



NATIONAL CONGRESS OF AMERICAN INDIANS

THE NATIONAL CONGRESS OF AMERICAN INDIANS

RESOLUTION #SPO-01-045

EXECUTIVE COMMITTEE

PRESIDENT
Tex G. Hall
Mandan, Hidatsa, Arikara Nation

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Colleen F. Cawston
Colville Confederated Tribes

TREASURER
Alma Ransom
St. Regis Mohawk Tribe

Title: To Oppose the State of Michigan's Continued Violation of the Sovereign and Statutory Rights of the Match-E-Be-Nash-She-Wish Band of Pottawatomi Indians of Michigan, a.k.a., the Gun Lake Tribe, and to Urge the Governor and Leaders of the State of Michigan to Remedy Said Violations

WHEREAS, we, the members of the National Congress of American Indians in our own distinct territories, 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, In August, 1999, the federal recognition of the Match-E-Be-Nash-She-Wish Band of Pottawatomi Indians of Michigan, a.k.a., the Gun Lake Tribe, became final; and

WHEREAS, there are eleven other federally recognized tribes located within the exterior boundaries of the State of Michigan, and the State of Michigan has negotiated and executed Class III gaming compacts for with each of these other eleven federally recognized Indian tribes; and

WHEREAS, on September 2, 1999, the Gun Lake Tribe, in the same fashion at the other eleven federally recognized Tribes in Michigan, requested that the governor of the State of Michigan enter into negotiations with the Gun Lake Tribe for a Class III gaming compact; and

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WHEREAS, the State of Michigan has flatly refused the Gun Lake Tribe's request to negotiate a compact governing Class III gaming; and

WHEREAS, in September, 2001, the Michigan House of Representatives considered a resolution approving a tribal-state compact with the Gun Lake Tribe on the same terms and conditions as tribal-state compacts with other tribes in the State of Michigan, and the Michigan House of Representatives failed to approve said resolution; and

WHEREAS, there is no dispute that full-scale Class III gaming is permitted by the State of Michigan, as the State has authorized and licensed three full-scale Las Vegas type casinos in downtown Detroit, Michigan; and

WHEREAS, the State of Michigan's refusal to negotiate a compact with the Gun Lake Tribe constitutes a violation of the Gun Lake Tribe's sovereign and statutory sovereign rights to operate gaming, which are confirmed by federal statute, the Indian Gaming Regulatory Act of 1988.

NOW THEREFORE BE IT RESOLVED, that the NCAI does hereby condemn the actions of the State of Michigan and its political leaders in refusing treat the Gun Lake Tribe on equal terms as the other eleven federally recognized Indian Tribes located in the State of Michigan; and

BE IT FURTHER RESOLVED, that the NCAI calls upon the State of Michigan, its governor and political leaders to remedy the unequal treatment accorded the Gun Lake Tribe vis a vis other Michigan tribes, and to negotiate and enter into a tribal state compact governing Class III gaming on the same terms and conditions as other tribes in the State of Michigan; and

BE IT FINALLY 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 58th Annual Session of the National Congress of American Indians, held at the Spokane Convention Center, in Spokane, Washington on November 25-30, 2001 with a quorum present.



ATTEST:

Colleen F. Cawston

Colleen F. Cawston, Recording Secretary

Tex Hall

Tex Hall, President

Adopted by the General Assembly during the 58th Annual Session of the National Congress of American Indians, held at the Spokane Convention Center, in Spokane, Washington on November 25-30, 2001.