

Statement of Ben Nighthorse Campbell
On the Indian Gaming Regulatory Improvement Act of 1999 (S.399)
March 24, 1999

Good morning. The Committee will come to order. Today we will hear testimony on the Indian Gaming Regulatory Improvement Act of 1999, a bill I introduced along with Senator Inouye last month. S.399 addresses two important elements related to the regulation of Indian gaming: minimum standards for Indian gaming nationwide; and fair fee assessments by the National Indian Gaming Commission (NIGC).

With this bill, or any Indian gaming legislation, we must keep in mind the purpose of the 1988 Indian Gaming Regulatory Act (IGRA): ensuring that gaming continues to be a tool for Indian economic development, and ensuring that the integrity of the industry is protected.

The existing federal Indian gaming law was passed by Congress more than ten years ago. At that time, gaming was a small industry, consisting mainly of high stakes bingo operations. Because of gaming, some tribes have become economically successful, employ thousands of people, both Indian and non-Indian, and have greatly reduced the welfare rolls in their local area.

Though gaming revenues and the number of gaming facilities have grown rapidly over the last ten years, IGRA has been significantly amended only one time. In 1997, I introduced an amendment that would allow the NIGC to assess fees against class III gaming to fund its regulatory efforts.

Before the 1997 amendment was enacted, the NIGC employed SEVEN (7) investigators responsible for monitoring the entire Indian gaming industry. The 1997 amendment has enabled the NIGC to hire much-needed field investigators to monitor tribal gaming operations.

A large amount of tribal and joint tribal-state regulatory activities are undertaken locally. Many tribes have put in place standards regarding rules of play, and financial and accounting standards for their games. They are significant and for many tribes contribute the bulk of regulatory activities under the IGRA.

It is my belief, and my responsibility, that all tribal gaming ought to be protected from charges that they are "unregulated". These charges hurt those tribes without adequate regulations AND hurt the entire Indian gaming industry. S.399 accomplishes this goal. First, S.399 requires that the NIGC develop and implement a system of minimum internal control, background investigation and licensing standards for all tribes that operate class II and class III gaming. Second, S.399 requires that the NIGC determine the nature and level of existing tribal and state/tribal regulations prior to assessing any fees and, if warranted, reduce the assessed fees accordingly.