



NATIONAL CONGRESS OF AMERICAN INDIANS

The National Congress of American Indians Resolution #DEN-07-042

TITLE: Opposition to the NIGC's Proposed Amendments to Class II Definitions, MICS and Game Classification Standards

WHEREAS, we, the members of the National Congress of American Indians of the United States, invoking the divine blessing of the Creator upon our efforts and purposes, in order to preserve for ourselves and our descendants the inherent sovereign rights of our Indian nations, rights secured under Indian treaties and agreements with the United States, and all other rights and benefits to which we are entitled under the laws and Constitution of the United States, to enlighten the public toward a better understanding of the Indian people, to preserve Indian cultural values, and otherwise promote the health, safety and welfare of the Indian people, do hereby establish and submit the following resolution; and

WHEREAS, the National Congress of American Indians (NCAI) was established in 1944 and is the oldest and largest national organization of American Indian and Alaska Native tribal governments; and

WHEREAS, the Indian Gaming Regulatory Act (IGRA) was enacted to promote tribal economic development, self-sufficiency and strong tribal governments; and

WHEREAS, Indian tribes use governmental revenue generated by Indian gaming to build tribal government and community infrastructure, such as schools, health clinics, water and sanitation systems, and roads, to fund essential tribal government services, including education, after school programs, health care, police and fire services, child care and elderly nutrition, and charitable causes; and

WHEREAS, the IGRA created the National Indian Gaming Commission (NIGC); and

WHEREAS, the NIGC as a federal agency has a responsibility to respect the letter and spirit of the IGRA, existing Federal court rulings and current NIGC regulations and opinions; and

WHEREAS, the National Indian Gaming Commission has not met its responsibility to engage in government to government consultation with Indian tribes and to accommodate tribal government concerns consistent with the agency's statutory obligations; and

WHEREAS, the National Indian Gaming Commission has not conducted sufficient consultation concerning changes to the Class II Regulatory Definitions, MICS, and Technological Aids Classification Standards; and

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WHEREAS, proposing regulations without proper consultation, would create requirements that intrude upon the sovereign right of tribes to operate and regulate class II games in accordance with IGRA.

NOW THEREFORE BE IT RESOLVED, that the NCAI does hereby oppose the NIGC's efforts to place restraints on class II gaming as proposed in the 2007 Amendments to Class II Definitions, MICS, and Game Classification Standards because they violate the IGRA, federal court decisions and are not in accord with tribal sovereignty; and

BE IT FURTHER RESOLVED, that this resolution shall be the policy of NCAI until it is withdrawn or modified by subsequent resolution.

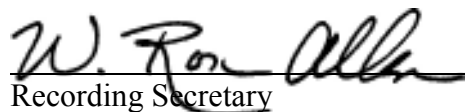
CERTIFICATION

The foregoing resolution was adopted by the General Assembly at the 2007 Annual Session of the National Congress of American Indians, held at the Hyatt Regency Denver at the Colorado Convention Center in Denver, Colorado on November 11-16, 2007, with a quorum present.



President

ATTEST:



Recording Secretary