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Chairperson Soulliere Speaks Indians Are Fighting a War That Will Never End

By Brenda Soulliere

It invariably happens when legislation targeting tribal sovereignty is submitted to the U.S. Congress or the state Legislature in Sacramento.

It may occur when the U.S. Supreme Court issues yet another ruling undermining the right of tribes to govern their own lands.

It might come up, perhaps, when a headline challenging the ability of Indians to regulate tribal casinos is splashed across the front page of a California newspaper.

Someone will walk up to me and remark, “Will it ever end?”

My response is always the same. “Don’t bet on it.”

I’ve worked for my tribe, the Cabazon Band of Mission Indians, for approximately 24 years. And for 24 years the Cabazon Indians and tribes throughout California have been at war with federal, state and local governments over the right to game.

The wars didn’t end with the landmark U.S. Supreme Court ruling of 1987 upholding the right of the Cabazon and Morongo bands of

Mission Indians to conduct gaming on Indian lands without interference from the state.

The wars didn’t end the following year, with passage of the Indian Gaming Regulatory Act of 1988.

The wars didn’t end with two overwhelming referendum victories and the signing of tribal-state compacts in 1999.

No. In fact, the battles have grown even more significant, the threats to sovereignty and self-reliance more ominous.



CNIGA Chairwoman
Brenda Soulliere

REGULATORY, REVENUE BATTLES

Tribes must remain diligent in seeing to it that the state Legislature makes backfilling shortfalls in the
(Continued on Page 3)

Legislative Update—Hensley, Goodson a Study in Contrast on Tribal Gaming

By David Quintana

Tribal governments long disturbed by the regulatory reach of the California Gambling Control Commission may have found some consolation in the abrupt departure last month of its chairman, John Hensley.

Most tribal leaders have criticized the commission for exceeding its regulatory authority under the Tribal Compacts, largely by promulgating unnecessary “emergency” regulations. Tribes have also accused the commission of mismanaging a Revenue Sharing Trust Fund intended to distribute tribal gaming monies to non-gaming tribes and those with limited gaming.

Other tribes supportive of the controversial gaming regulator were perhaps in agreement with the Sacramento Bee, which in a May 3 editorial mourned Hensley’s resignation. Hensley had earlier accepted a job with a San Diego security firm. Unfortunately for the chairman, the acceptance of the position was a clear

violation of Business and Professions Code section 19814(a) which forbids any outside employment by members of the CGCC.

Meanwhile, Harlan Goodson, chief of the attorney general’s gambling division, announced May 16 that he, too, will be retiring effective July 1.

“I’m just looking forward to relaxing and working on my golf game and spending some time at home,” Goodson told the San Diego *Union*. “I have no plans at all. I’ll explore my options once I’ve left office.”

Unlike Hensley, Goodson was respected by most California tribal leaders, largely because of his recognition of tribes as sovereign governments.

“He was very respectful of tribal leadership,” Anthony Pico, chairman of the Viejas Band of Kumeyaay Indians, told the *Union*. . . “He understood that we are actually heads of governments. His approach . . . was unfailingly polite, even in times of misunderstanding or issues that weren’t so popular, because basically he was an enforcer.”

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CNIGA Member Tribe Profile—Redding Rancheria

Economic development by Redding Rancheria has generated business growth and opportunities throughout Redding, proving that tribal government gaming benefits not only Native Americans, but the surrounding non-Indian community.

The tribe's Win-River Casino, established in 1993, planted the seeds for a diversified tribal economy that now includes the Win-River Mini Mart and Golden Moving and Storage Company in Sacramento. In addition, the tribe will soon celebrate the opening of a Hilton Garden Inn in Redding.

Most of the jobs generated by the casino and other tribal businesses are held by non-Indians. The tribe has also established a fund to generate money for cultural and community activities.

Win-River employs more than 400 people with an annual payroll of \$13 million. The casino purchases goods and services from more than 1,000 non-Indian vendors, 75 percent of which are located in the Redding area.

Accounts payables for Win-River Casino totaled \$20,000,000 in 2001. Win-River has also developed partnerships within the northern California community, contributing \$1,027,000 in sponsorships and \$650,000 more in charitable donations.

The tribe in November 2001 created the Redding Rancheria Community Fund, which is financed solely from Win-River Casino revenues. About \$34,500 will be granted in the community every quarter for a yearly total of \$138,000.

A committee of tribal members, staff, and community representatives meet every three months to determine which organizations will be awarded money. The fund primarily focuses on funding for art and cultural programs, education, environment, health, and social services.

The fund primarily helps Native Americans, senior citizens, youth and the more rural population. The fund also encourages programs that demonstrate

a high level of community involvement and volunteerism.

The tribe also has a health clinic and pharmacy, a child care and Head Start programs and a senior nutrition program.

Reaching out to the community has proved a valuable tool in teaching non-Indians tribal history and the importance of tribal sovereignty and self-governance.

The federal government in 1985 restored Redding Rancheria to its status as an Indian tribal sovereign. Since then, the 261 tribal members who are descendants of indigenous Wintu, Pit River and Yana Indians of northern California have become key members of the community in Shasta County. The Rancheria is situated on nearly 31 acres in south Redding.

Redding, California has been a favorite place to live for many years. Now, with new and exciting opportunities being created by the tribe, life in the community is bound to be even better. Redding is testament to the fact that strong tribal government produces good neighbors. When there is mutual respect, the communities find that tribal sovereignty does indeed work.

Redding Rancheria Tribal Council:

Tracy Edwards, chairperson

Hope Wilkes, vice chairperson
Jack Potter, secretary
Leon Benner, treasurer
Debbie Sarot, council member
Bob Forman, council member
Tracy Leroy, council member
Virgil Baker, council member
Richard Burns, council member
Patty Spaulding, council member

Tribal Office:

2000 Redding Rancheria Road
Redding, CA 96001
Phone: 530-225-8979
Fax: 530-241-1879

Web-site: www.redding-rancheria.com



Redding Rancheria's Win-River Casino—Redding, CA

Tribal Leader Profile—Chairman Allen Lawson San Pasqual Band of Diegueno Mission Indians



"I am proud of the successes the tribe has accomplished over the past several years."

A prominent national political leader once said that a test of leadership is meeting the challenges of its day. Now into his fourth consecutive term as chairman, Allen Lawson of the San Pasqual Band of Diegueno Mission Indians has done more than simply meet the challenges of his day.

After having already raised three children of their own, Chairman Lawson and his wife of 44 years took on the responsibilities of raising five of their grandchildren after their daughter and her husband were tragically killed in separate automobile accidents. The Chairman is rightfully proud to note that three of the five grandchildren that they raised have successfully graduated from high school. Two others are still working toward their high school diploma.

The San Pasqual Band has achieved

unprecedented and successful growth and development over the past several years under the watchful eye and business savvy of Chairman Lawson. Valley View Casino is the latest of their dreams to come to fruition for the tribe located some 40 miles north of San Diego, and 12 miles from Escondido near the city of Valley Center. The tribe and its 340 enrolled tribal members have reason to be optimistic with new opportunities that have been created by their gaming enterprise.

Allen has worked in building construction for 43 years, and contracting for 35 of those years. He currently serves as director of Business Development for AEL Construction, Inc. in Escondido, California. AEL Construction is a proud associate member of CNIGA.

Above all, he is most proud of his 11 grandchildren and 4 great grandchildren who are responsible for much of the joy in his personal life.

As for the tribe's recent achievements, Chairman Lawson, in a humble way, just simply says, "I am proud of the successes that tribe has accomplished over the past several years."

Primacy For Regulating Tribal Gaming Lies With Individual Tribal Gaming Commissions

(Continued From Page 1)

Goodson was aware of the friction that existed between his agency and the commission.

“When you have two entities in government that appear under the law to have some overlap in jurisdiction, it’s probably a natural thing,” he told the *Union*. “It’s much ado about nothing. I’m proud of the accomplishments we have made.

The departures of Hensley and Goodson leave the state’s bifurcated regulatory system without leaders.

That’s not of serious concern to observers of tribal government gaming, as primacy for regulating tribal gaming under the Indian Gaming Regulatory Act lies not with the state or federal government, but with individual tribal gaming commissions.

Individual tribal governments spend millions of dollars regulating just one casino. And as CNIGA Executive Director Jacob Coin noted in a letter to the *Sacramento Bee*, there has not been one significant regulatory scandal in Indian Country since tribal compacts were agreed to in late 1999. Not one.

Tribal leaders are hopeful that Hensley’s department will herald an evolution that will result in the commission developing a healthy, constructive and respectful government-to-government relationship

between the agency and the tribes. However, if CGCC General Counsel Pete Melnicoe’s recent rush to enact regulation of tribal operations on behalf of the tribal attorneys is any early indication, there still might be a good deal of work to do.

On the other hand, tribal leaders hope the new head of the Attorney General’s gaming division shares Goodson’s philosophy of respecting tribal sovereignty.



David Quintana
CNIGA Legislative Director &
General Counsel

QUOTE OF NOTE

Former Chairman Hensley, discussing with *The Sacramento Bee* the commission’s relationship with tribes, said: “If we are not the state gaming agency, who is? I would suggest that because of the compacts, there are certain sovereignties that are surrendered. To get, you have to give.”

“We made a promise to non-gaming tribes that must be kept.”

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Revenue Sharing Trust Fund a priority in any proposal for dispensing monies from the Special Distribution Fund. We made a promise to non-gaming tribes that must be kept.

Tribes must vigorously oppose any attempt to expand private or for-profit gambling in California in violation of existing public policy. Tribes must also be on guard for any legislation allowing corporate ownership of card clubs.

John Hensley’s resignation as chairman of the California Gambling Control Commission does not mean the state will end its ongoing efforts to extend its reach beyond what is called for in tribal compacts and the Indian Gaming Regulatory Act. CGCC General Counsel Pete Melnicoe continues to flex his influence over the agency, recently suggesting that tribes make exorbitant payments to the commission to cover workplace liability claims.

GETTING BACK TO BASICS

The issues confronting tribes are vast and complicated. It’s necessary, in these times, not to lose focus on what is important. It’s important that we get back to basics and remember it is unity that keeps us strong.

Legislators come and go. Tribal governments will always be here. And it’s important that tribes work together and be kind to one another. We must respect and empower each other for the generations to come.

CNIGA Tribal leaders are encouraged to participate in CNIGA’s mid-year conference in Santa Barbara, which will include a modern version of the traditional tribal talking circle. It will be an opportunity for all of us to share.

LEARNING FROM VICTORIES AND DEFEATS

Back in the early days of Indian gaming – in the late 1970s and early 80s – tribal leaders believed we had nothing to lose.

But we did. We had a great deal to lose: Our future and that of our children.

The battles we fought -- both victories and losses -- taught us a great deal.

American Indians now have opportunities non-Indians take for granted. We have access to health care and education. For the first time in generations we can provide governmental services to our tribal members. We have the opportunity to share with our non-Indian neighbors.

The battles are extremely tiring. But take heart and look back once in a while. Take a good look at where we’ve been and where we are now. It will refresh your soul and renew your vision for the future.

But always be prepared to put the gloves back on, because the fight will never end.

Soulliere is chairwoman of the California Nations Indian Gaming Association

Eighth Annual Western Indian Gaming Conference DVD’s Now on Sale

No professional in the gaming industry can afford to be without the insight offered at the Eighth Annual Western Indian Gaming Conference. Now, for the first time in WIGC history, the WIGC seminars are available to own on DVD.

Industry experts and tribal leaders share their insights on regulation, financing and managements, as well as tribal sovereignty and political issues.

Included in this collection are hours of informational lectures and forums, valuable tips from top experts, and the latest in gaming goods and services. This six disc set may be purchased for \$69.00 (plus \$5.00 for shipping and handling).

Order forms may be obtained on our web site at www.cniga.com or by contacting Vicki Meadows at (916) 448-8706 or vicki@cniga.com.



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CNIGA Mid-Year Conference & Golf Tournament ■ June 30—July 2, 2003 Santa Barbara, CA

Monday, June 30th— The Fifth Annual Mid-Year Golf Tournament will be held at the Sandpiper Golf Course on the beautiful Santa Barbara coastline. This championship golf course is rated as one of the top courses in the nation. Play at Sandpiper brings the golfer to the edge of bluffs where the surf pounds below. Tournament play is limited, sign up today.

Tuesday, July 1st— Tribal Talking Circle
The talking circle is 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. The talking circle was successful as tribal cultures and traditions have survived despite countless attempts to destroy them over the past several hundred years.



Four Seasons Resort, Santa Barbara

Join in these important discussions as tribal leaders and representatives hear your input on issues of tribal sovereignty, tribal government gaming, intertribal relations, and everyday issues facing tribal leaders.

Wednesday, July 2nd—CNIGA Membership Meeting

The Mid-Year Conference and CNIGA Membership meeting will be held at the Four Seasons Resort.

Reservations must be made no later than May 29. Call the Four Seasons directly at 805-565-8299 for reservations. For information regarding the conference contact:
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