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Budget and Finance Committee receives report on the gaming revenue distribution policy

WINDOW ROCK – The Budget and Finance Committee received a report from the Navajo Nation Office of the Controller on Tuesday, regarding a proposed gaming revenue distribution policy that would allocate funds to Navajo chapters to aid local level programs and administration.

Controller of NNOOC Mark Grant, said that his office and BFC members held an educational seminar for chapter officials at the Twin Arrows Navajo Casino Resort in March, to inform chapters of the proposed policies regarding the distribution of gaming revenues.

“The National Indian Gaming Commission has informed us of two concerns regarding the [Navajo] Nation’s gaming revenue distribution policy. First, the distribution to the chapters would be considered a per capita payment, and second, any priority given to host chapters could possibly be considered discriminatory or preferential treatment, which is not allowed,” said Grant.

According to the National Indian Gaming Commission, tribes can only distribute gaming revenues to local governments, charitable programs, economic development, and per capita payments to individual tribal members or groups.

BFC vice chair Council Delegate Jonathan Nez (Shonto, Navajo Mountain, Ojato, Ts’ah Bii Kin) expressed his concern regarding the two issues raised by the NIGC.

“Since NIGC said that this might look like per capita, what is the process of getting that approval?” asked Delegate Nez. “Most of the gaming tribes out there are very small in population and it is easier for them to distribute to their members individually, but Navajo is very large, so I guess this is something that may have never been done before.”

In response to the concerns, Grant informed the BFC that the Nation would indeed have to meet with the NIGC to go over the gaming revenue distribution policies, develop solutions, and seek approval from the commission to move forward with allocating the funds to the chapters.

BFC member Council Delegate Lorenzo Curley (Houck, Klagetoh, Nahata Dziil, Tsé Si’ání, Wide Ruins) said he did not understand why the NIGC did not recognize the chapters as local
governments, when federal entities such as the U.S. Department of Interior, Bureau of Indian Affairs, and other governmental bodies acknowledge the Navajo Nation’s governmental structure.

Navajo Nation Department of Justice attorney Karis Begaye said that her office would communicate the BFC’s concerns to the NIGC regarding the chapters being recognized as local governments.

“It’s sad that we already brought the chapters and programs into this, and we do not even have our stuff in order with the NIGC and the allocation of funds,” said BFC member Council Delegate Nelson BeGaye (Lukachukai, Rock Point, Round Rock, Tsaile/Wheatfields, Tsé Ch’izhi).

Delegate Nez also said that after the issues have been addressed with the NIGC, the Nation’s focus would be to ensure funds are allocated as soon as possible to the Navajo chapters.

“I have had chapter officials approach me regarding the gaming [revenue] distribution policy and were requesting updates on the allocation of the funds, so I think it is important to get them the most updated information as soon as possible and keep them informed,” said Delegate Nez.

BFC members voted 3-0 to accept the report.

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