



NATIONAL CONGRESS OF AMERICAN INDIANS

The National Congress of American Indians Resolution #ABQ-03-020

TITLE: Opposition to Interception of Gaming Proceeds

EXECUTIVE COMMITTEE

PRESIDENT
Tex G. Hall
Mandan, Hidatsa, and Arikara Nation

FIRST VICE-PRESIDENT
Joe A. Garcia
Ohkay Owingeh
(Pueblo of San Juan)

RECORDING SECRETARY
Juana Majel
Pauma-Yuima Band of Mission Indians

TREASURER
W. Ron Allen
Jamestown S'Klallam Tribe

REGIONAL VICE-PRESIDENTS

ALASKA
Edward K. Thomas
Tlingit and Haida Tribes

EASTERN OKLAHOMA
Jefferson Keel
Chickasaw Nation

GREAT PLAINS
Harold Frazier
Cheyenne River Sioux Tribe

MIDWEST
Norman Adams, Jr.
Bois Forte Band of Chippewa Indians

NORTHEAST
Kevin Seneca
Seneca Nation

NORTHWEST
Ernie Stensgar
Coeur d'Alene Tribe

PACIFIC
Leslie Lohse
Paskenta Band of Nomlaki Indians

ROCKY MOUNTAIN
Geri Small
Northern Cheyenne Tribe

SOUTHEAST
Eddie Tullis
Poarch Band of Creek Indians

SOUTHERN PLAINS
Zach Pahmahmie
Prairie Band Potawatomi Nation

SOUTHWEST
John F. Gonzales
San Ildefonso Pueblo

WESTERN
Artan Melendez
Reno-Sparks Indian Colony

EXECUTIVE DIRECTOR
Jacqueline Johnson
Tlingit

NCAI HEADQUARTERS
1301 Connecticut Avenue, NW
Suite 200
Washington, DC 20036
202.466.7767
202.466.7797 fax
www.ncai.org

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 National Congress of American Indians promotes the sovereign rights of the tribal nations and governments and their right to make government-to-government agreements; and

WHEREAS, certain tribes foster economic development for the economic benefits of their peoples, including Tribal gaming; and

WHEREAS, the Child Support Enforcement Proposal in the President's Fiscal Year 2004 Budget requests that Congress enact a law that would require the Tribal Government Gaming operations to intercept gaming winnings that meet the IRS minimum tax reporting threshold to offset any delinquent child support; and

WHEREAS, these Child Support Enforcement Proposal was developed without any government-to-government consultation with the Tribes contrary to the requirements of Executive Order # 13175; and

WHEREAS, Tribal gaming operations operate according to tribal law, the requirements of the Indian Gaming Regulatory Act ("IGRA") and compacts entered into between the tribes and the states where their gaming operations are located and the Child Support Enforcement Proposal intrudes upon the legal relationships established since the passage of IGRA; and

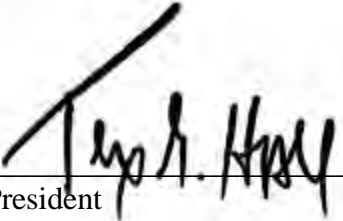
WHEREAS, the Child Support Enforcement Proposal would apply an unreasonable and impossible burden upon tribal gaming operations and irreparably damage business relationships with their customers.

NOW THEREFORE BE IT RESOLVED, that the NCAI strongly opposes the Administrations proposed requirement that tribal gaming operations intercept customer winnings to satisfy outstanding child support payments.

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 at the 60th Annual Session of the National Congress of American Indians, held at the Albuquerque Convention Center, Albuquerque, New Mexico, on November 21, 2003 with a quorum present.



President

ATTEST:



Recording Secretary

Adopted by the General Assembly during 60th Annual Session of the National Congress of American Indians, held in Albuquerque, New Mexico, from November 17-21, 2003.