



INDIAN GAMING ASSOCIATION

Rebuilding Communities Through Indian Self-Reliance

Talking Points for: **Denise Harvey**

Date and Time: **May 20, 2024 at 3:30pm (PST)**

Event Name: **ATNI Meeting**

Location: **Seven Feathers Casino Resort - Canyonville, OR**

- [Greeting] My name is Denise Harvey and I serve as a delegate of the Indian Gaming Association, and I am very honored to be here today.
- On behalf of Chairman Stevens and the entire IGA Board of Directors, I want to thank ATNI for all your hard work and advocacy in the Indian Gaming Industry.

FY 2023 Indian Gaming Revenues

- On that note, I want to start out with sharing our IGA Gaming Revenue projections for 2023, and then I'll talk about the critical elections this year.
- In FY 2023, total direct employment in Indian Gaming has almost returned to pre-pandemic levels with **almost 700,000 direct jobs in Indian gaming.**
- For FY 2023—IGA is projecting \$48.1 billion in Gross Gaming Revenues. This exceeds NIGC's FY2022 number of \$43 billion.
 - If these numbers are accurate, a \$5 billion increase in one year would be one of the biggest year over year increases on record.
 - The NIGC will come out with the official FY 2023 numbers this July.

Infrastructure Investment and Jobs Act **if you have time******

- On the same subject of jobs created, in 2023 Tribal Governments benefitted greatly from Biden's *Infrastructure Investment and Jobs Act*. Over \$5 billion

was directly granted to Tribal Governments for infrastructure improvement in Indian Country.

- IGA staff joined collective efforts to secure direct infrastructure funding to Tribal Governments. This could not have been accomplished without Tribal Leader input with your state's congressional offices.
- IGA also joined with NCAI to ensure Tribal Governments can apply directly to federal agencies for much needed infrastructure money on the reservations.
- Tribal governments are now eligible to apply for the direct payment of clean energy tax credits to recoup or offset the costs of constructing and putting into service a clean energy project on the Reservation.
- Further advocacy and coordination, with organizations like ANTI, is still needed as our casino industry leaders continue to face hurdles regarding increased regulatory costs, lack of federal consultation on renewable energy projects, and expiring Tribal-State compacts.
- Indian Country's work never ends, and the goal of IGA is to continue to fight for our Member Tribes on Capitol Hill, within the Administration, and in the Supreme Court, to ensure that Tribal Gaming and Tribal Sovereignty remain protected.

Outlook for 2024 Elections

- Having the right people in office ensures more successes for Tribes.
- That is why the 2024 elections will be another to closely watch.
- This Election has several hidden consequences for Indian Country:
 - The 2017 tax bills will expire next year, meaning Congress and the President will have to take up major tax reform in 2025.
 - In 2017, Indian Country was completely left out of the tax bill after allies in Congress had promised tribal tax issues would be included.

- Whatever happens in this year's elections, a strong Native voter turnout will set the stage for Indian Country demanding inclusion in a future tax bill, among other vital bills for Tribes.
- [Add your own touch on Trump and Biden being candidates] This cycle, Independent Party has a candidate, Robert F. Kennedy, Jr.
- However, Independent candidates, like RFK Jr., must petition for access within each state and DC's presidential ballots.
- Outside of the Presidential election, the battle for party control in the house will be decided by the smallest number of races within the last 20 or so years.
- After the turmoil we have witnessed in the House during the 118th Congress, the attention to these 30 or so open competitive seats will be crucial.
- As of now, it is too close to say which party will have control in the House, but we do know that the power of the Native vote will weigh heavily in the elections this year.
- With 5 states having new congressional maps since the midterm elections, the Native vote will once again need to show to the polls in full force.
- Indian Country voter turnout will be determinative in how well your congressional delegation listens to its Tribal citizens in the state.
- IGA has re-launched our Get Out the Vote efforts, having our Native Vote youth ambassadors taking the lead on things like voter registration.
- Our voices will be heard and our vote WILL count.

IGA-NCAI Taskforce: Confronting today's challenges

- Activating the Taskforce is a direct response to the emerging threats from the Supreme Court decisions impacting Tribal Sovereignty, jurisdiction, economic self-sufficiency, women's health, and our precious children.

- The IGA-NCAI Taskforce started its work at the NCAI Mid-Year back in June and met three times last year: Tribal Leaders gave us several issues facing Indian Country:
 - The continuing epidemic of Murdered and Missing Indigenous Persons
 - Supreme Court challenges to Tribal Sovereignty and Jurisdiction
 - Challenges to Tribal Legislation as “race-based” and unconstitutional (such as the *Maverick case*, and *victories in the Seminole Compact case and Brackeen*)
 - The impact of Climate Change and environmental destruction on our reservations and their economies (forest fires, drying up of salmon runs, disappearing coastlines)
- It is a top priority to continue work this year with the NCAI Joint Taskforce and come up with solutions to offer to the Biden administration to help Indian Country confront these attacks on Tribal Sovereignty.
- At the IGA, it is our top priority to continue work this year with the NCAI Taskforce and come up with solutions to offer to the Biden administration to help Indian Country confront these attacks on Tribal Sovereignty.
- **THE NEXT TASKFORCE MEETING WILL BE June 4th, at NCAI’s Mid-Year in Cherokee, North Carolina, Harrah’s Casino.**

Congressional Update **If you have time******

- I’ll briefly touch on what is left for our legislative priorities this year.
- For several years now, the IGA has worked with Representative Titus (Nevada) on HR 1661, “Discriminatory Gaming Tax Repeal”
- This bill would repeal the .25% Federal Excise Tax on all sports wagering, pull tabs, and some state lotteries. IGA is in full support of the bill, which many Tribal Governments are not aware of. NO OTHER ASPECT OF GAMING has this type of specific discriminatory tax.

- Representative Titus also introduced HR 3125 “SLOT ACT” to change the threshold for reporting a patron’s slot machine winnings to the IRS.
- The IGA is working with the AGA and other Regional Tribal gaming groups to repeal the IRS “Minimum Slot Win” regulation, currently set at \$1,200. This was set in 1977 and it is long past due to be either rescinded or raised to an amount commensurate with inflation.
- The IRS Advisory Committee late in 2023 recommended that the IRS raise this threshold and IGA has been actively reaching out on the Hill for Congress to put pressure on IRS to implement this.
- Congresswoman Andrea Salinas (Oregon) introduced HR 6982, the “GRIT” Act. Gambling Recovery, Investment and Treatment
- She and Senator Blumenthal (CT) want to use the “Federal Excise sports tax” revenue to set up a federal National Problem Gambling fund.
- The IGA and AGA are opposed to the GRIT Act as we do not support Tribal funds being allocated without consultation and consent of Tribal governments and want the termination of the Sports Excise Tax overall.
- These bills are unlikely to move this year and their prospects of passing in a Presidential election year are low.
- However, the IGA intends to work with Tribal Regional Gaming organizations to make an early run next year at passing these important bills for the Indian Gaming industry.

Conclusion:

I want to convey that the Indian Gaming Association has an open-door policy for all Tribal leaders and Tribal associations. If you or your staff ever have any questions, do not hesitate to contact myself or Chairman Stevens directly. We will get your concerns to the appropriate IGA staff members.

Finally, I want to underscore again the important work of the IGA-NCAI Taskforce. This Taskforce is going to hold this Country and President Biden to its

commitments and promises, and the commitments and promises made by numerous presidents before and that are enshrined in our treaties and the Constitution.

[Personalized closing].