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NCLGS WINTER MEETING TO QUESTION INDIAN GAMING REGULATORY AUTHORITY

Hallandale, Florida, December 20, 2006 – Who has the authority to regulate Class III tribal gaming—the National Indian Gaming Commission (NIGC) or the tribes? Should the NIGC move forward with its minimum internal control standards? Or should tribes and states be the sole decision-makers of tribal-state compacts? Is proposed federal legislation affirming the status quo or setting a new precedent?

The National Council of Legislators from Gaming States (NCLGS) will investigate these and other questions relating to this controversial issue at a panel discussion on Saturday, January 13, in Duck Key, Florida, entitled, “Tribes and Class III Gaming: Who Really Decides?”

The panel, scheduled for 8:00 a.m. to 9:30 a.m. at the Hawk’s Cay Resort in conjunction with the January 12 through 14 NCLGS Winter Meeting will feature leading national experts on the subject, including:

- Phil Hogen, Chairman, National Indian Gaming Commission
- Mark Van Norman, Executive Director, National Indian Gaming Association
- George Skibine, Director, Office of Indian Gaming, Bureau of Indian Affairs
- Sara Drake, Supervising Deputy Attorney General, California Attorney General’s Office

In announcing the panel discussion, Florida Senator Steven Geller (D-Hallandale), NCLGS President, said, “The question of who has the authority to regulate and audit the workings of tribal gaming is one that is being asked more and more frequently, as state and federal governments grapple with grey areas that exist in classification of tribal gaming machines. This contentious issue needs to be clarified and resolved, as it impacts not only tribes, but surrounding communities and ultimately all state citizens and businesses.”

A recent D.C. Circuit Court of Appeals decision has ruled that Class III gaming should be the purview of tribes via tribal-state compacts and that the National Indian Gaming Commission (NIGC) has no authority to regulate Class III gaming. Since the October 20 D.C. court ruling, tribes nationwide have been rejecting NIGC attempts to audit their Class III gaming operations. Fifteen audits have been suspended and 12 tribes in Arizona, California, Minnesota, Oregon, and Oklahoma have refused to allow the NIGC to enter their casinos.

NIGC has requested that the Indian Gaming Regulatory Act (IGRA) be amended to clarify the issue. Pending federal legislation would reaffirm NIGC authority – as proponents claim NIGC was formed for just that purpose under IGRA.

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NCLGS is neither pro- nor anti-gaming. NCLGS is a proactive participant in the development of public policy related to state authorized gaming. NCLGS exists to educate state legislators and other policymakers on issues dealing with gaming; seeks appropriate regulation of gaming; and works to preserve the traditional rights of the states to regulate and tax gaming within their borders.

For more information, please call the NCLGS National Office at (518) 687-0615 or access the NCLGS website at www.nclgs.org.

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