

National News On Reservation Bingo



Reprint From: "Indian News Notes"

At Bingo Hearings, State Officials Press for State Controls:

At Congressional hearings held June 25 and 26 in Washington, D.C. before the House Interior and Insular Affairs Committee and the Senate Select Committee on Indian Affairs, state officials urged that gambling — and bingo, in particular — on Indian reservations be made subject to state regulations and restrictions. The Indian tribal representatives presented opposing views. Mark Powless, chairman of the National Indian Gaming Task Force, testified that Indians need a federal law to protect their rights to run gambling, but opposed state control. "If tribes come under state regulation, we might as well close our doors and go back to the 1950's era of federal dependency," he said. Rudolf Corona, a deputy attorney general from Sacramento, California, said Indian tribes, shielded from state control, present an ideal setup for organized crime infiltration. He said the Interior Department is incapable of policing Indian reservation gambling. A Nevada state official said the proposed federal standards were too lax to protect the reservations from the infiltration of organized crime. Robert Martin, chairman of the Morongo Band of Mission Indians in California said bingo, with a \$490,000 payroll over the past seven months, had virtually eliminated unemployment on the reservation. Lionel John of the United South and Eastern Tribes, Inc. of Nashville, Tennessee, said there is more corruption in state-controlled gambling than on Indian reservations. The Conference of Western Attorney Generals on June 7 passed a resolution urging Congress to recognize state and local jurisdiction over Indian reservation gambling. At least three bills on reservation gambling are being considered this year by the Congress.

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Oklahoma Supreme Court Rules State Has Authority over Indian Bingo:

The Oklahoma Supreme Court, in an 8-1 decision July 2, raised the specter for Oklahoma Indians of state regulation of Indian bingo games and state authority over other activities on Indian trust lands in the state. The opinion said, "Tribal sovereignty is not a bar to state jurisdiction, although states must meet the modern tests for measuring infringement upon tribal self-government and federal pre-emption." Justice Marian Opala, who wrote the majority opinion, said the state can assume regulation of the games if it can show they affect persons and entities other than the tribes involved. The bingo games involve large numbers of non-Indians, including many who are bussed from surrounding states. The State of Oklahoma contends the bingo games, sale of un-taxed cigarettes, and proposed parimutuel betting by the Indian tribes have, or would have, a detrimental effect on the state by depriving it of tax revenues and by increasing the threat of infiltration by organized crime into the activities. The Oklahoma Supreme Court remanded the case to the state district court for a hearing on the impact of the bingo games on non-Indians and non-tribal members. Some of the 23 tribal operators of the games indicated that they would continue to operate, asserting the state has no jurisdiction. Assistant district attorney Morland Barton has threatened to jail operators who continue the games. He said the State Supreme Court's decision made it clear that the state courts, not federal, have control over Indian bingo games. Kiowa tribal leaders have formed a committee to try to form a statewide organization July 17 at a meeting of the National Congress of American Indians in Tulsa.

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New Mexico Calls Unregulated Reservation Gambling Dangerous:

Senator Pete Domenici of New Mexico described unregulated gambling on Indian reservations as a "very dangerous situation for our Indian people and the states in which they live." Testifying before the Senate Select Committee on Indian Affairs June 26, Domenici warned that Congress must regulate reservation bingo games or see them vastly expanded into other gambling enterprises. "It is absolutely imperative that Congress express itself," Domenici said. "We have moved from no bingo on Indian reservations to some 80 bingo parlors. We have jai alai being applied for in Arizona and dog racing in New Mexico. We will have 15 gambling casinos on Indian lands across the country if we ignore this issue on the grounds of sovereignty." Senator Slade Gorton of Washington, a member of the Indian committee, called Domenici's testimony "very thoughtful and persuasive." Gorton said those who argue against the legality of the states being given authority over Indian gaming have a "very, very heavy burden of proof. They are ignoring a fundamental aspect of the way this society governs itself." Mark Powless, chairman of the National Indian Gaming Task Force, opposed Senator Domenici's stand and concluded his testimony by saying it is "about time (Indians) have some legislation that gives us some advantage in the marketplace." Senator Dennis DeConcini of Arizona, who has introduced legislation to regulate Indian gaming, told Powless: "You can make that argument, but that argument isn't going to fly. Don't look at this legislation as a way to equalize all that has gone wrong in our relations with Indians. We are not going to offset that by giving an unfair advantage to anybody."

Council Meeting Minutes

June 15, 1985

MEETING: Regular Tribal Council
DATE: June 15, 1985
TIME: 9:00 A.M.
PLACE: Tribal Community Center

COUNCIL MEMBERS PRESENT:

Delores Pigsley, Chairman; Arthur Bensell, Vice-Chairman, Mary Alice Muncey, Secretary/Treas. (9:10 a.m.); Alta Courville; Alfred (Bud) Lane; Frank Simmons; Kristi Martin; Douglas Brown.

COUNCIL MEMBER ABSENT: Vernon Brown

OTHERS PRESENT:

Tina Jones, Secretary; Sharon Edenfield, Business Manager; Mike Cloughesy, Tribal Forester; Gary Varner, BIA Forester; Phil Rilatos, General Manager; Doni White, Asst. General Manager; Nelsen Witt, BIA Superintendent; Judy John, Programs Manager.

Chairman Delores Pigsley, called the meeting to order at 9:00 a.m. Roll call was taken, with seven (7) Council Members being present and two (2) absent, however, Mary Alice Muncey entered the meeting at 9:10 a.m. Invocation was given by Vernon Brown. The Tribal Council agenda was discussed.

MOTION #1 — Bud Lane moved to approve the agenda with the inclusion of John Roe at 5:15 to discuss Tribal Court. Seconded by Frank Simmons. Motion unanimously approved 7-0-0.

MOTION #2 — Frank Simmons moved to enter Executive Session to discuss Personnel, 9:05 a.m. Seconded by Douglas Brown. Motion unanimously approved 7-0-0.

MOTION #3 — Bud Lane moved to return to Regular Session, 10:45 a.m. Seconded by Frank Simmons. Motion unanimously approved 7-0-0.

Delores Pigsley said that a correction needed to be made to the minutes of the May 18th Tribal Council meeting. After Motion #18, regarding Dr. Graham, it should state that it was a rumor that Dr. Graham is no longer with Indian Health Service.

MOTION #4 — Kristi Martin moved to approve minutes of the 5/18/85 meeting, as corrected; and to approve minutes of the special meeting of 5/27/85. Seconded by Frank Simmons. Motion unanimously passed 8-0-0.

TRIBAL COUNCIL CONCERNS — Mary Alice presented an announcement from Denise Wilson regarding the Culture Committee activities which she wants to release to various newspapers. She asked for permission from the Tribal Council to do so. The Tribal Council was not opposed to the announcement.

Mary Alice mentioned that she received no invitation to the Community Information Fair in Salem.

Mary Alice stated she did not see the need to go to Warm Springs on the Fact Finding Mission. Bud and Kristi felt that it was important to go in order to obtain information that is not already available. All agreed that the trip was necessary.

Kristi stated she would not be able to go to Browning, Montana.

Douglas was concerned about the Lutheran Grant. Judy said that it was done, was waiting for signatures, and would be mailed out on Monday.

Alta asked why Eugene did not get part of the Lutheran Grant. Doni stated that they did in the form of emergency grants and emergency food baskets.

Frank asked about tribal members being included on Judgment Rolls, and if it would affect their tribal status. He asked if he needed Council approval. Dee asked LeRoy for an information opinion. He said it was a Council decision based on their own Constitution.

Frank said Mr. Echohawk told him that we still have our Hunting & Fishing rights, and that someone should look into them. Dee stated that we relinquished those rights.

Art discussed the Upper Farm Graveyard. Some people did not follow the mapped route. The owner will not give approval to cross their land to visit the cemetery there. There is another land owner close by who has given permission to cross their land to get to the cemetery. It was suggested that either Dee & Phil or Dee & Art contact him.

Art was concerned about the article on the Timber Sale being in the local paper. He feels we shouldn't openly advertise timber sales as it makes people antagonistic towards us. LeRoy suggested that we keep articles positive and we should write our own news releases.

Dee commented that she received artifacts and a skull believed to be a Siletz Indian from the Corvallis Area. She wants to see it buried properly in the Paul Washington Cemetery.

Dee stated we received several letters from Congressmen. One from Denny Smith stated that 5% will not be coming for Contract Support. Funding for FY 86 should be nearly the same as for FY 85. He sent our letter to Mr. John Fritz to respond to our concerns.

Dee said that Don Slider is the new chairman for the Coos Tribe.

She received word from Mr. Keeney, Superintendent of Oregon State Penitentiary. They received the funds for glasses for Alan Kentta and they had been ordered.

Dee read a letter from Bernice Moody thanking the Tribal Council for the opportunity to work for the Tribe in the position of Head Start Teacher for the 1984/85 year.

Enrollment — Shirley Strickler recommended 15 applicants for approval, 1 name change and 7 blood degree changes. The Bureau was supposed to make the blood degree changes and did not so she is doing so.

MOTION #5 — Kristi Martin moved to approve blood degree changes for 7 tribal members. Seconded by Alta Courville. Motion unanimously passed 8-0-0.

MOTION #6 — Bud Lane moved to approve 15 applicants for enrollment. Seconded by Arthur Bensell. Motion unanimously passed 8-0-0.

MOTION #7 — Kristi Martin moved to approve 1 name change. Seconded by Arthur Bensell. Motion unanimously passed 8-0-0.

Travel Reports — Frank Simmons reported on the information he received at NCAI. He attended workshops on HUD and ICW. He also attended a workshop

on Gaming. Frank said that there is a movement to keep Tribes under County & State jurisdiction. If they do, then we will have to pay taxes.

Art said he attended the General Council and Education workshops at NCAI. Discussions were held on how to improve education on reservations. He stated that Hawaiian natives want 25% of JOM monies. They are now stating they are Native Americans. Each committee did a final report at the end of NCAI which was very helpful.

Art said that the Commission on Indian Services had good representation from various tribes during Oregon Indian Week at their Open House. Governor Atiyeh is setting up meetings with tribes, including a luncheon to be held at his house. He is breaking it into two groups: reservation Indians in one group, non-reservation Indians in another.

Art mentioned that the Alcohol Bill was being shuffled around. They were not sure whether to put it through the Governor's Office or through Mental Health. If it passes, the Indian Committee will only be an advisory group. All of the authority will pass to the County.

Kristi reported that she attended the Bingo Legislation meeting at NCAI. California tribes were angry with the bills being introduced to regulate bingo as they have outside management running their bingo operations. June 24th there will be a meeting of the Indian Task Force in Minneapolis on these bills and would like written testimony from Siletz. The current legislation has restrictions on outside organizations/people coming in to manage bingo on reservations.

Dee stated that Sandy McNabb talked about defense contracting — 8A contracts. It is better to get someone to help you through the process since it is lengthy and difficult. If we do so we can take advantage of "Buy Indian Act", set-asides, joint ventures, etc.

Dee attended the National Tribal Chairman's Meeting. They stated the need to support Indian staff in federal positions. Discussed was the option to have joint meetings with NCAI so that constructive decisions can be made.

Dee stated a discussion was held regarding water rights in the Northwest. Newly restored tribes must define what water rights are. They want our input on what our water rights are. Dee said we need to do some research into water issues.

Mary Fisher attended three workshops at NCAI. One of them was on the planning of the 1990 Census. In 1980, Siletz information did not appear in the Census, and there were many errors. They are asking for comments and will start work on it in 1987.

Mary also attended a meeting on TERO. It was said that Wind River Tribes have the best TERO program, as they push the policy of hiring 50% tribal members.

Mary attended the Housing workshop. The regulations are being re-written at this time. A strong position paper was developed by NCAI in March and was adopted.

Mary said that an effort is being made to form the National Indian Finances Corporation to replace HUD. It will still be a federal agency, however.

Phil attended the Housing workshop and talked about the 30% rent adjustment. He also stated that Tribes can determine fair market rent. Phil said that there is a movement to have separate housing from public housing. He does not believe anyone will support it except Indians.

Phil reported that he heard from Mr. Coomes of HUD. He stated that it may not be necessary for tribal land to be in trust in order to continue with Housing Authority, but would have to abide by County land laws if it was not in trust status.