

Native Casinos and Tobacco Policies

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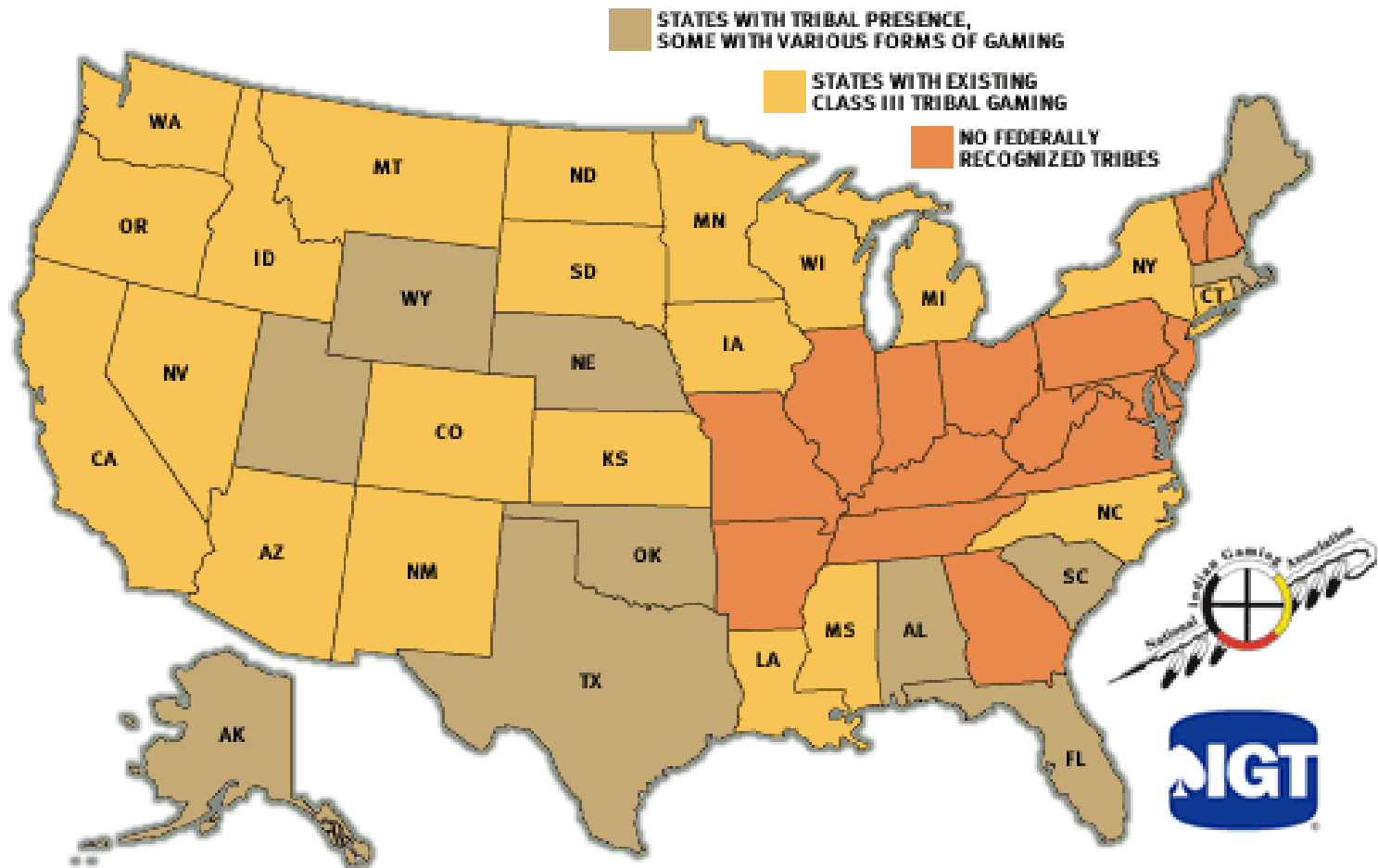
Objectives

- History of Indian Gaming
- Tobacco Control Efforts in Indian Casinos
- Navajo Nation Tobacco Free Act 2008

Indian Country Today



Indian Country and Gaming



History of Tribal Gaming

- **Initiation of modern Indian gaming**
- **California vs. Cabazon Band of Mission Indians**
- **The Indian Gaming Regulatory Act (IGRA)**

History of Tribal Gaming

- Classes of Gaming: I, II, III
- 225 tribal governments are active in the gaming industry.
- There are 423 Indian casino gaming operations in the US (several Tribes operate more than one facility)
- Number of states with Tribal Governmental gaming: (Class II or Class III) 28
- Number of Tribal-State gaming compacts: 249

Sovereignty vs Tobacco Industry

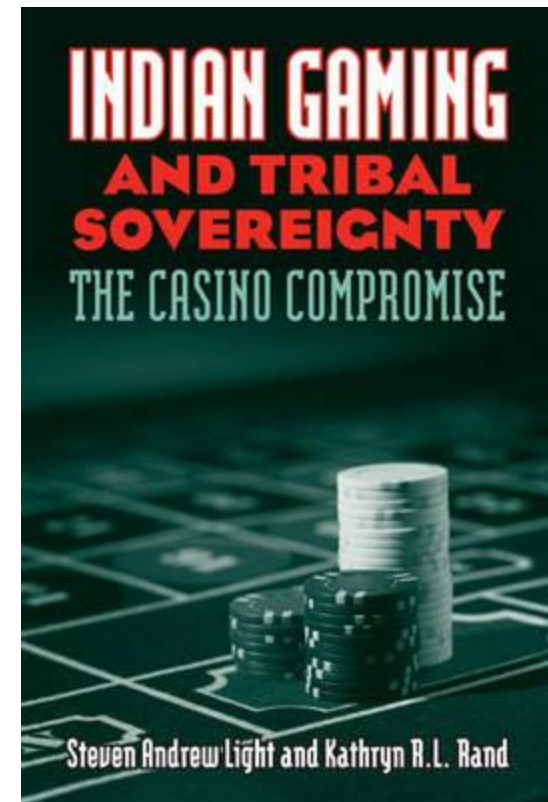
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There are hundreds of bingo halls throughout the country both Indian and charity. For the purpose of cigarette promotion we have chosen to concentrate on Indian Bingo halls for the following reasons.

Indian Bingo does not fall under the jurisdiction of the Gaming Commission or the Commission on Alcohol, Tobacco and Firearms. Whereas state agencies limit the hours and number of games many organizations may run in a given time period (often only two or three games per week) Indian gaming operations are unregulated and allowed to operate 24 hours per day seven days per week.

High stakes bingo was developed and established as an economic development vehicle for the tribes to further education, employment, health and welfare of tribal members, especially in compensating for a sharp reduction in federal aid. Federal Indian reservations were historically granted the special legal status of sovereign nations; therefore, they are not regulated by state laws which limit prize amounts in games of chance. It is not uncommon for Indian bingo halls to feature jackpots in excess of \$100,000 regular game "payouts" average from \$500 to \$5,000.

The size of the Indian games, the sophistication of their operations and the high stakes of the jackpots offer the most desirable targets for special events. In addition many of the Indian Halls sell tobacco products.



Smoke-Free Tribal Casinos

- Of 354 tribal casino gaming operations in the U.S. only 3 are 100% smoke-free: Hoopa Valley Lucky Bear Creek Casino, Taos Pueblo Taos Mountain Casino and Muckleshoot Casino 2.
- This is less than 1%

Smoke-Free Tribal Casinos



Smoking kills our people... You can bet on it!

TAKE CHARGE and Change the Odds

National Tribal Tobacco Prevention Network
www.tobaccoprevention.net

Navajo Nation, how much more scientific evidence do we need to show that Secondhand Smoke is DEADLY?

A new federal report from the National Institute for Occupational Safety and Health (NIOSH) found that casino workers are exposed to hazardous levels of toxic secondhand smoke at work, including tobacco-specific carcinogens (cancer causing chemicals) that increased in the body as their shift went on. NIOSH recommends making all casinos 100% smokefree to ensure indoor air within casinos is safe to breathe.

Health Hazard Evaluation Report
HETA 2005-0076; 2005-0201-3080
Bally's, Paris, and Caesars Palace Casinos
Las Vegas, Nevada
May 2009

Department of Health and Human Services
Centers for Disease Control and Prevention
National Institute for Occupational Safety and Health



Dr. Patricia Nez Henderson
Member, 2008 PHG Guideline Panel,
Treating Tobacco Use and Dependence



Navajo Nation Commercial Tobacco-free Act of 2009

Commercial Tobacco

Public Space

Religious or Ceremonial Use

Smoking

Place of Employment

Private Residences

Smokeless Tobacco

Private Vehicles with Child or Children

Private Vehicles

Secondhand Smoke

Regulated

Not Regulated

Navajo Nation Commercial Tobacco-free Act of 2009

DRAFT

ECONOMIC CONSEQUENCES OF BANNING SMOKING
IN ~~THE WORKPLACE~~ IN THE STATE OF MISSISSIPPI
CASINOS

by

N. Keith Womer, Ph.D
University of Mississippi

William F. Chappell, Ph.D
University of Mississippi

*with research by
SWA*

A Report Submitted to Philip Morris Management *Corp.* Inc.

February, 1998

70 students receive Chief Manuelito award | Brother, sister serve as Navajo Police officers | **A8** Gallup team wins NABI tournament | **B1**

NAVAJO TIMES

Y 31, 9008 | THE NEWSPAPER OF THE NAVAJO PEOPLE | WINDOW ROCK, NAVAJO NATION, ARIZONA 86515-0310 | \$1

OF THE WEEK: *Uplifting vision: Youth cleaning, planting, fixing, Page A-6*

st legs' evicted from ion, used applies, to

Smoking ban prompts 40% cut in casino jobs

ember 2006. Prior to that he been living in the BCDS house in Shiprock, according wo people who worked with

mong the alterations he made e palatial Farmington property a fishpond. Ghun used BCDS kers and company supplies to d it, said Ronald Atcity, a laid- BCDS welder.

Ghun) did extensive damage to property and then bailed on it," l Brad Ballard of B & L struction in Aztec, N.M.

See EVICTED, Page A-4

Bates number 2072277904

Navajo Nation Commercial Tobacco-free Act of 2009



Navajo Nation Gaming Enterprise

May 29, 2009

Honorable Thomas Walker
Navajo Nation Council Delegate
Administration Building 3
Window Rock, Arizona 86515

Re: Smoking Ban and Navajo Gaming Facilities

Dear Mr. Walker,

I am writing this letter to provide recommendations to the proposed Navajo Nation Council Resolution entitled "Enacting the Navajo Nation Commercial Tobacco-Free Act of 2009."

As you are aware, the Navajo Nation Gaming Enterprise understands the purpose of the smoke-free legislation. However, the Enterprise was created by the Navajo Nation Council with the purpose of creating jobs, economic development and providing revenues back to the Navajo Nation. Therefore, the smoke-free legislation, as drafted, will deter or have a significantly impact the Enterprise's ability to fulfill its purpose. With these competing purposes in mind, the following amendments are recommended by the Enterprise.

On page 4, line 20, delete the words "gaming facilities". The words "gaming facilities" are recommended for deletion because these words are too broad and undefined. The deletion of these words coupled with other recommends will allow the Enterprise to allow smoking within designated gaming areas, provided there are also non-smoking gaming areas.

On page 4, line 20, delete the words "hotel and motels". Other recommended sections of the legislation will be provided below to address smoking in hotels and motels.

On page 4, line 22, delete the words "marketing establishments". The words are too general and undefined. These words could be interpreted to ban smoking at gaming areas.

On page 4, line 23 and 24, delete the phrase "all other facilities which provide food or beverage service, or both". This phrase is recommended for deletion because they are too general and undefined, and food and beverages are provided to guests at gaming areas.

On page 5, lines 19 to 26, the following section and subsection should be used in place of the proposed section:

Post Office Box 1700, Church Rock, New Mexico 87311 • (505) 905-7100 • FAX: 505-905-7240

NOT EVERYONE ENJOYS SMOKE



Let Us All Enjoy A Smoke Free Casino!
Take Charge & Change Your Odds. Call Your Navajo Leaders Today.



605 W. Desmond Street
Winslow, AZ 86047

Phone: 928-289-6483
Fax: 928-289-9372



“With *Sovereignty* comes
responsibility.
Responsibility of the
Health of Our People”