



CNIGA

CALIFORNIA NATIONS INDIAN GAMING ASSOCIATION

Tribes, Workers Pack Assembly Hearing

By Dave Palermo

A national hotel and casino workers union which has fought efforts by California tribes to operate gaming on Indian lands is now failing miserably in its attempts to organize tribal government workers. The futility was most apparent at an April 1 Assembly budget subcommittee hearing, where the Hotel Employees and Restaurant Employees International Union (HERE) failed to prove allegations that tribal casinos are not providing affordable health insurance to workers.

Indian leaders and tribal government workers organized by the California Nations Indian Gaming Association packed the Assembly hearing room and an adjacent hallway to dispute HERE's allegations and present the subcommittee with statistics proving tribal workers earn wages and benefits at least equal to the hospitality industry's most prominent companies.

"I'm happy with the casino and the benefits they've provided me with," Mandie Poncia, 27, a bartender at the Rolling Hills Casino in Corning, told the Assembly subcommittee. "I don't think a union would make it a better place to work."

Co-worker Kim Weston, 36, a single mother with five children, said the casino was the first employer to offer her affordable health coverage.

Indian leaders accused HERE of using the Assembly subcommittee to generate political and public pressure against the tribes. Tribal-state compacts include model Tribal Labor Relations Ordinances through which HERE can organize workers by a secret ballot election.

"Each of the sovereign Indian tribes that have entered into a compact was required to extend unprecedented organizing and representational rights to workers of tribal gaming enterprises as a condition to obtaining a
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"(HERE's) links to illegal activities is the polar opposite of what we are trying to do with tribal gaming here in California," Miranda said.

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University Study Shows California Tribes Top Nation in Wages, Benefits

Employees at California tribal government gaming operations earn substantially higher wages and benefits than workers at other tribal casinos in the United States, a 2002 survey by the University of Nevada, Las Vegas shows.

Executive salaries and hourly wages for California tribal casinos employees were substantially higher in 83 of 110 job classifications, according to the 2002 Indian Gaming Wage Survey. Health, life insurance and other benefits offered by California tribes also were equal or better than tribal casinos in other states, according to the UNLV study of 59 tribal gaming operations. Sixteen of the tribal operations are in California.

"This independent survey of tribal gaming across the country confirms that tribal governments here in California appreciate their workers, and treat them well," said Brenda Soulliere, chairwoman of the California Nations Indian Gaming

Association. "Not only is tribal government gaming the fastest growing industry in California in terms of job creation, but these are quality jobs that provide workers with excellent pay and benefits."

The survey shows that employees in mid-management and supervisory positions generally earn more than \$50,000 a year. Housekeepers and other low-skilled workers earn far more in California than other states, the survey shows. Cocktail and food servers and bartenders for tribal casinos earn more than the state and federal minimum wage, according to the survey.

"The figures stack up very, very well for the tribes," says Rick Salinas, assistant general manager for the Barona Valley Ranch Resort and Casino near San Diego. "Employees will get as good a wage and benefits package with the tribal governments as they would get at a major, upscale hotel company," Salinas said. "I'm looking at Marriott, Hyatt, Four Seasons and Ritz Carlton. I'm talking high end, respected chains that have a good product."

Jake Speaks Lori's Legacy

By Jacob Coin

U.S. Army Pfc. Lori Ann Piestewa, perhaps the first American Indian woman killed in war while serving in the armed forces, was buried in the traditional Hopi way. She was laid to rest according to tribal customs that have been followed by the Hopi people since time immemorial.

Lori is with the Cloud People, the departed spirits that bless the land with snow and rain, enabling our people to grow corn, melons and squash; nourishing Mother Earth so She can go on sustaining life for all living things.

Following her death, thousands of close friends and strangers alike descended upon Tuba City, where Lori was born and raised, to offer their condolences and hope for her family and her community. In death, Lori, a single mother of two small children, had become an icon for a nation in grief and anger, struggling to make sense of the war in Iraq.

A suggestion to rename Squaw Peak, a Phoenix landmark, after the young mother soon ignited a controversy throughout the state, generating headlines and a flood of letters to the editor. Many people felt it was a good idea. Others thought it was not appropriate.

Following several days of newspaper editorials and people expressing their views for and against the idea throughout the state and country, the controversy was settled. It is official. Squaw Peak will now be called Piestewa Peak.

Time will tell if changing the offensive Squaw Peak name in honor of Lori will have any real impact or meaning.

CREATING A LEGACY

A larger percentage of American Indians enlist in the military than any other group of U.S. citizens. To be sure, Native Americans participate in the military out of a sense of duty. But many join the Armed Forces because it is the only escape from reservation poverty.

Lori was the daughter and granddaughter of U.S. soldiers. While she may have felt a sense of duty in joining the Army, Lori was faced with the difficult responsibility of raising and caring for two children. There were opportunities in the military she could not find in

the Hopi reservation

The highest meaning we can give for the sacrifice Pfc. Piestewa made for her people and her country is to create real opportunities so that a young, single mother on an Indian reservation or in the inner city will never again have to think that the military is the only viable option for improving her chances in life.

After generations of poverty and neglect, we now have the tools to generate strong tribal governments and real economic growth. Our Indian nations now have the means to achieve self-reliance and acquire the knowledge and skills needed to provide for the health, education and welfare of our people.

'I'M AT PEACE'

Lori is a hero. She is a hero to her children. She is a hero to her parents and family. She is a hero to the Hopi Tribe and to Indian nations and people across the country.

Perhaps the greatest tribute to Lori would be for American Indian nations to remain focused on what is important and not lose sight of what and who we are, and what we must protect for our descendants.

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Jacob Coin,
CNIGA Executive Director

Legislative Update

Unlike Commercial Casinos, Gambling on Indian Lands is *NOT* For-Profit

By David Quintana

The biggest challenge facing California tribes involved in government gaming is the need to constantly remind legislators, the press and the public that gaming on Indian lands is so vastly different from commercial, or for-profit, gambling.

This process of educating lawmakers is a particular challenge with term limits. Almost one half of California's state Senate and Assembly were sworn into office for the first time in January. Many of these freshmen legislators are not familiar with the myriad, complex legal issues involved with gaming on Indian lands, particularly the scope of the tribal-state compacts and the intent of the Indian Gaming Regulatory Act of 1988.

Going back to 1999, very few legislators were in office when the voters on two occasions overwhelmingly approved statewide referendums allowing slot machines and house-banked table games on Indian lands. In ef-

fect, during those campaigns, more than 65 percent of the citizens of this state said that, as a matter of public policy, commercial gambling should not be expanded and casino-style gambling should be restricted to Indian lands as a means of promoting tribal self-reliance.

The most crucial misconception held by California lawmakers and the public is the myth of "the rich Indian," the notion that tribal casinos are generating billions of dollars in profits for all the Indians in California. Nothing could be further from the truth.

Tribal casinos are generating government revenues used by the 50 compacted tribes for governmental services in much the same fashion that revenues from the state lottery are used to fund state services. They are not "riches," subject to taxation. In fact, IGRA prohibits tribal revenues from being taxed.

IGRA requires that revenues from tribal casinos be used for five purposes:



David Quintana, CNIGA Legislative Director

- to fund tribal government programs;
- to provide for the general welfare of the tribe and its members;
- to promote tribal economic development;

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GAMBLING ON INDIAN LANDS IS *NOT* FOR PROFIT

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- to help fund operations of local government agencies; and
- to donate to charities.

However, the tribes do contribute tens of millions of dollars each year to the economy of California through employee taxes and taxes paid on goods and services through contracts with businesses throughout the state.

Despite the overwhelming voice of the voters, tribal government gaming is under constant attack in Sacramento by

the proponents of private for-profit gaming.

This year, the legislative committee of the Thoroughbred Owners of California has been particularly brazen, announcing in December that legalizing slots at state racetracks would be the industry's top priority for 2003. Additionally, California's card clubs have continued to push legislation which would allow Wall Street corporations to own card clubs; operations which lie in the heart of urban neighborhoods.

"Californians voted overwhelmingly for limited gaming on Indian lands," says Brenda Soulliere, chairwoman of the California Nations Indian Gaming Association. "What

they didn't vote for was widespread private, for-profit gambling.

"Funds from tribal government gaming have allowed Indian tribal governments to improve the quality of life on and off Indian lands," says Anthony Miranda, CNIGA's secretary. "Now private, for-profit gambling interests threaten to take away the improvements to the lives of our people and our surrounding communities."

Quintana is CNIGA's legislative director and in-house counsel.

"We knew it was her sending us a message in the snow."

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Piestewa means settling water at the bottom of a canyon. Snowflakes fell on Moencopi Village the night she died. "She came down in moisture and told us, 'I'm at peace with myself and I'm with the Creator,'" Lori's mother, Percy, told *The Arizona*

Republic. "We knew it was her sending us a message in the snow."

Coin is executive director of CNIGA. He also is a member of the Tobacco Clan of the Hopi Tribe.

Tribes, Workers Pack Assembly Hearing

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compact," Daniel Tucker, chairman of the Sycuan Band of the Kumeyaay Nation, told the subcommittee.

But HERE has failed to generate support from tribal employees and wants to amend the compacts to enable the union to organize workers through a "card check" system.

"They couldn't come in through the front door so they're trying to come in through the back door," said Anthony Miranda, vice president of the development corporation of the Pechanga Band of Luiseno Indians.

Tribal attorney George Foreman said: "In the nearly three years since the compacts took effect, HERE has made few formal organizing efforts under the tribal labor ordinances, and apparently has been unsuccessful in persuading many tribal gaming employees that they would benefit from being represented by it.

"We can only assume that the main reason why HERE has maintained such a low profile at tribal casinos is that it knows full well that it cannot attract a substantial number of supporters among tribal casino employees, because tribal casinos competing for employees have a strong incentive to treat their employees well enough that they do not regard union representation as necessary," Foreman said.

HERE, which filed lawsuits in an unsuccessful attempt to

invalidate two public referendums showing overwhelming support for tribal gaming, also has a history of mob involvement and mismanagement of its down health insurance plan.

"(HERE's) links to illegal activities is the polar opposite of what we are trying to do with tribal gaming here in California," Miranda said.

QUESTIONING THE LEGISLATURE

Tribal leaders questioned why they were singled out by the Assembly subcommittee, when employers throughout the state have had problems facing the cost of health care for their workers.

"It's hard for me to understand why tribal casinos have been singled out from the thousands of employers that struggle to deal with the costs of providing health care to our employees," said Chairman Anthony Pico of the Viejas Band of Kumeyaay Indians.

Assemblywoman Bonnie Garcia, R-Cathedral City, said tribal casinos provide better benefits to workers than the state of California.

"Certainly if we're looking at the tribes, we should be looking at the state of California," Garcia said.

Palermo is CNIGA's Media Specialist

CNIGA Mid-Year Conference & Golf Tournament – Four Seasons Resort, Santa Barbara, CA

Monday June 30th- Golf Tournament at Sandpiper Golf Course

Tuesday July 1st- Tribal Talking Circles

Talking circles are a modern format of old traditional ways by which tribal leaders sought counsel from members of the tribe on issues of the day, and to find solutions to those issues. Talking circles were successful as tribal cultures and traditions have

survived despite countless attempts to destroy them over the past several hundred years.

Reservations must be made no later than May 29th. Call the Four Seasons directly at 805-565-8299 for reservations. For information regarding the conference contact Vicki Meadows at (916) 448-8706 or vicki@cniga.com



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