

CHAIRMAN'S REPORT



Chairman Delores Pigsley

Several important events took place recently and I would like to highlight a few of them.

Testimony Before the NIGC

In my testimony before the National Indian Gaming Commission (NIGC) in Dulles, Va., on Oct. 25, I concluded by stating:

"Mr. Chairman, as you know, the Siletz Tribe has general and specific differences with the commission over its regulatory authority under IGRA (Indian Gaming Regulatory Act). We hope that our specific concerns can be worked out in an amicable way. However, our strong disagreement with the commission over its general scope of power will remain. Out of that disagreement arises our strong opposition to this proposed rule."

The proposed rule to which I referred in my testimony would require tribes to submit to the commission a plan for the environment, health, and safety of Indian gaming centers. Although my opposition was based primarily on the commission's regulatory authority, I also objected to the fact that the proposed rule entailed details that I said "boggles the imagination." In explaining my position, I stated that

"... When we began our tribal gaming enterprise, the Tribal Council adopted a tribal gaming ordinance as required by the

Indian Gaming Regulatory Act (IGRA). Among other things, our tribal ordinance provided that 'the construction and maintenance of the gaming facility and the operation of that gaming' would be in 'a manner which adequately protects the environment and the public's health and safety.'

"The Chairman of the National Indian Gaming Commission approved our tribal ordinance as required by IGRA ... that ... adequately provided for the protection of the environment and the public's health and safety ... our record on carrying out our commitment under the provision of the approved Siletz Tribal gaming ordinance proves that is the case."

Although acknowledging that the commission has an important role in overseeing Indian gaming, I expressed the tribe's concern that

"... The commission has exhausted its authority to impose conditions upon the tribe in approval of its tribal ordinance. We concede the authority of the commission to oversee our compliance with the ordinance and, if we are not in compliance, to exercise its enforcement authority under IGRA. But the burden of proof is upon the commission. It must show that our actions under our own laws and regulations do not comply with our commitment under the approved regulations."

Our tribe not only has health, safety, and environmental standards because our compact mandates it, but more importantly, because we know it's in our own self-interest to have high standards in operating our gaming enterprise.

For example, based on a yearlong review of Chinook Winds' comprehensive safety manual, the Siletz Gaming Board on Nov. 19 approved revisions of the manual. We believe that the effort of NIGC to adopt the proposed rule is an unnecessary intrusion into what the Siletz Tribe already has been seriously addressing.

NIGC's NOV on the "Comps" Issue

As for the Notice of Violation that NIGC issued against the tribe in June over what were unsubstantiated allegations of illegal "comping" by the Tribal Council, the case is

hopefully nearing resolution. We will keep you posted on the status of this case.

Salem Property Ground Breaking

On Oct. 28, I chaired the ground-breaking ceremony for the Siletz Tribe's 20-acre property in North Salem where an RV park and community center are planned.

Although the original plan for establishing a casino on this site was unsuccessful, the Tribal Council had the foresight to keep the property in tribal ownership. The property, which sits strategically on I-5, not only has great economic development potential but has escalated in value since it was purchased a few years ago.

The Siletz Tribe was officially notified on July 11, 2000, that the U.S. government had put the property into federal trust status for the tribe. I paid tribute to all those who were involved in the lengthy and difficult process of having the property put into trust status.

We are pleased that Mike Swaim, the mayor of Salem, was present to celebrate the ground breaking with us. We were especially pleased with his comments about the city council's desire to work cooperatively with the tribe and help develop the property.

Housing Transition Progressing

The plan to replace the current Housing Authority with a housing committee under tribal administration is moving forward. A committee composed of residents, the Tribal Council, tribal administration, and HIP (Housing Improvement Program) is studying what, exactly, the new housing structure will be and defining the new entity's roles and responsibilities.

Basically, the new structure will have little, if any, direct affect upon clients/residents. The quality of service will remain the same. One difference will be the handling of issues, in particular regarding the appeals process, which has not yet been worked out.

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