

IN RE:           Amendment to Metlakatla )  
                  Indian Community's        ) )  
                  Gaming Ordinance         ) )

---

APPEAL OF THE CHAIRMAN'S DISAPPROVAL  
OF THE METLAKATLA INDIAN COMMUNITY'S  
PROPOSED AMENDMENT TO ITS CLASS II  
GAMING ORDINANCE

---

DECLARATION OF PAUL T. BRENDIBLE, Jr.

1. My name is Paul T. Brendible, Jr. I have served as a Council Member on the Metlakatla Indian Community Tribal Council for many years. I am a member of the Council's Planning Committee, and have been involved in a variety of economic development projects for the Tribe over the years, including the development of Class II gaming.

2. The Community has faced very difficult economic conditions for many years because of severe difficulties in the fishing and timber industries. These industries have traditionally formed the bulk of the economic activity that the Tribe and its tribal members have been engaged in for generations. Our forest product manufacturing facilities were forced to close due to the absence of timber from the Tongass National Forest and fishing is now almost entirely limited to our Reserve waters due to the high cost of Alaska limited entry permits.

3. As part of its economic development strategy, the Tribe has operated a small bingo hall on its Reservation in the town of Metlakatla for many years. In 2005, the Tribe added electronically-aided linked Class II bingo devices to supplement its 120 seat bingo hall and bring in much needed income and jobs. The facility currently operates 80 electronically-aided linked Class II bingo devices. Although relatively small compared to other operations, the facility is a very important part of the Tribe's economy. The electronically-aided linked Class II bingo devices have generated hundreds of thousands of dollars in general revenue funds for the Tribe, which have helped fund a range of critically needed programs, and provided much needed jobs for Tribal members.

4. Class II gaming is the only form of commercial gaming available to the Tribe, since the State of Alaska has refused to compact with the Tribe, even though the State permits Class III gaming activities.

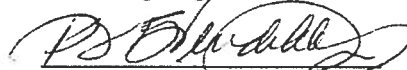
5. The revenue generated by the Tribe's gaming facility is responsible for supporting a portion of all of the Tribe's Departments that fall under its general fund, which include: (1) 35% of the salaries for the Mayor, Secretary, Treasurer, City Clerk and Receptionist; (2) the Community's Bottled Water program; (3) the Transportation Department; (4) the Town Hall; (5) Duncan Cottage (former home and memorial to Father William Duncan who led the Metlakatla in founding the Community in the 19<sup>th</sup> Century); (6) the Senior Citizen Program; (7) Port Maintenance; (8) the Maintenance Department (water, garbage & sewer); (9) Emergency Medical and Funeral Expenses for Community members; and (10) Higher Education Scholarships for our membership.

6. In addition to generating much needed revenue, the Tribe's gaming facility has also created over 20 steady good paying jobs. While this may not seem like many in a community of our size, every one of these jobs is critically important to the continued success of our Tribe. The Tribe's unemployment rate is presently at 51%, and any new job we can create is critical to tribal employment. Employment is difficult to find in the present economic landscape, and any job lost is very difficult to replace.

7. The Tribe's modest bingo facility already faces competition for tourist dollars with cruise ships, which offer Class III slot machine gaming. While the Tribe will not be able to compete at the same level with that kind of Las Vegas style slot machine gaming, it should at the very least not be subject to artificial limitations on the type of technology Congress authorized it to use as Class II. Artificial limitations like banning the use of auto-daub technology that is routinely used in non-Indian bingo halls across the country will have a significant impact on tribal revenues and put the Tribe on an even more uneven playing field than it is today.

8. Auto daub will allow linked bingo games offered by the Tribe to be played faster and to be less intimidating to players. Auto daub also will allow players who have difficulties playing bingo due to age or physical impairments (and there are many such people in our Tribe and the neighboring communities) to play in the games. All of these factors will help to make the Tribe's Class II bingo games more profitable for the Tribe.

I declare under penalty of perjury that the foregoing is true and correct.



Paul T. Brendible, Jr.  
Council Member  
Metlakatla Indian Community

Dated: 6/30/08