



NATIONAL CONGRESS OF AMERICAN INDIANS

The National Congress of American Indians
Resolution #ABQ-19-037

TITLE: Support Sovereign Tribes in Their Gaming Compact Negotiations with States

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WHEREAS, we, the members of the National Congress of American Indians of the United States, 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 and the United Nations Declaration on the Rights of Indigenous Peoples, 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, tribal nations are sovereigns that pre-date the United States, with prior and treaty protected rights to self-government and to our tribal lands; and

WHEREAS, the Constitution of the United States, through the Treaty, Commerce, and Apportionment Clauses and the 14th Amendment, recognizes the sovereign status of Indian tribes as tribal nations established prior to the United States; and

WHEREAS, before the United States, tribal nations were independent sovereigns with complete authority over their lands and our citizens; and

WHEREAS, on January 27, 2005, the first of the current gaming compacts between the State of Oklahoma and separate sovereign tribal nations became effective; and

WHEREAS, the compacts have an automatic renewal clause if no new Compact is agreed upon by January 1, 2020; and

WHEREAS, the sovereign tribal nations have not actively sought to renegotiate the compacts with the State of Oklahoma; and

WHEREAS, the State of Oklahoma sent a letter to the sovereign tribal nations seeking to renegotiate the compact, without meaningful terms upon which to negotiate; and

WHEREAS, the sovereign tribal nations value a strong intergovernmental relationship with the State of Oklahoma; and

WHEREAS, the sovereign tribal nations recognize each compacting party's right to request re-negotiation of subsections A and E of Part 11, which provide the compacts' revenue-share and exclusivity mechanisms; and

WHEREAS, the Oklahoma Governor has not made any substantive proposal under Part 15.

NOW THEREFORE BE IT RESOLVED, the National Congress of American Indians (NCAI) fully supports the sovereign tribal nations as they renew their compacts with the State of Oklahoma; and

BE IT FURTHER 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 by the General Assembly at the 2019 Annual Session of the National Congress of American Indians, held at the Albuquerque Convention Center, October 20-25, 2019, with a quorum present.



Fawn Sharp, President

ATTEST:



Juana Majel Dixon, Recording Secretary