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PRESS RELEASE

FOR IMMEDIATE RELEASE - THE PASCUA YAQUI TRIBE WILL SIGN
INDIAN GAMING COMPACT WITH GOVERNOR SYMINGTON

In a spirit of cooperation, the Pascua Yaqui Tribe and the State of Arizona have reached a reasonable compromise on Indian gaming, which will be signed on May 7, 1993.

After the decision of the Mediator, Justice Frank Gordon, Jr., the Pascua Yaqui Tribe and the State were locked in a bitter impasse. Secretary of Interior, Bruce Babbitt urged Indian leaders and Governor Symington to negotiate in good faith. With Secretary Babbitt's guidance, Indian leaders and Governor Symington negotiated with true respect for each others differences and with a commitment to exercise and strengthen our government to government relationship.

The Pascua Yaqui Tribe will pen our respective name to an inter-governmental agreement; an agreement that will set the standard for Indian gaming in Arizona and will send a strong message to the country and the Congress that the Indian Gaming Act can work. This is a strong statement that Indian people know how to compromise on issues, while not compromising their principals.

As part of this agreement, the Governor and the Pascua Yaqui Tribe have agreed to the repeal of Senate Bill 1001 in its entirety; the dismissal of the 10th Amendment Appeal in the Ninth Circuit Court of Appeals and 800 slot machines with no Class III table games.

As in most negotiated settlements, not everyone can be totally satisfied. Both parties have given up a lot as a result of this process. We are convinced that the final product will be a positive step toward meaningful Indian and non-Indian economic development. However, the task is not yet complete, for we must now seek legislative relief. Toward this end, we are prepared to seek bi-partisan support from the Arizona Legislature in a Special Legislative Session to be called within the next two (2) weeks by Governor Symington.

In closing, we wish to thank our friend and Fellow Arizonan, Secretary Babbitt for his steady guidance, his straight-forward approach and most of all, for the trust he has placed on our ability to chart the coarse of these difficult negotiations.

We also wish to commend Governor Symington and his staff for their commitment towards a positive resolution of this issue.

Albert V. Garcia, Chairman

Octaviana Trujillo, Vice Chairwoman

INDIAN GAMING FACT SHEET

1. What is the timeline for a special session?
A: We would like a solution as soon as possible. We are considering a special session next week
2. Can the interim committee postpone any special session; get more time?
A: The committee is still being formed. It is imperative that a solution be reached soon. The IGA's have a deadline of June 1.
3. Who will have the responsibility for regulation? At what cost?
A: The state gaming agency and the tribal gaming operation will be regulating. The agreement calls for an assessment of \$500 per machine, per year, with the unused balance refunded to the tribes. DPS, as well as the FBI and any other appropriate agency will assist in the background checks. The State and Tribe will regulate both payout and technical specifications.
4. Why limit each location to a maximum of 500 machines?
A: To provide for a limited gaming concept while providing for economic development for the tribes.
5. If the tribes decide to sell liquor, what kind of regulations will be necessary?
A: The tribes must comply with all state liquor laws. However, state liquor taxes will not be collected.
6. Will the jurisdiction over minor crimes committed on the reservations change?
A: No, the jurisdiction remains the same.
7. Is there an provision for reimbursing state law enforcement agencies for responding on reservations?
A: No allowance has been made, however some tribes and county law enforcement officials are working on agreements of cooperation.
8. What happens if the legislature takes no action?
A: There is a gray area. Secretary of Interior Babbitt can enforce the Gordon decision, talks may continue, and many uncompacted tribes who want to game may be delayed. The question remains, does the state want to reach a compromise with the tribes, or let the federal government dictate a solution.
9. What happens if IGRA is changed or repealed?
A: This is a complicated legal issue. It is assumed that the state and the tribes will honor the compact for its duration.

10. Can the tribes employ management companies to help operate these gaming sites?

A: Yes, and in other states they have. These partners may participate in the operation of the site, but are limited to a maximum of 40% of the profits.

11. What can the revenues from gaming be used for?

A: Restricted to improving education, housing or general welfare and economic development on the reservation.

12. Why would the state want to be involved in regulation?

Both Native Americans and non Native Americans will be using the gaming facilities. Their interests need to be protected and joint state-tribal regulation will help provide this protection.

13. Does Babbitt have a deadline for action on the mediated compacts? What steps can he take?

A: There is no deadline for Babbitt to act on the mediated compacts because the state has not signed the compacts. Therefore they are not state/tribal compacts. He can sign the Gordon decision, order the parties back to the table, or delay his decision indefinitely.

14. Why the June 1 deadline?

A: 1. The Native Americans want a quick solution so they can begin their gaming activities.

2. The petitions on SB 1001 are due on June 2. So as not to interfere with negotiations, the tribes and state agreed to set this date as a mutual goal.

15. What effect does Indian Gaming have on the horse and dog tracks?

A: No conclusive studies have been done on what slots alone would have on the tracks. According to some studies in states with full casino-gaming, there has been a negative impact.

16. What is the Governor's position on slots off the reservation?

A: The Governor is opposed to the expansion gaming off the reservation.

17. What happens if the tracks get slots?

A: According to the proposed agreements between the states and tribes, the tribes would be allowed to have up to 12 table games per location.

18. What is the status of tribes who have not entered into negotiations?

A: They have not yet requested to have gaming. If they do, and the legislation passes, the Governor will be limited in negotiations to those provisions that would be passed into law.

19. What is on the referendum petition?
A: The referendum will address the repeal of SB 1001 which in effect banned charity casino nights. The Secretary of State is responsible for coming up with the language to appear on the ballot.
20. What types of games have the been tentatively agreed to in the compacts?
A: In addition to gaming devices, the tribes will be compacting for horse and dog racing, off track betting, lottery and keno.
21. What happens if the tribes cancel the IGA? What assurances do we have that they will follow through?
A: The tribes are permitted under IGRA to withdraw from gaming negotiations at any time. While there is no assurance that they will sign compacts, they would like to begin gaming operations soon and complying with the agreement will allow them to do so.
- BMA: JACK MOORTELE WOULD LIKE YOU CLEAN UP THE VERBIAGE FOR #22.**
22. What will the call and the special session be limited to?
A: The call will be drafted broad enough to cover the issue and to allow for debate on a solution to the parimutuel problem.
23. Will the IGA's automatically terminate on June 1 if no action is taken?
A: No, however, after June 1 they may be terminated at any time by the tribes or the state.
24. Will the Navajo nation be treated differently due to their population?
A: Currently, the Navajo tribe has a prohibition on gaming. If their tribal council repeals this prohibition, they will need to seek to enter compact negotiations with the State. Currently, if the legislation passes, the Governor will only have authority to compact under those terms. To compact under different guidelines, the legislature must give that authority to the Governor.
25. How was the 4 tier solution reached? What purpose does it serve?
A: This solution was proposed by Secretary of Interior Bruce Babbitt. It originally began with 250 machines going to the smaller tribes, 500 for the middle, 750 for the upper middle, and 1000 for the highest populations. After many discussions with the various tribes and the State, Secretary Babbitt proposed figures of 400, 600, 800 and 1300 respectively. This provides an additional 150 machines for the currently compacted tribes as well as a difference of 900 machines between the smallest and largest tribes. The tier system also answers the question about need based on the number of tribal members.
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26. Why is there a provision for the Native Americans to receive 12 table games if the state authorizes machines for entities off the reservation?

A: This was also proposed by Secretary Babbitt as a way to ensure the tribes retained a competitive advantage in gaming operations.

27. What effect does dropping all litigation have on the State?

A: Currently, the State is a defendant in 10th amendment litigation. Since we will be entering into these compacts voluntarily, the 10th amendment will no longer apply and we will agree to drop all litigation.

28. How was the duration of the agreement reached?

A: A 10 year compact duration was agreed to with Secretary Babbitt with guidelines adopted from the Wisconsin compacts. If the state and tribes choose not to renew the compact in 10 years, the State will have to show cause, and there will potentially be litigation. Otherwise, the compact will automatically renew for an additional 5 years.

29. Why are the proposed compacts in the best interest of both the State and the tribes?

A: It has the potential to end the Indian-gaming dispute in Arizona. It also can provide the framework for negotiating with tribes that have not yet compacted and act as a model for other states with similar circumstances.