supports the recommended changes to H.R. 2267 and S. 1597 in order to protect the sovereignty and interests of Indian Tribes and existing Tribal gaming operations; and, be it further
- RESOLVED** the USET Board of Directors recommends that any legislation introduced to license and regulate internet gaming should make clear that licensing internet gaming by an Indian Tribe, or operating an internet gaming enterprise by a Tribally-licensed entity, should in no way implicate the Indian Gaming Regulatory Act or require the re-negotiation or other modification to Class III compacts with States entered into pursuant to the Indian Gaming Regulatory Act; and, be it further
- RESOLVED** the USET Board of Directors recommends that such legislation should make clear that any internet gaming entity licensed by an Indian Tribe can accept play from any State or Tribal reservation which is participating in the interstate system for licensing and regulation, and should in no way be limited to the reservation where such Indian Tribe is located; and, be it further
- RESOLVED** the USET Board of Directors recommends that any such legislation should make clear that Indian Tribes have the same licensing prerogatives as State governments, and should not provide preferential treatment to any State government licensing entities over Tribal government licensing entities; and, be it further
- RESOLVED** the USET Board of Directors recommends that such legislation should preserve Tribal sovereignty with respect to the business of operating an internet gaming operation with respect to any business relationships entered into, and with respect to the application of Tribal laws to those business relationships; and, be it further
- RESOLVED** by the USET Board of Directors, that such legislation should provide a clear prohibition on the creation of commercial Internet gaming parlors or any establishment housing multiple terminals for the purpose of internet gaming; and, be it further
- RESOLVED** the USET Board of Directors opposes efforts to impose intra-state licensing of internet gaming, as such legislation discriminates against Indian Tribes located in less populated States; and, be it further
- RESOLVED** the USET Board of Directors, opposes Federal internet gaming legislation that does not meet the standards put forward in this resolution, and will call upon other organizations representing Indian Tribes to do the same.

*"Because there is strength in Unity"*

**CERTIFICATION**

This resolution was duly passed at the USET Semi-Annual Meeting, at which a quorum was present, in Mobile, AL, on Thursday, June 17, 2010.

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Brian Patterson, President  
United South and Eastern Tribe, Inc.

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Robert McGhee, Secretary  
United South and Eastern Tribes, Inc.

*“Because there is strength in Unity”*