



A New Chapter in the NIGC Leadership

by W. Ron Allen

"I am confident tribal leaders, in collaboration with the new NIGC leadership, will be pursuing a balancing of the appropriate level of the NIGC regulatory oversight relative to the regulatory roles of the tribes and states regulatory operations, to assure the integrity and legal compliance of the tribes' gaming operations as IGRA intended."

On June 22, 2010, the Senate confirmed the appointment of Tracie Stevens, a Tulalip tribal member, as the next National Indian Gaming Commission (NIGC) Chair. This completes the new leadership team that tribal leadership will be engaging with at NIGC. The other two commissioners are Steffani A. Chochran, Chickasaw Nation, and Daniel Little, former Chief of Staff, D.C. office for Mashantucket Pequot Tribe. These appointments mean we now have three fresh eyes, ears and minds for the tribal leadership to discuss with the intent of the Indian Gaming Regulatory Act of 1988 (IGRA).

I would like to first express my sincere appreciation to George Skibine, who has had the challenging assignment of racing back and forth between the position of Acting Chair for NIGC and Deputy Principal Assistant Secretary for the Department of Interior for Indian Affairs. These were two full time positions that likely caused a few sleepless nights regarding the responsibilities and decisions he had to address in each forum. Fortunately, with George's more than 30 plus years experience in the DOI/BIA, he was certainly qualified to be entrusted with this duty.

Upon Tracie Steven's nomination, there was some concern expressed over the fact that she is not an attorney and that somehow that would constrain her ability to do the job. I have known Tracie for over 15 years and saw her effectively represent and advocate for the Tulalip Tribes in Washington State. I know that Tracie brings enormous practical experience and expertise in dealing with tribal governments, thorough knowledge of IGRA regarding its intent, understanding of the business aspects of the gaming industry, and know she brings a fresh and open mind to NIGC's leadership. In her capacity as the former Special Advisor to the Assistant Secretary for DOI, she has displayed that knowledge and background in advising both the Assistant Secretary and Secretary.

Tribal leaders can now begin to revisit decisions by the past administration that do not reflect the intent of IGRA and advance unnecessary intrusion of NIGC bureaucratic regulations. Probably the most important policy matter tribes will be interested is how Chairperson Tracie Stevens and Commissioners Cochran and Little will respect and honor the "government-to-government" relationship and consultation policy and process. The tribes and our joint Tribal/NIGC

Advisory Committees will deeply appreciate a new, respectful disposition towards the tribes' interest and perspectives.

We all know that there has been a frustration over many of the regulations adopted and/or proposed by the past NIGC leadership with respect to their interpretation of the intent of IGRA, including the Minimum Internal Control Standards, environmental regulatory compliance, public health safety standards, building and construction standards, and probably the most controversial, the "bright line" regulations defining Class II machines. Attempts to redefine Class II machines has caused a great deal of heart burn for the tribes because of the enormous negative impact they would have on the tribes and our operations, including fiscal obligations that would be the result of this very arbitrary determination.

So to say the obvious, the tribes are welcoming a new start with a new Chair and two new Associate Commissioners that all have strong backgrounds in understanding tribal gaming. These commissioners understand tribal authority, jurisdiction, and have practical experience with respect to the integrity, capacity and competence of our tribal gaming operations due to our growth over the last 22 years of experience.

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I appreciate the leadership of the National Indian Gaming Association (NIGA), National Congress of American Indians (NCAI), and the National Tribal Advisory Committee who advice, advocate, and advance our gaming industry interest with NIGC. We have strong reasons to be hopeful this new NIGC leadership will understand these regulatory matters are a part of making our path of self-determination and self-reliance for our people and our future a success. ♣

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