



NIGC Chairman Hogen Testifies Before House Natural Resources Committee

Washington DC, April 9, 2008 —National Indian Gaming Commission (NIGC) Chairman Phil Hogen testified today before the House Committee on Natural Resources during a legislative hearing on H.R. 5608, the “Consultation and Coordination with Indian Tribal Governments Act.” The bill was introduced March 13, 2008, by Congressman Nick J. Rahall of West Virginia, Chairman of the House Committee on Natural Resources.

The NIGC strongly opposes the bill.

The Commission is firmly and publicly committed to the consultation process. It adopted a consultation policy in March 2004 and published it in the Federal Register. The Commission meets with tribes as often as possible, averaging approximately 150 meetings a year. The Commission regularly amends its regulatory proposals in response to tribal comment at consultations.

Chairman Hogen testified, “The NIGC does not believe its current consultation practices are perfect, but we do believe that they are effective. We also believe that consultation should not mean agreement and that the parties consulting should not measure the good faith or effectiveness of the consultation by whether agreement is reached.”

“The question that the bill seeks to answer, I believe, is what kind of consultation constitutes adequate, accountable consultation,” Hogen said. “This bill does not answer that question, and it certainly does not answer the question as to how the NIGC, a regulatory agency, can meet its consultation responsibilities while at the same time effectively fulfilling its statutory obligations under the Indian Gaming Regulatory Act. In fact, it is our firm belief that enactment of this legislation would eviscerate the agency’s good faith ability to regulate.”

Please click on the following link to view Chairman Hogen’s written testimony.

[NIGC Written Testimony 040908](#)

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The NIGC is an independent regulatory agency established within the Department of the Interior pursuant to the Indian Gaming Regulatory Act of 1988.