

Update #51

The views, opinions and commentary in this update are those of Congressman Red Corn. They are his alone, and do not necessarily represent the views and opinions of the Osage Nation Congress.

Reductions in legal resources for the Gaming Commission

On August 13, during a drafting session for the 2009 budget, the Commerce Committee voted to advance a budget for the Gaming Commission which included a \$200,000 line item for legal fees. This is the amount the Commission had requested, and represented a reduction from the previous year's appropriation for the same line item.

On September 2, the Committee revisited the Commission budget and reduced the Legal Fees line item in the draft budget from \$200,000 to \$75,000. Voting for the reduction were Congressmen Simms, Red Eagle, Shackelford and Supernaw. I was the lone "no" vote. The equipment line item was also reduced, from \$60,000 to \$10,000, by an identical vote. The Gaming Commission was not notified of the meeting, which was held on two hours notice.

When the budgets for the Enterprise Board and the Gaming Commission came back before the Commerce Committee in bill form on September 10th, the line items were revisited. After a presentation by Liz Homer (the Commission's attorney) and the presentation of a letter from Mr. Chisroe, the Gaming Commissioner, the Commerce Committee reinstated the \$60,000 equipment line item by a unanimous vote.

The committee split, however, on the reinstatement of the Legal Fees, resulting in the line item remaining at \$75,000. The motion to reinstate failed 3-3, with Mr. Shackelford, Mr. Red Eagle and I voting yes and Mr. Revard (tie-breaker), Mr. Simms and Mr. Supernaw voting no. (The Chairman can vote only if his/her vote

will affect the outcome. When the vote was 3-2, the measure would have passed, therefore Mr. Revard's vote tied the measure. Votes ending in ties fail under our rules.)

To use a metaphor, the Gaming Commission is the watchdog that guards our golden goose. I cannot speak for other members of Congress as to their votes, nor should I. I can speak for mine.

As the primary regulatory agency that is empowered to protect the integrity of the Nation's gaming interests, I believe the Gaming Commission should have all the tools and resources it needs at its disposal. No indication has ever been made that the appropriations for the Commission have been misused or misspent in any way. On the contrary, Mr. Chissoe has been recommended to represent our entire region (Oklahoma) on the panel that is re-writing the Minimum Internal Control Standards (MICS) for the NIGC.

At the appropriate time I intend to introduce amendments on the floor to restore the full funding request from the Gaming Commission for Legal Fees. To do otherwise may jeopardize the ability of the Commission to conduct its business, a business that is complex, highly regulated, and highly dependent upon informed, experienced and timely legal advice.

It may seem odd to write an entire update on a single line item, but that's how important I believe this issue is to the Osage Nation. Gaming is the spring from which nearly all of our resources flow; the Commission is the agency that makes sure the spring flows with regularity, and that nothing endangers its integrity. The Congress should provide whatever resources the Commission requires, as the Commission's budget represents barely over 1% of the gross profits of Million Dollar Elm casinos.

I've attached copies of Mr. Chissoe's letter, which was read into the record of the last meeting. I've also attached a biography of Ms. Liz Homer, the current counsel for the Osage Gaming Commission. I invite you to read it. I commend Mr. Chissoe for choosing a most qualified attorney for this position; Ms. Homer, a member of the Osage Nation, has served as the Vice-Chairman of the National Indian Gaming Commission and also with the U.S.

Department of Justice.

As always, please call or email with your questions, comments, or concerns.

With respect,

Raymond Red Corn
Osage Nation Congress
918-287-7400
rredcorn@gmail.com
rredcorn@osagetribe.org