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Changing Demographics on the Navajo Nation that Affected
Views on the Gaming Industry: 1994-2004

A thesis submitted in partial satisfaction of the requirements for the
degree of Master of Arts in American Indian Studies

by

Jack Maurice Tome

2021

ABSTRACT OF THESIS

Changing Demographics on the Navajo Nation that Affected
Views on the Gaming Industry: 1994-2004

by

Jack Maurice Tome

Master of Arts in American Indian Studies

University of California, Los Angeles, 2021

Professor Randall Akee, Chair

The Navajo Nation has enacted many forms of economic development, but none have successfully cured the economic and social problems. Some forms like resource extraction have delivered needed employment to the Navajo people, but have brought social ills to the Navajo people. While gaming was legalized easily by many Native American nations after the passage of the Indian Gaming Regulatory Act of 1988, the Navajo Nation struggled with it. After two failed referendums in 1994 and 1997, Navajo voters via referendum approved gaming operations by a large margin in the 2004 referendum. Using qualitative and quantitative methods, I seek to understand the causes for the dramatic shift in the Navajo Nation tribal citizens' perceptions and support of tribal gaming in just ten years.

The thesis of Jack Maurice Tome is approved.

Jessica R. Cattelino

Paul V. Kroskirty

Randall Akee, Committee Chair

University of California, Los Angeles

2021

This thesis paper is dedicated to the Tome family; my mother (Mrs. Nelma R. Tome), my father (Mr. Jack M. Tome, Sr.), my brother (Mr. Jeffrey M. Tome), my niece (Aubrey H. Tome), and my nephew (Carter M.T. Tome). Thank you all for making me the person I am today, a dedicated, hardworking, detail oriented, and loyal individual. Going forward, it is my wish that a member of this family will build upon this paper and strive for a Doctorate. Also, to Diné Bizaad, may it forever flourish.

In good health.

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INTRODUCTION

“Gaming is clearly a profitable industry. The benefits are many: more job opportunities, more government revenue to provide for the Navajo People, more revenue for true investment in the economy and education, competition with casinos and gaming establishments near or adjacent to the Navajo Nation to curb the flow of money leaving the Navajo Reservation...”¹

-Navajo Nation Council Subcommittee on Class II and Class III gaming, 1993

Gaming has been a long and bitter battle between the U.S. state, local governments and Native American tribal governments. In “The Impact of Gaming on the Indian Nations in New Mexico,” Thaddieus W. Conner and William A. Taggart state that “arenas of conflict have focused on fundamental questions ranging from those concerning tribal sovereignty and states; rights to popular debates about the desirability and morality of legalized gaming.”² There are numerous conflicts between the U.S state, local governments and Native American tribal governments. One example is between New Mexico Governor Bruce King and the Pueblo of Sandia and Mescalero Apache Tribe.³ Governor Bruce King appointed a task force to negotiate a compact with the Sandia and Mescalero tribal nations, but refused to sign them in 1990 after negotiation.⁴ In 1995, newly elected New Mexico Governor Gary Johnson signed a gaming compact between New Mexico and the Pueblos of Acoma, Isleta, Laguna, Pojoaque, Sandia, San Felipe, San Juan, Santa Ana, Santa Clara, Taos and Tesuque and the Jicarilla and Mescalero

¹ Eric Henderson and Scott Russell, “The Navajo Gaming Referendum: Reservations about Casinos Lead to Popular Rejection of Legalized Gaming,” *Human Organization* 56, no. 3 (2017): 295, <https://www.jstor.org/stable/44127192>.

²Thaddieus W Conner and William A. Taggart, “The Impact of Gaming on the Indian Nations in New Mexico,” *Social Science Quarterly* 90, no. 1 (2009): 55, <https://doi.org/10.1111/j.1540-6237.2009.00602.x>.

³ Juliana Vadnais, “Behind the history of gaming in New Mexico,” *Albuquerque Business First*, May 27, 2016, <https://www.bizjournals.com/albuquerque/print-edition/2016/05/27/behind-the-history-of-gaming-in-new-mexico.html>.

⁴ Vadnais, “Behind the history of gaming in New Mexico.”

Apache.⁵ In late 1995, the New Mexico Supreme court ruled in the case, *Rel Clark v. Johnson*, that Governor Gary Johnson did not have the authority to sign the gaming compacts on behalf of the state.⁶ In other words, the New Mexico Supreme Court ruled that the chief executive of the state does not have the unilateral authority to approve and sign American Indian gaming compacts. Legislative and the Governors' approval was needed to approve and sign American Indian gaming compacts.

Another example of a conflict between sovereigns on American Indian gaming occurred in Wisconsin. In 1989, Wisconsin Governor Tommy Thompson denied negotiating a gaming compact with Wisconsin's eleven federally recognized tribes (Bad River Band of Lake Superior Chippewa, Ho-Chunk Nation, Lac Courte Oreilles Band of Lake Superior Chippewa, Lac du Flambeau Band of Lake Superior Chippewa, Menominee Tribe of Wisconsin, Oneida Nation, Forest County Potawatomi, Red Cliff Band of Lake Superior Chippewa, St. Croix Chippewa, Sokaogon Chippewa (Mole Lake), and Stockbridge-Munsee). Three years later, Governor Tommy Thompson signed a gaming compact with all Wisconsin tribal nations due to a Federal court order.⁷ The Federal court ruled that Governor Tommy Thompson did not negotiate "in good faith," a requirement from the Indian Gaming Regulatory Act.

With the dedication and perseverance of the Native American people, the United States Supreme Court overturned existing laws that restricted gaming on Native American reservations as a result of the landmark Supreme Court case, *California v. Cabazon Band of Indians*. In this case, two tribes, the Cabazon and Morongo Bands of Mission Indians, located within Riverside County, California, conducted bingo and card game operations on their reservation land. These

⁵ Vadnais, "Behind the history of gaming in New Mexico."

⁶ Vadnais, "Behind the history of gaming in New Mexico."

⁷ Will Cushman, "The Long Legal Path toward Tribal Gaming in Wisconsin," *Wiscontext*, February 1, 2019, <https://www.wiscontext.org/long-legal-path-toward-tribal-gaming-wisconsin>.

operations created jobs and needed employment to some citizens of these tribal nations. “The State of California wanted to apply state gambling laws to reservation gaming and Riverside County wanted to apply local ordinances.”⁸ These laws would ban gaming operations and put charitable organizations in charge of bingo games. The Tribal Nations claimed that these laws violated their sovereignty. “They brought suit against the state of California and Riverside County in federal district court. The district court ruled that neither the state nor the county had the authority to regulate gambling on reservation land. The United States Court of Appeals for the Ninth Circuit affirmed.”⁹

This case was argued on December 9th, 1986 and decided on February 25th, 1987.¹⁰ Justice Byron R. White wrote the majority opinion and was joined by Chief Justice Rehnquist, Justice Brennan, Justice Marshall, Justice Blackmun and Justice Powell. Justice John Paul Stevens wrote the dissenting opinion and was joined by Justice O’Connor and Justice Scalia. The United States Supreme Court, by a 6-3 vote, effectively overturned laws that restricted gaming operations on Native American reservations. This led the United States Congress to pass the Indian Gaming Regulatory Act a year later and was signed into law by President Ronald Reagan. The goal of the Indian Gaming Regulatory Act (IGRA) was “to promote tribal economic development, self-sufficiency, and strong tribal governments.”¹¹ IGRA, acronym of the Indian Gaming Regulatory Act, requires gaming Native American governments to spend its casino profits to benefit the community it serves. IGRA established three classes of gaming with different regulations. Class I gaming consists of traditional and social games and does not require

⁸ Oyez, “California v. Cabazon Band of Mission Indians,” Oyez, June 1, 2020, <https://www.oyez.org/cases/1986/85-1708>.

⁹ Oyez, “California v. Cabazon Band of Mission Indians.”

¹⁰ Justia, “California v. Cabazon Band of Indians, 480 U.S. 202 (1987),” Justia, July 3, 2020, <https://supreme.justia.com/cases/federal/us/480/202/>.

¹¹ National Indian Gaming Commission, “Indian Gaming Regulatory Act,” NIGC, February 8, 2020, <https://www.nigc.gov/general-counsel/indian-gaming-regulatory-act>.

a gaming compact. Class II consists of bingos, some card games and does not require a gaming compact with the state. Class III, or also known as “Las Vegas Style Gaming,” includes slots, card games, and/or any game(s) that one plays against the casino. Class III requires the legality of gaming in the state the tribal nation is in and a state compact with shared revenue.

The Native American community I primarily focus on in this research paper is the Navajo Nation. The Navajo Nation has the largest tribal enrollment and is the largest Native American reservation by land mass in the United States of America. The nation is approximately 27,000 square miles and 17 million acres in three southwestern US states.¹² The US states that contain the Navajo Nation are New Mexico, Arizona and Utah. There are approximately 178,100 people living in the Navajo reservation and a total population of 286,731 in the United States.¹³ Like many Native American reservations, the Navajo Nation has an unemployment rate and social ills higher than the United states and its states. According to the United States Census, the median household income in dollars on the Navajo Nation is \$27,361.¹⁴ The unemployment is 18.1% on the Navajo Nation Reservation and Off-Reservation Trust Land.¹⁵ The Navajo Nation has enacted many forms of economic development, but none have successfully cured the economic and social problems. Some forms like resource extraction (coal and uranium mining) have delivered needed employment to the Navajo people in twentieth century but has negatively impacted many Navajo people. Beginning in the 1950’s, “poor mine safety, especially inadequate ventilation, plagued miners and surrounding residents...Many contaminated sites

¹² Building Communities, Inc., ““Executive Summary Comprehensive Economic Development Strategy: Prepared for the Navajo Nation Division of Economic Development,” nativebuilders.net, July 5, 2020, <http://www.nativebuilders.net/wp-content/uploads/2017/02/nnded-ceds-executive-summary.pdf>.

¹³ Building Communities, Inc., ““Executive Summary Comprehensive Economic Development Strategy: Prepared for the Navajo Nation Division of Economic Development.”

¹⁴ U.S. Census Bureau, “My Tribal Area,” Census.gov, March 7, 2017, <https://www.census.gov/tribal/?aianihh=2430>.

¹⁵ U.S. Census Bureau, “My Tribal Area.”

remain...Estimated cancer rates among Navajo teenagers near mine tailing are 17 times the national average, and accidental spills have put many Tribal members at risk.”¹⁶ Uranium mining on the Navajo Nation also contributed to an increase of lung cancer among Navajo men. According to data derived from the research article, “Uranium Mining and Lung Cancer Among Navajo Men in New Mexico and Arizona, 1969 to 1993,” “Sixty-three (67%) of the 94-incident lung cancers among Navajo men occurred in former uranium miners. The relative risk for a history of mining was 28.6 (95% confidence interval, 13.2-61.7). Smoking did not account for the strong relationship between lung cancer and uranium mining.”¹⁷ Table 1 shows lung cancer characteristics among Navajo uranium miners and non-Navajo uranium miners in a controlled case study. This table was derived from the article, “Uranium Mining and Lung Cancer Among Navajo Men in New Mexico and Arizona, 1969 to 1993.”

¹⁶Martin J Pasqualetti et al. “A Paradox of Plenty: Renewable Energy on Navajo Nation Lands,” *Society & Natural Resources* 29, no.8(January 30, 2016): 885–99, https://www.tandfonline.com/doi/pdf/10.1080/08941920.2015.1107794?casa_token=QN17Ya7FKxAAAAAA%3AyB-w6HIH5bcjKP8gImdXm4o0OdCqexo6EGgAYmskP7fgunR1Dpp5H1i_XpVmsFEb8DjFDI0THiSa&.

¹⁷ Frank D. Gilliland et al, “Uranium Mining and Lung Cancer Among Navajo Men in New Mexico and Arizona, 1969 to 1993,” *Journal of Occupational and Environmental Medicine* 42, no.3 (March 2000): 280. <https://doi.org/10.1097/00043764-200003000-00008>.

Table 1.

Lung Cancer Case Characteristics for Navajo Miners and Non-Miners. Navajo Lung Cancer-case Control Study. 1969-1993							
	Uranium Miners (%)			Non-Uranium Miners (%)			
	1969-1993	1969-1983	1984-1993		1969-1993	1969-1983	1984-1993
Vital Status (deceased)	93.7	96.6	91.2		87.1	90	85.7
Age (years)	25.4						
<50	25.4	48.3	5.9		12.9	20	9.5
50-59	34.9	24.1	44.1		16.1	20	14.3
60-69	25.4	20.7	29.4		22.6	20	23.8
70+	14.3	6.9	20.6		48.4	40	52.4
Smoking status							
Ever	54	69	41.2		12.9	0	19
Never	39.7	27.6	50		9.7	20	4.8
Unknown	6.3	3.4	8.8		77.4	80	76.2

Source: Frank D. Gilliland et al, "Uranium Mining and Lung Cancer Among Navajo Men in New Mexico and Arizona, 1969 to 1993," 280.¹⁸

Given the negative aspects associated with the mining industry, there has been increased interest among the Navajo people to diversify Navajo Nation economic activities. In the early 1990s, it became clear that gaming operations were a potential given the passage of IGRA and

¹⁸ Frank D. Gilliland et al, "Uranium Mining and Lung Cancer Among Navajo Men in New Mexico and Arizona, 1969 to 1993," *Journal of Occupational and Environmental Medicine* 42, no.3 (March 2000): 280.

the early gaming successes of other Tribal Nations. However, there was significant opposition in the Navajo Nation. In 1993, the Navajo Nation Tribal Code, the governing document of the Navajo people equivalent to the United States Constitution, made it clear that gaming operations on the reservation and Tribal Trust Land were illegal. It was a criminal offense to gamble for “economic benefit other than personal winnings.”¹⁹ Thus, in order for gaming operations to be legalized on the Navajo Nation, the Tribal Code required alteration. A law becomes part of the Tribal Code if the Council approves a measure by majority vote and the Navajo Nation President (formerly Chairman) signs it into law. Additionally, a majority vote from the Navajo people via a referendum is law binding requiring no vote in the Council Chamber and no Presidential approval.

In 1993, the Navajo Nation Council established a “Subcommittee on Class II and Class III gaming” to “review and make recommendations with respect to tasks which the Navajo Nation must undertake to fully develop a gaming establishment and/or casino.”²⁰ This subcommittee was filled with 6 Council Delegates and would go directly to the Navajo people during chapter meetings and public forums to ask for opinions on gaming operations on the Navajo Nation. Council Delegates are the equivalent to Congresswomen/men in the United States Congress. A few months later, the Subcommittee on Class II and Class III gaming concluded in their report that “Gaming is clearly a profitable industry. The benefits are many: more job opportunities, more government revenue to provide for the Navajo People, more revenue for true investment in the economy and education, competition with casinos and gaming

¹⁹ Eric Henderson and Scott Russell, “The Navajo Gaming Referendum: Reservations about Casinos Lead to Popular Rejection of Legalized Gaming,” 295.

²⁰ Henderson and Russell, “The Navajo Gaming Referendum,” 295.

establishments near or adjacent to the Navajo Nation to curb the flow of money leaving the Navajo Reservation...”²¹

On November 8th, 1994, the first Navajo gaming referendum occurred in conjunction with the general Navajo Nation election. In the referendum, 51,523 Navajos participated. 23,450 voted for the referendum (45.4%) and 28,073 voted against (54.5%). On the November 4th, 1997, the second referendum occurred via a special election. The vote was 15,305 (45.8%) for and 18,087 (54.2%) against.

In October 1997, Navajo Nation President Albert Hale wrote an op-ed in the Navajo Times urging the Navajo people to reject gaming. In the op-ed, President Hale said, “Gambling is like alcohol. Everyone who drinks doesn’t go to jail, or get drunk and beat their family. But, alcohol is a major contributor to crime on the Navajo Nation.”²² In this excerpt, Hale connects gambling to alcohol and believes they are the same thing. In opposition to President Hale, Navajo Tribal Council Delegate Albert Lee of Two Grey Hills, New Mexico said that, “Everywhere I go, Navajos are putting some money in them [casinos]...If I lose money, I want to know it’s going back to the tribe to help some people.”²³ Supporters of Navajo casinos, including Delegate Lee believe that many Navajo people “are already flocking to nearby casinos run by Pueblos in New Mexico, Utes in Colorado and Apaches in Arizona.”²⁴

In the 2004 referendum, gaming operations was legalized by a vote of 25,050 (60.4%) for and 16,424 (39.60%) against. There were 41,474 Navajo people that voted in the 2004 referendum. The first Navajo gaming referendum occurred in 1994 with 23,450 (45.4%) voting for and 28,073 (54.5%) against. The 15% voting swing within a decade is fascinating and the

²¹ Henderson and Russell, “The Navajo Gaming Referendum,” 295.

²² Matt Kelley, “Cautionary Tale of the Gambler Ups Ante in Navajo Debate on Casinos,” *Los Angeles Times*, <https://www.latimes.com/archives/la-xpm-1997-oct-26-me-46797-story.html>.

²³ Kelley, “Cautionary Tale of the Gambler Ups Ante in Navajo Debate on Casinos.”

²⁴ Kelley, “Cautionary Tale of the Gambler Ups Ante in Navajo Debate on Casinos.”

referendum is binding to the Navajo Nation Code. Between 1994 and 2004, the percent of Navajos approving of gaming operations via referendum changed from 45.5% to 60.40%. In this paper, I seek to understand what the causes are for the dramatic shift in the Navajo Nation tribal citizens' perceptions and support of tribal gaming in just ten years.

I hypothesize that three factors were crucial in the changing of Navajo opinion on gaming operations from 1994-2004. My first hypothesis is that the Navajo population got proportionally younger over the course of the decade and younger people tend to approve of gaming operations more than older people. I do not have a measure of Navajo traditional values, but I do have a measure of Navajo language fluency. In this paper, Navajo language fluency is the measure of traditional value. It is important to state that there is no agreed upon definition of language fluency and there is even less agreement about how it is to be assessed. Also, many sources in this paper that contain information on language fluency relies on self-reported data, which is not especially reliable since people both over-claim and under-claim it due in part to a lack of shared standards about just what fluency is. Additionally, this study assumes a correlation between linguistic knowledge and adherence to more traditional views associated with the language.

My second hypothesis is that those with more Navajo language comprehensiveness are more likely to oppose Navajo gaming whereas those less comprehensive in the Navajo language are more likely to be supportive of Navajo gaming. I believe there is a connection between age, language comprehensiveness and approval (opinion) of gaming operations. My third hypothesis is that the gaming success of other tribal nations influenced many Navajo people's opinion on gaming operations. The Navajo people realized that a Navajo gaming establishment would keep more money earned from the Navajo people in the Navajo Nation. Retail leakage has been a challenge the Navajo Nation has dealt with for many years and some elected Navajo leaders, scholars and Navajo people were aware of this issue. Casinos promised to tackle this challenge.

The Navajo people were informed by economic development specialist, most notably, the Navajo Nation Division of Economic Development, that gaming would employ many Navajo people, lead to more people gaining access to needed infrastructure, lead to lower unemployment and increase wages. They were also informed that gaming profit would be spent on Navajo goods and services.

CHAPTER I: CASE STUDIES OUTSIDE THE NAVAJO NATION

“It is clear that gaming issue has posed a risk to our culture and has not changes from the majority of the people who voted. I predict that it will remain unchanged for future years...a referendum on gaming should never surface again.”

Hopi Tribal member, Alph H. Secakuku, June 2004

In this chapter, I review two other tribal nations and their pursuit of establishing gaming operations and population demographics. I review the Seneca Nation of Indians of New York and the Hopi Reservation of Arizona. Both tribal nations, along with other tribal nations, have struggled to establish a gaming enterprise.

Tribal nations that also struggled with establishing gaming operations are the Seneca Nation of Indians, a nation from New York state and the Hopi Reservation in Arizona. The Seneca Nation of Indians are among the largest Native American Nations in New York State with a population of 8,352 enrolled members in its three reservations according to the US Census 2015-2019 American Community Survey 5 Year Estimates. The Seneca Nation is comprised of Cattaraugus Reservation, Allegany Reservation and Oil Springs Reservation. The Cattaraugus Reservation has a total population of 2,361 with 1,022 being self-identified male and 1,399 being self-identified female.²⁵ The median age is 34.3 years and the unemployment rate is 19.9%. 87.2% of the Cattaraugus Reservation have a high school diploma (including equivalency) or higher.²⁶ 19.9% of the population has a bachelor’s degree or higher.²⁷ The Allegany Reservation has a total population of 5,991 with 2,818 being self-identified male and 3,173 being self-

²⁵ U.S. Census Bureau, “My Tribal Area,” Census.gov, March 7, 2017, <https://www.census.gov/tribal/?aianihh=2430>.

²⁶ U.S. Census Bureau, “My Tribal Area.”

²⁷ U.S. Census Bureau, “My Tribal Area.”

identified female.²⁸ The median age of the population is 35 years and the unemployment rate is 7.5%.²⁹ 85.5% of citizens of the Allegany Reservation have a high school diploma (including equivalency) or higher. 11.8% of the population has a Bachelor's degree or higher.³⁰ Oil Springs Reservation has a population of 2 persons, both of whom are female and are in-between 20 to 24 years of age.³¹ There is no additional data available because the population is small.

Estimates vary on the Seneca language fluency rate. However, many researchers agree that there is a language shift and endangerment occurring among the Seneca. In 2010, the amount of fluent Seneca speakers was 175.³² However, Dr. Wallace L. Chafe, Professor Emeritus at UC, Santa Barbara and who is the foremost linguist that has collaborated with the Seneca, states that in 2010, "My guess is that there are less than 50 speakers altogether."³³ According to the "Graded Intergenerational Disruption Scale," an eight stage measure of language endangerment developed by sociolinguist Joshua Fishman, Dr. Chafe would on a scale of 1 to 8, with 1 being the least endangered and 8 being the most endangered, put the Seneca Language in Stage 7. In Stage 7, "most speakers are beyond childbearing age, and a language in that position is seriously endangered."³⁴

Indian Gaming in New York has been contentious between New York state and Native American tribal governments. Until September 11, 2001, New York State banned gaming and was a barrier for tribal nations to pursue the enterprise in the state. In 1994, the Seneca Nation of

²⁸ U.S. Census Bureau, "My Tribal Area."

²⁹ U.S. Census Bureau, "My Tribal Area."

³⁰ U.S. Census Bureau, "My Tribal Area."

³¹ U.S. Census Bureau, "My Tribal Area."

³² Kristin. Szczepaniec, Publication. *Indigenous People of Western New York*, Partners for the Public Good, February 2018, https://ppgbuffalo.org/files/documents/data-demographics-history/indigenous_people_in_wny_final.pdf.

³³ Melissa E. Borgia, Dissertation, *An Overview of Language Preservation at Hi:Yo'*, The Seneca Allegany Territory, 2010, 4, <https://www.proquest.com/docview/839877986>.

³⁴ Borgia, Dissertation, *An Overview of Language Preservation at Hi:Yo'*, iv.

Indians held a referendum to legalize gaming within their nation. The vote was 444 (38.3%) for and 714 (61.7%) against gaming with a total of 1158 Seneca people voting.³⁵ The referendum to approve gaming operations failed. In the article, “Tribal Traditions Prevailed in Seneca Referendum Rejecting Casino Gaming,” published by The Buffalo News, businesswoman Karen Johnson returned to her homeland (Seneca) to vote against the referendum. It was the first time she has ever voted and she had a strong opinion against gambling. Tribal Council member and businessperson, J.C. Seneca said, “It was a big opportunity where, if we wanted to go that way, it could have created a lot of jobs and economic recourse for our nation.”³⁶ J.C. Seneca also stated 2 years earlier while campaigning for President of the Seneca, “There are also the issues of sovereignty and jurisdiction. When I was running for office, I said I would not negotiate a gambling compact with the state and that I was against any state officials having any jurisdiction over a casino on our land.”³⁷ Interestingly, the referendum was only advisory and not legally binding. So, the Seneca government, without the support of the Seneca people, can legalize gaming on Seneca land.

Eight years later in 2002, Seneca voters narrowly approved the 2nd gaming referendum to create off-reservation casinos and a compact with New York State. This would allow the Seneca Nations to build gaming operations in Niagara Falls and Buffalo, New York.³⁸ The vote was 1,077 (52.5%) for and 976 (47.5%) against with a total of 2,053 Seneca people voting.³⁹ The

³⁵ Agnes Palazzetti, Tribal Traditions Prevailed in Seneca Referendum Rejecting Casino Gambling, The Buffalo News, May 13, 1994, https://buffalonews.com/news/tribal-traditions-prevailed-in-seneca-referendum-rejecting-casino-gambling/article_c5633328-5317-5d95-8757-d20eb20c7a63.html.

³⁶ Palazzetti, “Tribal Traditions Prevailed.”

³⁷ Palazzetti, “Tribal Traditions Prevailed.”

³⁸ Seneca Nation sets casino gaming referendum. Buffalo Business First, April 15, 2002. <https://www.bizjournals.com/buffalo/stories/2002/04/15/daily3.html>.

³⁹ Michael Beebe, Dan Herbeck, and Lou Michel, Senecas Vote Yes Slim Margin Favors Gaming Off Reservation, The Buffalo News, May 15, 2002 https://buffalonews.com/news/senecas-vote-yes-slim-margin-favors-gaming-off-reservation/article_68c75736-de29-5b07-a8bf-04a8f5bc001a.html.

Seneca President at the time, Cyrus M. Schindler Jr., was “pleased with the referendum victory.”⁴⁰ At the time, there were 4,516 eligible Seneca voters and participation was slightly under 50%.⁴¹ Former Seneca tribal councilman Tyler Heron had strong feelings on the result. Councilman Heron said, “How can anyone call that economic sovereignty? A lot of older Seneca’s have very, very bad memories of past dealings with the state, including the Kinzua Dam situation, where they lost one-third of the land on this reservation.”⁴² Jack Sherlock, a pro-gaming Seneca voter says, “I’d like to get a job in one of those casinos...As far as I’m concerned, this vote is for the younger generation. I’d like to see my three kids do a lot better than we’re doing.”⁴³

The other tribal nation I examine, the Hopi Reservation, which is located in Arizona, has a total population of 9,222 according to the most recent Census data in the 2015-2019 American Community Survey 5-Year Estimates. Of the total population, 4,459 are self-identified male and 4,763 are self-identified female.⁴⁴ The median age is 31.3 years of age.⁴⁵ The unemployment rate is 8.6% with a 3.1% margin of error.⁴⁶ Of the total population, 88.2% of the population have a high school diploma (and equivalency) or higher and 8.1% of the population has a bachelor’s degree or higher.⁴⁷

As with many Indigenous cultures, Hopi elders believe that “language is the root of perpetuating Hopi culture.”⁴⁸ In a 1997 survey, which was self-reported and can be very unreliable, was completed by the Hopi Cultural Preservation Office. In the survey, 200 Hopi tribal members representing all 12 Hopi villages were asked about their fluency of the Hopi

⁴⁰ Beebe, Herbeck, and Michel, “Senecas Vote Yes Slim Margin Favors Gaming Off Reservation.”

⁴¹ Beebe, Herbeck, and Michel, “Senecas Vote Yes Slim Margin Favors Gaming Off Reservation.”

⁴² Beebe, Herbeck, and Michel, “Senecas Vote Yes Slim Margin Favors Gaming Off Reservation.”

⁴³ Beebe, Herbeck, and Michel, “Senecas Vote Yes Slim Margin Favors Gaming Off Reservation.”

⁴⁴ U.S. Census Bureau, “My Tribal Area.”

⁴⁵ U.S. Census Bureau, “My Tribal Area.”

⁴⁶ U.S. Census Bureau, “My Tribal Area.”

⁴⁷ U.S. Census Bureau, “My Tribal Area.”

⁴⁸ Status of the Hopi Language, Mesa Media, 2018, <https://www.mesamedia.org/status-of-the-hopi-language/>.

language. The survey found that 100% of Hopi Elders aged 60 and over are fluent. 84% of adults aged 40 to 59 years fluent. 50% of young adults aged 20 to 39 are fluent and only 5% of children aged 2 to 19 years are fluent.⁴⁹ The assessment concluded that “The English language is a primary language in at least half of the households.”⁵⁰ According to the 2010 US Census, “56% of the population ages 5 and over spoke Hopi at home.”⁵¹

In 2013, the study, “A Final Report on Hopi Lavayi Early Childhood Assessment Project for the Coconino Regional Partnership Council and the Hopi Tribal Council,” was conducted by LaVerne Jeanne. Jeanne finds English is the primary language used in Hopi homes. 53 people were surveyed (with children in home) and 40 answered that English was the primary language at home whereas only 5 answered Hopi. 4 answered both and 4 answered they live alone with no children.⁵² For middle and elder aged individuals, Hopi is still spoken at home at a relatively high rate. Of the 53 individuals surveyed, 32 answered that Hopi is spoken at home whereas 12 answered no. 9 people said “a little.”⁵³ While the sample size is very small, it still confirms a shift in language usage among the Hopi people. English has become the primary language used in many Hopi homes.⁵⁴ A Hopi elder said in the Hopi language, “*Pay ... itàalavayi haqamini*”⁵⁵ This is translated into, “our language will go away.”

In April 1995, the Hopi Reservation held their first referendum to approve gaming operations. The move to approve gaming and establish a tribal gaming enterprise on the Hopi

⁴⁹ Status of the Hopi Language, Mesa Media.

⁵⁰ Status of the Hopi Language, Mesa Media.

⁵¹ LaVerne Jeanne, A Final Report on Hopi Lavayi Early Childhood Assessment Project for the Coconino Regional Partnership Council and the Hopi Tribal Council § (2013), 3, <http://www.azftf.gov/PublicNoticeAttachmentCenter/08-12-2013%20CCNNO%20Attachment%2003b.pdf>.

⁵² Jeanne, “A Final Report on Hopi Lavayi Early Childhood Assessment,” 8.

⁵³ Jeanne, “A Final Report on Hopi Lavayi Early Childhood Assessment,” 8.

⁵⁴ Jeanne, “A Final Report on Hopi Lavayi Early Childhood Assessment,” 9.

⁵⁵ Jeanne, “A Final Report on Hopi Lavayi Early Childhood Assessment,” 10.

Reservation and its trust lands failed by a vote of 986-714. In May 2004, the Hopi Reservation held their second referendum to establish gaming operations. The vote to establish a gaming operation failed by a 1,051-784 vote.⁵⁶ A total of 1,835 Hopi people voted in the second referendum, which is much lower than the 8,525 eligible Hopi Reservation voters.⁵⁷ The proposed casino would have been located in Hopi Trust land near Winslow, Arizona on Interstate 40, a border town of the Hopi Reservation. According to a Hopi Reservation tribal spokesperson, the “casino with 400 to 500 slot machines would provide up to 500 jobs for Hopis and could generate \$24 million annually.”⁵⁸

Establishing a gaming enterprise is a controversial issue in the Hopi Community. There are strong opinions on the subject matter, on both sides. In an op-ed written by Hopi member, Alph H. Secakuku in June 2004 in the Navajo-Hopi Observer, a newspaper serving the Navajo and Hopi Nations, Secakuku writes in opposition to gaming on the Hopi Reservation. Secakuku says, “I am not surprised by the results because, by Hopi standards, the first referendum happened “just yesterday,” and to have another gaming referendum makes this [Hopi tribal] Council action senseless. It is clear that gaming issue has posed a risk to our culture and has not changes from the majority of the people who voted. I predict that it will remain unchanged for future years...a referendum on gaming should never surface again.”⁵⁹ Since 2004, the Hopi has not held another gaming referendum.

On November 30th, 2017, during his last day in office, Hopi Chairperson Herman G. Honanie and Arizona Governor Doug Ducey signed the Hopi Tribe-State of Arizona Gaming

⁵⁶ Walter Berry, Hopi tribe votes down gaming, Arizona Daily Sun, May 19, 2004, https://azdailysun.com/hopi-tribe-votes-down-gaming/article_c3e0e607-340b-5bcf-9c2d-814efa3e1521.html.

⁵⁷ Berry, “Hopi tribe votes down gaming.”

⁵⁸ Berry, “Hopi tribe votes down gaming.”

⁵⁹ Alph H. Secakuku, “Time to Outlaw Gaming on Hopi,” June 23, 2004, <https://www.nhnews.com/news/2004/jun/23/time-to-outlaw-gaming-on-hopi/>.

Compact with the approval of the Hopi Council but not the Hopi people. The compact, which has a length of twenty years, allows the Hopi Tribe to operate 900 gaming slots/machines.⁶⁰ In an official statement, Hopi Chairman Herman G. Honanie said, “Because the Hopi Tribe faces such an uncertain financial future, I believe providing opportunities and a pathway to prosperity for our people is of the highest importance...Having a gaming compact gives our Tribe the opportunity to generate millions of dollars in much-needed revenue and a way to join our sister tribes in sharing the financial access gaming has meant all across Indian country.”⁶¹ The decision was made mostly due to the eventual closure of Navajo Generating Station. Navajo Generating Station permanently shut down two years later in November 2019. Navajo Generating Station provided many jobs and revenue to both the Navajo and Hopi Tribes. The Hopi Tribe has said that about 85% of its yearly budget is from coal revenue.⁶² The decision for outgoing Hopi Chairman G. Honanie came at a surprise to many, including the incoming Hopi Chairman, Tim Nuvangyaoma. The incoming chair was open to gaming but recognized that establishing a gaming enterprise was defeated twice by the Hopi people via referendum and is a controversial issue among the Hopi people. Through his tenure, Chairman Tim Nuvangyaoma has been supportive of gaming and has taken steps to establish a gaming enterprise on Hopi land. As of May 2021, there is no established gaming operation on Hopi land, four years after the Hopi-Arizona gaming compact was signed.

From 1990-2005, many tribal nations were adopting gaming during this period and was a big wave that went across Indian Country. The Navajo Nation, the Seneca Nation of Indians of New York and the Hopi Reservation of Arizona were not quick to adopt. These case studies

⁶⁰ Loretta McKenney, Gaming Now an Option for Hopi Tribe, December 5, 2017, <https://www.nhnews.com/news/2017/dec/05/gaming-now-option-hopi-tribe/>.

⁶¹ McKenney, “Gaming Now an Option for Hopi Tribe.”

⁶² Hopi Tribe officially joins Indian gaming industry with approved compact, Indianz.com, May 2018, <https://www.indianz.com/News/category/indian-gaming/2018/05/07/hopi-tribe-officially-joins-indian-gamin.asp>.

relate to the Navajo Nation because both the Seneca Nation of Indians of New York and the Hopi Reservation of Arizona have held multiple referendums on gaming, struck down gaming at least once, voters in each nation have strong feelings in support of and in opposition of gaming, utilized “tradition” as a means to vote against gaming, have hostile states that have a history of negotiating in bad faith and have similar trends in language shift.

**CHAPTER II: REVIEW OF RELATED LITERATURE: AMERICAN INDIAN
STUDIES, ECONOMICS, LINGUISTICS**

“We cannot fight them (white people), there are very few of us compared to them. We have to fight the injustices of our people with education. They have people out there called lawyers, doctors and engineers and that is how we will win the battle. Education is part of the answer.”

-Chief Manuelito, 1868.

The amount of research conducted on American Indian reservations describing the impact of American Indian gaming is plenty; however, there seems to be minimal research on why some Tribal Nations took longer than others to accept and implement gaming as an economic endeavor. Additionally, there is minimal research on the causes for the shift in the Navajo Nation tribal citizens’ perceptions and support of tribal gaming in a decades’ span. The following literature explores American Indian Economic Development, History/American Indian Boarding Schools, Anthropology and Linguistics.

In 1997, “The Navajo Gaming Referendum: Reservations about Casinos Lead to Popular Rejection of Legalized Gambling” was published by Eric Henderson and Scott Russell. In this academic research article, Henderson and Russell examine the Navajo electorate’s rejection of gaming in the 1994 Referendum. The 1994 Gaming Referendum occurred in conjunction with the 1994 Navajo Nation Presidential election. Participants, all of which were Navajo, in Henderson and Russell’s exit polls were asked their sex, age, presidential vote, presidential primary vote, and gaming referendum vote. Polls were conducted at the chapter houses located in Aneth, Ganado, St. Michaels, Lechee, Tuba City, and Shiprock. Only six Chapter Houses were polled because the Navajo Nation is geographically huge, and it would be impossible to have a few researchers conduct polling at each of the 125 Navajo Chapter Houses during election day. There was a total of 501 participants in these exit polls. Henderson and Russell found that self-

identified male voters favored gaming while self-identified females, in substantial numbers, did not favor gaming. They also found that younger voters (voters under 50) were in favor of gaming while older voters, (51+) overwhelmingly opposed gaming.⁶³ Those who voted in favor of gaming cited economic development (more jobs and revenue) as their primary reason.⁶⁴ A small number voted in favor because they “like to gamble” or that “it’s fun.”⁶⁵ Some who did not vote in favor stated that it is “not good,” “we will lose,” it will “ruin people.”⁶⁶ There was also concern that gaming would lead to more social problems (alcoholism, crime). Interestingly, only “a handful of voters opposed gambling on the basis that it was contrary to Navajo tradition.”⁶⁷ In the late 1990s and early 2000s, there were a lot of articles mentioning how Navajos rejected gaming because of tradition. Also, the data that suggests that there was little to no Christian and Native American Church opposition to establishing gaming operations on the Navajo Nation.⁶⁸

In the 1999 research article, “At What Cost? The Social Impact of American Indian Gaming”, authors Thomas D. Peacock, Priscilla A. Day and Robert B. Peacock write about the social impact of gaming on a Native American reservation in northern Minnesota. In this research paper, the authors find that tribal members have mixed feelings of gaming in their community.⁶⁹ There are concerns about decrease in traditional practices, increases in gambling abuse and addiction. Supporters of gaming operations believe it is providing needed jobs and job skills to community members. They conclude that tribal policymakers can work to ease and

⁶³ Henderson and Russell, “The Navajo Gaming Referendum,” 298.

⁶⁴ Henderson and Russell, “The Navajo Gaming Referendum,” 298.

⁶⁵ Henderson and Russell, “The Navajo Gaming Referendum,” 298.

⁶⁶ Henderson and Russell, “The Navajo Gaming Referendum,” 299.

⁶⁷ Henderson and Russell, “The Navajo Gaming Referendum,” 299.

⁶⁸ Henderson and Russell, “The Navajo Gaming Referendum,” 299.

⁶⁹ Thomas D. Peacock, Priscilla A. Day and Robert B. Peacock. “At What Cost?” *Journal of Health & Social Policy* 10, no.4 (1999): 23, https://doi.org/10.1300/j045v10n04_02.

reduce the risk of potential negative social ills by providing funding for abuse prevention and treatment programs, tribally traditional events, and childcare.⁷⁰

A year later, “Where’s the glue? Institutional and cultural foundations of American Indian economic development” was published and written by Stephen Cornell and Joseph P. Kalt. In this article, Cornell and Kalt write about the “take-off” stage period of Native American self-government.⁷¹ The authors find that tribal constitutional forms are important factors of Native American economic success and they provide evidence from various Native American reservations for their reasoning.⁷² When tribal constitutional forms match the “indigenous norms,” positive tribal development will follow.⁷³ There is no one form of government that will work for each Native Nation which dismisses years of United States American Indian policy that forced many Native Nations to adopt a singular form of government. The answer, according to the authors, must be tribal specific and a “cultural match” must be present to have a perceived legitimate government in the eyes of the Native American people.⁷⁴

In 2002, “The Social and Economic Impact of Native American Casinos” was written by William N. Evans and Julie H. Topoleski. In this academic research article, Evans and Topoleski examine the economic and social impacts that casinos have on Native American reservations and their surrounding communities (border towns and/or border cities). The authors compare the economic outcomes of before and after opening the casinos to no gaming American Indian tribes. In 2012, there were a total of 310 gaming facilities ran by 200 of the 556 federally recognized tribal nations. In other words, less than half of reservations have a gaming facility. Of

⁷⁰ Peacock, Day and Peacock, 33.

⁷¹ Stephen Cornell and Joseph P. Kalt. “Where’s the Glue? Institutional and Cultural Foundation of American Indian Economic Development.” *The Journal of Socio-Economics* 29, no. 5 (2000): 443, [https://doi.org/10.1016/s1053-5357\(00\)00080-9](https://doi.org/10.1016/s1053-5357(00)00080-9).

⁷² Cornell and Kalt, “Where’s the Glue?,” 443.

⁷³ Cornell and Kalt, “Where’s the Glue?,” 443.

⁷⁴ Cornell and Kalt, “Where’s the Glue?,” 466.

the 310 American Indian gaming facilities, 220 are class III gaming operations, meaning they are “Vegas style” and require a state compact. The authors find that four years after the opening of a tribal casino, employment rose by 26% and the tribal populations with gaming increased by 12%.⁷⁵ In tribal gaming state counties, they find that jobs per adult increased by 5% of the median value.⁷⁶ In addition, casinos in more populous states have been more successful than casinos in less populated states.⁷⁷ Evans and Topoleski state that “casinos in Connecticut, California, and New York have been incredibly successful and in 2000 had combined revenues in excess of \$4 billion...tribes of the greater Sioux Nation in North and South Dakota operate about a dozen gambling facilities, but because of the relative geographic isolation of these tribes, these gambling halls generate relatively little revenue.”⁷⁸ Evans and Topoleski also say that state counties with an American Indian casino had a 10% rise in crime and bankruptcy.⁷⁹

In 2005, the research article “American Indians on Reservations: A Databook of Socioeconomic Change Between the 1990 and 2000 Censuses” was published and written by Jonathan B. Taylor and Joseph P. Kalt. In this article, Taylor and Kalt compile 1990 and 2000 U.S Census data for the Native American reservation population and their designated areas. The document begins by providing a brief history of Native American gaming in the United States. Then it compares gaming and non-gaming tribes. They find that between 1990 and 2000, gaming tribes reported a 36% increase in real per capita income, a 35% increase in median household income, and an increase in educational attainment.⁸⁰ There was a 11.8% decrease in family

⁷⁵William N. Evans and Julie H. Topoleski. “The Social and Economic Impact of Native American Casinos.” *National Bureau of Economic Research*, September 2002, 2, <https://doi.org/10.3386/w9198>.

⁷⁶ Evans and Topoleski, “The Social and Economic Impact of Native American Casinos,” 2.

⁷⁷ Evans and Topoleski, “The Social and Economic Impact of Native American Casinos,” 12.

⁷⁸ Evans and Topoleski, “The Social and Economic Impact of Native American Casinos,” 12.

⁷⁹ Evans and Topoleski, “The Social and Economic Impact of Native American Casinos,” 43.

⁸⁰ Joseph P. Kalt and Jonathon B. Taylor. “American Indians on Reservations: A Databook of Socioeconomic Change Between The 1990 and 2000 Censuses.” *The Harvard Project on American Indian Economic Development*,

poverty, a 11.6% decrease in child poverty and a 3.4% decrease in deep poverty, etc.⁸¹ Non-gaming tribes had a 21% increase in real per capita income, a 14% rise in median household income, a 6.9% decrease in family poverty, a 8.1% decrease in child poverty and a 1.4% decrease in deep poverty.⁸² According to this data, it is clear that gaming tribes had greater increases and decreases in important indicators of socioeconomic statuses than non-gaming tribes. It is important to note that the Navajo Nation did not begin participating in gaming activities until the mid 2000s and is explicitly not included in some of the data which is stated as “other than Navajo.”

In 2005, “Tribal Gaming and Indigenous Sovereignty, with Notes from Seminole Country” was written by Jessica R. Cattelino. In this article, Cattelino examines “tribal gaming and sovereignty at their intersection, identifying key scholarly questions they raise...and analyze public scrutiny leveled against tribal gaming.”⁸³ Cattelino finds that the financial impact of Seminole gaming has been tremendous. There have been a number of positive outcomes in cultural programs, economic development ventures and tribal administration as a result of increased gaming revenue. The Seminoles have successfully been able to decrease their reliance on the federal government leading to greater economic sovereignty, there is an ongoing self-proclaimed “cultural renaissance,” and enhanced economic diversification.⁸⁴ The Seminoles have been publicly scrutinized by non-Seminole. There is “a rich Indian oxymoron” wherein during

January 2005, xi, <https://hpaied.org/publications/american-indians-reservations-databook-socioeconomic-change-between-1990-and-2000>.

⁸¹ Kalt and Taylor, “American Indians on Reservations,” xi.

⁸² Kalt and Taylor, “American Indians on Reservations,” xi.

⁸³ Jessica R. Cattelino. “Tribal Gaming and Indigenous Sovereignty, with Notes from Seminole Country.” *American Studies* 46, no.3/4 (2005): 187, Accessed May 23, 2021. <http://www.jstor.org/stable/40643896>.

⁸⁴ Cattelino. “Tribal Gaming and Indigenous Sovereignty,” 191.

“precasino days, some Whites looked down on Mesquakis for their poverty. Now some seem to dislike them for their wealth.”⁸⁵

In 2011, *The New Politics of Indian Gaming: The Rise of Reservation Interest Groups* was published and written by Kenneth N. Hansen and Tracy A. Skopek. In this book, the authors research the emergence of tribal governments as effective political entities in the American political system. The authors explore tribal and state relationships in California, Washington D.C, Arizona, New Mexico, Florida, Mississippi, Minnesota, Wisconsin and New York. In many states, like California and Mississippi, Native Americans were successful in their lobbying and campaign strategies and tactics with other political entities and the general public. These strategies and tactics allowed Native Americans to be an influential player in shaping state and national policies. In some states, like New York, they were unsuccessful in their efforts.

In 2013, “Tribal Casino Impacts on American Indians Well-Being: Evidence from Reservation-Level Census Data” was published and written by Robin Anderson. In this article, Anderson examines casinos’ effects on Native American reservation per-capita income, poverty rates, and child poverty rates. The data Anderson utilized was compiled from the 1990 and 2000 United States Census. In the article, Anderson states that American Indians on gaming reservations experienced a 7.4% increase in per-capita income, and reduction in both family and childhood poverty rates when compared to American Indians on non-gaming reservations.⁸⁶ Casinos reduced family poverty by 4.9% and reduced childhood poverty by 4.6%.⁸⁷ In addition, “large” and “medium” casinos are associated with changes in well-being while “smaller” American Indian casinos are not. Essentially, the larger the casino, the better well-being of

⁸⁵ Cattelino. “Tribal Gaming and Indigenous Sovereignty,” 193.

⁸⁶ Robin J. Anderson. “Tribal Casino Impacts on American Indians Well-Being: Evidence from Reservation-Level Census Data.” *Contemporary Economic Policy* 31, no.2 (April 2013): 291.

⁸⁷ Anderson, “Tribal Casino Impacts on American Indians Well-Being,” 296.

Native Americans.⁸⁸ In 1987, American Indian bingo generated \$225 million in revenue. In 1999, a decade after the passage of IGRA, American Indian casinos generated \$9.8 billion in revenue. In 2009, two decades after the passage of IGRA, American Indian casinos generated \$26 billion dollars in revenue. Anderson also argued that there are inequalities of the geographical location of American Indian gaming facilities. Casinos near urban and populated areas have more revenue when compared to casinos located in rural locations.⁸⁹ For this data, Anderson used a differences-differences model. The treatment group was gaming tribes and the control group was non-gaming tribes.

In 2014, “Social and Economic Changes on American Indian Reservations in California: An Examination of Twenty Years of Tribal Government Gaming” was published and written by Randall Akee, Katherine Spilde and Joathan B. Taylor. In this article, the authors write about California American Indian gaming following the passage of the Indian Gaming Regulatory Act of 1988. They analyze the relationship between the state of California and California Native American reservations following the passage of the IGRA. The relationship between the entities was contentious and bitter. California banned class III gaming in the state and tribal-state gaming compacts were stalled for more than a decade. In 2000, California voters, via referendum, approved the compacts and gaming finally took hold within California. The authors find that tribal self-determination policies have positive effects on Native Americans.⁹⁰ In the decades following favorable rulings and laws enacted by the United States, California Native Americans have an increase in real per capital income, real median household income, more homes with

⁸⁸ Anderson, “Tribal Casino Impacts on American Indians Well-Being,” 298.

⁸⁹ Anderson, “Tribal Casino Impacts on American Indians Well-Being,” 298.

⁹⁰ Randall K.Q. Akee, Katherine Spilde and Jonathon B. Taylor. “Social and Economic Changes on American Indian Reservations in California: An Examination of Twenty Years of Tribal Government Gaming.” UNLV Gaming Research & Review Journal 18, no. 2 (2014): 42.

complete kitchens and an increase in educational attainment.⁹¹ There are also reductions in child poverty, family poverty, unemployment and overcrowded homes.⁹²

During the same year, “Social & Economic Change on American Indian Reservations: A Databook of the US Censuses and the American Community Survey 1990-2010” was also published and written by Randall Akee and Jonathan Taylor. The article updates years of research and provides evidence that the social and economic conditions on Indians living inside reservations is improving. The authors find that real per capita income and real median household income and Native American educational attainment is rising.⁹³ Indians living on reservations are experiencing a decrease in child poverty, family poverty, unemployment, overcrowded homes and homes lacking complete plumbing.⁹⁴ Specifically, from 1990 to 2000, Indians on reservations experienced a 46.5% increase in real per capita income, a 27.5% increase in real median household income, a 10.1% decrease in child poverty, a 12.3% decrease in family poverty, a 4.4% decrease in unemployment, a 4% reduction in overcrowded homes and a 4.7% decrease in homes lacking complete plumbing.⁹⁵ The authors project, using the recent growth rates, that Native American reservations could close the real per capita income gap until 2054.⁹⁶ However, the authors emphasize that it may take longer depending on various factors.

In 2017, “The Development of a Gaming Enterprise for the Navajo Nation” was published by Susan Fae Carder. In this article, Carder writes about the economic and cultural impact gaming has had on the Navajo Nation. Carder begins by providing a brief background on

⁹¹ Akee, Spilde and Taylor, “Social and Economic Changes on American Indian Reservations in California,” 48.

⁹² Akee, Spilde and Taylor, “Social and Economic Changes on American Indian Reservations in California,” 48.

⁹³ Randall K.Q. Akee and Jonathan B. Taylor. “Social & Economic Change on American Indian Reservations: A Databook of US Censuses and the American Community Survey 1990-2010.” *The Taylor Policy Group, Inc*, May 15, 2021: v, <http://taylorpolicy.com/us-databook>.

⁹⁴ Akee and Taylor, “Social & Economic Change on American Indian Reservations,”14.

⁹⁵ Akee and Taylor, “Social & Economic Change on American Indian Reservations,”14.

⁹⁶ Akee and Taylor, “Social & Economic Change on American Indian Reservations,”37.

the economic history of the Navajo people. She then finds that gaming is a deeply dividing issue for the Navajo people and they have mixed feelings on the issue.⁹⁷ There are concerns on the Navajo Nation about decrease in traditional practices, debt, crime, suicidal tendencies, increases in gambling abuse and addiction.⁹⁸ Supporters believe it is providing needed jobs, work experience and is attracting non-Navajo people to their land.⁹⁹ Additionally, gaming supporters believe that gaming is bringing home many Navajos and is keeping money on the reservation, a problem that the Navajo Nation has been struggling with.¹⁰⁰ In fact, the author states that “The authors find positive changes that include: young adults moving back to the reservation, fueling an 11.5 percent population increase.”¹⁰¹ Carder concludes the article by stating that gaming is a step in the right direction to tackle some of the social ills facing the Navajo Nation and states that “the benefits outweigh the costs”.¹⁰²

Thus far, the literature of this chapter has mostly been on American Indian Economic Development, with a focus on gaming economic impacts. Existing research on American Indian gaming dating from 1990 to 2014 tends to find decrease in the American Indian unemployment rate, a rise in real per capita income, an increase in median household income, increase in educational attainment, decrease in family poverty, decrease in child poverty and a rise in the female labor force. When the data provided by the literature above is aggregated, I find that on average, there has been about an 8% decrease in the American Indian unemployment rate from 1990-2010, an 11% decrease in American Indian child poverty from 1990-2010, a 3% rise in

⁹⁷ Susan Fae Carder. “The Development of a Gaming Enterprise for the Navajo Nation.” *The American Indian Quarterly* 40, no.4 (2016): 299, <https://muse.jhu.edu/article/645145>.

⁹⁸ Carder, “The Development of a Gaming Enterprise for the Navajo Nation,” 302.

⁹⁹ Carder, “The Development of a Gaming Enterprise for the Navajo Nation,” 303.

¹⁰⁰ Carder, “The Development of a Gaming Enterprise for the Navajo Nation,” 303.

¹⁰¹ Carder, “The Development of a Gaming Enterprise for the Navajo Nation,” 303.

¹⁰² Carder, “The Development of a Gaming Enterprise for the Navajo Nation,” 325.

high school degree attainment from 1990-2010 and an 40% rise in real per capita income from 1990-2010.

Many Native American tribal leaders and people view gaming as a threat to their tribal culture. They discourage the enthusiasm over the benefits gaming offers because the generated revenue does not cure the needs plaguing many Native American communities and argue it will lead to continued dependency on the United States federal government. They are also concerned about the potential loss of Native American culture(s). For this paper, I read six thoughtful research papers from scholars of various disciplines about the state of the Navajo language. I am reviewing the following language studies, even though they do not explicitly involve gaming directly, because I found language to be a significant factor in answering my research question.

In 2005, “Dine Bizaad [Navajo Language] at a Crossroads: Extinction or Renewal?” was written by AnCita Benally and Denis Viri. In this academic research article, Benally and Viri address “the differences between the normal changes and adaptation of Navajo as a living language and those that are indicative of language loss or other dramatic linguistic shifts that threaten its viability and survival.”¹⁰³ According to Benally and Viri, cultural transmission, dramatic shift toward the usage of English, public education and mass media have affected Navajo language usage.¹⁰⁴ Also, “schools, satellite dishes, and television, CDs, and visitors from distant lands have all left their mark in terms of material culture, ideas, language, governance, religion, and other lifestyle manifestations.”¹⁰⁵ These manifestations and objects have permanently changed the Navajo way of life. Benally and Viri also found that tribal languages are seen as “old, obsolete, out of step with modern life, and irrelevant.”¹⁰⁶ Comprehensive

¹⁰³ AnCita Benally, Denis Viri, “Dine Bizaad [Navajo Language] at a Crossroads: Extinction or Renewal?” *Bilingual Research Journal* 29, no.1 (2005): 85, <https://doi.org/10.1080/15235882.2005.10162825>.

¹⁰⁴ Benally and Viri, “Dine Bizaad [Navajo Language] at a Crossroads,” 85.

¹⁰⁵ Benally and Viri, “Dine Bizaad [Navajo Language] at a Crossroads,” 87.

¹⁰⁶ Benally and Viri, “Dine Bizaad [Navajo Language] at a Crossroads,” 93.

Navajo speakers are aging, majority of younger Navajos are not proficient in Navajo, and the usage of English in households. An interesting phenomenon mentioned by Benally and Viri is that males are more likely than females to speak and be proficient in Navajo.¹⁰⁷ This is interesting because in the Navajo society, females are seen as the ones who pass on the culture and language to the youth.¹⁰⁸ It is also widely accepted that mothers have more of a socializing influence on their children than do fathers. Also, the authors found that “Navajo immersion students outperformed the monolingual English-speaking students and even those students who had come to school as monolingual Navajo speakers.¹⁰⁹ So, if Navajo children speak their language consistently, they are likely to perform better in school than those who only speak English. The children who speak Navajo consistently are more likely to have a greater self-esteem, and have more positive social skills.¹¹⁰

In 2006, “Reclaiming the Gift: Indigenous Youth Counter-Narratives on Native Language Loss and Revitalization” was written by Teresa L. McCarty, Mary Eunice Romero, and Ofelia Zepeda. In this academic research article, the authors “explore the personal, familial, and academic stakes of Native language loss for youth, drawing on narrative data from the Native Language Shift and Retention Project, a five year (2001-2006), federally funded study of the nature and impacts of Native language shift and retention on American Indian students’ language learning, identities, and academic achievement.”¹¹¹ They find that “discourses of shame, pride, and caring interact with larger power relations in complex ways to produce

¹⁰⁷ Benally and Viri, “*Dine Bizaad [Navajo Language] at a Crossroads*,” 96.

¹⁰⁸ Benally and Viri, “*Dine Bizaad [Navajo Language] at a Crossroads*,” 96.

¹⁰⁹ Benally and Viri, “*Dine Bizaad [Navajo Language] at a Crossroads*,” 100.

¹¹⁰ Benally and Viri, “*Dine Bizaad [Navajo Language] at a Crossroads*,” 106.

¹¹¹ Teresa L. McCarty, Mary Eunice Romero, Ofelia Zepeda, “Reclaiming the Gift: Indigenous Youth Counter-Narratives on Native Language Loss and Revitalization,” *The American Indian Quarterly* 30, no. 1 (2006): 30, <https://doi.org/10.1353/aiq.2006.0005>.

language ideologies and choices.”¹¹² In one section, they focus exclusively on the Navajo Nation. Interestingly, one Navajo student, Jonathan initially stated he was “learning” Navajo but later in the interview, he revealed that he was fluent in the language.¹¹³ Jonathan was ashamed at first to admit he was a fluent Navajo speaker to the interviewer but nevertheless viewed the Navajo language as an integral and important part of his life. He lives a traditional way of life raising livestock and knows his land very well. Teasing and making fun of other Navajo students and/or adults was also explored in this research paper, similarly to Tiffany Lee’s finding in “If They Want Navajo to Be Learned, Then They Should Require It in All Schools.” In one section of “Reclaiming the Gift,” adults were teased and made fun of for speaking Navajo. However, the adults told the children making these jokes that they are Navajo and “if you are laughing about your language...you are laughing about your parents, you are laughing about your grandparents.”¹¹⁴ Additionally, many Navajo youth are discouraged to talk Navajo because they might be called a “John.” According to Samuel, a Navajo student that was interviewed in this research paper, “John” is “a person...that’s uneducated, and they haven’t experienced anything in the world.”¹¹⁵ It is a very discouraging word having heard it said on many occasions.

In 2007, “If They Want Navajo to Be Learned, Then They Should Require It in All Schools”: Navajo Teenagers Experiences, Choices, and Demands Regarding Navajo Language” was written by Tiffany S. Lee. In this academic research article, Lee contributes to the efforts of Navajo language revitalization by examining Navajo teenagers’ language learning experience and pays particular attention at the high school level. According to Lee, the Navajo government has passed policy requiring the Navajo language and culture to be taught in all schools residing

¹¹² McCarty, Romero and Zepeda, “Reclaiming the Gift,” 31.

¹¹³ McCarty, Romero and Zepeda, “Reclaiming the Gift,” 35.

¹¹⁴ McCarty, Romero and Zepeda, “Reclaiming the Gift,” 36.

¹¹⁵ McCarty, Romero and Zepeda, “Reclaiming the Gift,” 38.

on the reservation, but have limited power to enforce this. From the article, it is clear that many Navajo teenagers have deep respect and a strong desire to learn the Navajo language and culture. However, there are some teenagers that do not think highly of the culture and tease and make fun of those who do. Many Navajo students face sociological pressures within and outside the Navajo Nation. Peer pressure from contemporary American society (outside the Navajo Nation) encourages them to utilize English. Interestingly, English is primarily used during official government business like tribal council meetings and presidential executive meetings. Thus, the government is not setting a good example. One of the spaces where the Navajo language dominates is during traditional or Native American Church religious activities.¹¹⁶ The Navajo language is being taught in many schools on the Navajo Nation, but there are some schools that lack the expertise in the Navajo language. The curriculum of the Navajo language course is also important because it can “shape the experiences students have with their heritage language as well, which in turn affects student language use.”¹¹⁷ Lee also states that “compartmentalizing Navajo language is the most common approach for teaching Navajo language in schools today.”¹¹⁸

In 2009, “Language, Identity and Power: Navajo and Pueblo Young Adults’ Perspectives and Experiences with Competing Language Ideologies” was written by Tiffany Lee. In this academic research article, Lee examines “How Navajo and Pueblo youth are interpreting messages of language loss and vitality, and how they are defining their places as a member of

¹¹⁶ Tiffany S. Lee, “If They Want Navajo to Be Learned, Then They Should Require It in All Schools: Navajo Teenagers’ Experiences, Choices, and Demands Regarding Navajo Language.” *Wicazo Sa Review* 22, no. 1 (2007): 10, <https://doi.org/10.1353/wic.2007.0009>.

¹¹⁷ Lee, “If They Want Navajo to Be Learned,” 12.

¹¹⁸ Lee, “If They Want Navajo to Be Learned,” 13.

their Native-language community, whether or not they can speak their ancestral language.”¹¹⁹ In this study, she focuses primarily on Navajo and Pueblo youth. Contemporary Navajo and Pueblo life provides a unique “circumstance” that shapes Native youth and young adult life and their language perspectives. Lee states as she does in her other research papers that Native students, particularly Navajo and Pueblo, refuse to speak their Native language due to being scolded and teased by their peers and elders. Lee says, “When they were shamed for their efforts, students expressed frustration and reluctance to keep learning.”¹²⁰ Similarly to Benally and Viri, Lee stated that the current generation of youth and young adults may be one of the last if not the last generations to speak their Native tongue.¹²¹ Lee finds in her study of college students and high school students that they all have high regard and respect for their Native language. This article builds on Lee’s work in “Critical Language Awareness Among Native Youth in New Mexico” and “If They Want Navajo to Be Learned, Then They Should Require It in All Schools.”

“English Is the Dead Language: Native Perspective on Bilingualism” was written by Jule Gómez de García, Melissa Axelrod and Jordan Lachler. The article was published in 2009. In this article, the authors are part of an identity project that contrasts Indigenous language (and identity) with that of hegemonic English, the language of the nation state. Native voices from this article come from the Sandia and Tesuque Pueblo, the Navajo and Jicarilla Apache Nation. The authors find that “Among Native American populations with whom we have worked, an attitude that has become particularly widespread in recent years is that English lacks the descriptive and imagistic characteristics of their Native heritage language-that English is “dead”

¹¹⁹ Lee, “Language, Identity, and Power: Navajo and Pueblo Young Adults' Perspectives and Experiences with Competing Language Ideologies.” *Journal of Language, Identity & Education* 8, no. 5 (2009): 308, <https://doi.org/10.1080/15348450903305106>.

¹²⁰ Lee, “Language, Identity, and Power,” 309.

¹²¹ Lee, “Language, Identity, and Power,” 310.

in both spiritual and expressive sense.”¹²² The authors provide three explanations for why Native American populations perceive English as a cold language and ancestral languages as living. The explanations are “(1) the social motivations for language learning, (2) the process of academic research into indigenous languages, and (3) morphological typology.”¹²³

“Critical Ethnography and Indigenous Language Survival: Some New Directions in Language Policy Research and Praxis” was written by Teresa L. McCarty, Mary Eunice Romero-Little, Larisa Warhol and Ofelia Zepeda. This essay was published in the book, *Ethnography and Language Policy*. This book was published in 2010. In this chapter, the authors perform two data set analysis. The first is “a long-term, multi-sited ethnographic study of Native America youth language practices and ideologies in settings undergoing rapid language shift and a small-scale study led by McCarty at a multilingual, multicultural school.”¹²⁴ The authors goal in this study “was to go beyond the projections of language death, and to try to understand how loss of a heritage language is experienced by young people in their daily lives.”¹²⁵ They wanted to know why, when, where Indigenous youth used the Indigenous language and English.¹²⁶ The study was done with the assistance of the Navajo Nation, two Akimel O’odham (Pima) communities, an urban charter school serving Tohono O’odham teenagers, and three schools in an urban district in which Spanish, English and an Indigenous language are spoken.”

In 2014, Frank Todacheeny’s dissertation, “Navajo Nation in Crisis: Analysis on the Extreme Loss of Navajo Language Use Amongst Youth” was published. In this research, he

¹²² Gomez De Garcia, Axelrod and Lacher, "English Is the Dead Language: Native Perspectives on Bilingualism." In *Native American Language Ideologies: Beliefs, Practices, and Struggles in Indian Country*, by Kroskrity Paul V. and Field Margaret C., 100. University of Arizona Press, 2009. Accessed April 21, 2021. <http://www.jstor.org/stable/j.ctt181hxsc.7>.

¹²³ Gomez De Garcia, Axelrod and Lacher, "English Is the Dead Language," 105.

¹²⁴ Teresa L. McCarty, et al., *Critical Ethnography and Indigenous Language Survival: Some New Directions in Language Policy Research and Praxis*, Essay in Ethnography and Language Policy, 31, Routledge, 2010.

¹²⁵ McCarty, et al., “Critical Ethnography and Indigenous Language Survival,” 32.

¹²⁶ McCarty, et al., “Critical Ethnography and Indigenous Language Survival,” 32.

examined “Navajo language proficiency among children in schools on the Navajo Nation and gain the opinions of students, parents, grandparents, and educators about the use of Navajo language at school and home.”¹²⁷ He focused on third, seventh, and eleventh graders on select schools on the Navajo Nation. In this research, Todacheeny found that in school year 2004-2005, 84% of third grade students fell into novice and intermediate levels.¹²⁸ Four years later, this number rose to 94%.¹²⁹ Only 16% of examined third graders were proficient in 2004-2005 and declined to 6% four years later.¹³⁰ Only 2% of third graders were in the advanced level. For seventh graders, Todacheeny found that 92% fell into novice and intermediate levels in school year 2004-2005.¹³¹ Four years later, students in novice and intermediate level rose 2% to 94%. Only 8% of seventh graders were proficient in 2004-2005 and declined to 6% four years later. There were no advanced Navajo speakers in this age group in 2004-2005 and 2008-2009. For eleventh graders, 78% students fell into novice and intermediate levels in 2004-2005. Four years later, 38% were in this category, a 40% decrease. In 2004-2005, 18% of the eleventh graders were proficient and this rose to 24% in 2008-2009, a 6% increase. Only 4% were advanced in 2004-2005 and 0% four years later.

“Critical Language Awareness Among Native Youth in New Mexico” was written by Tiffany S. Lee and published in 2014. In this academic research article, Lee examines the New Mexico Native youth experiences and responses on Indigenous language and ideologies they experience on a daily basis. This article focuses primarily on Navajo, Pueblo, and Apache teenagers, college students, teachers, and adults of the communities. Upon reading this article, it

¹²⁷ Frank Todacheeny, “Navajo Nation in Crisis: Analysis on the Extreme Loss of Navajo Language Use Amongst Youth,” 2014, i, <https://repository.asu.edu/items/26853>.

¹²⁸ Todacheeny, “Navajo Nation in Crisis,” i.

¹²⁹ Todacheeny, “Navajo Nation in Crisis,” i.

¹³⁰ Todacheeny, “Navajo Nation in Crisis,” i.

¹³¹ Todacheeny, “Navajo Nation in Crisis,” i.

is clear that Native youth in New Mexico have the desire to learn their Indigenous language. However, they encounter strong forces that challenge them. Some reasons mentioned by Lee is New Mexico Native youth are afraid to speak their Indigenous language due to scrutinization they could encounter from Navajo people and the idea that their Indigenous language is not popular in contemporary American society. Many of the Navajo youth “viewed speaking Navajo as an “emblem of shame” and hence, gave the impression they do not have Navajo language skills...”¹³² Also, elders criticize non-Navajo speaking students for not knowing their language. Navajo college student Marjorie said to Lee that “I remember comments from my clients, especially the elders, words being said such as, “Why don’t you speak Navajo? What is wrong with you? Why don’t you know your language?”¹³³ Lee also finds that there is disconnect between educators and Native youth. Educators think students do not care about their Indigenous language whereas students do care and believe educators are not properly teaching the language and are unaware about their desire to learn. Lee offers that Native language courses are one avenue to support Indigenous language learning. Also, she urges students “to know themselves, to hold high expectations for themselves, and ultimately, to become contributing members and transformative change agents in their communities and in the world.”¹³⁴

Literature on the Navajo Language tells us that there are many reasons for the decline in Navajo language fluency. Some reasons are the effects of boarding schools, public shaming and employment. Some view it as ancient and irrelevant and are ashamed to speak it for various reasons such as being teased and ridiculed. Additionally, English is the predominant language

¹³² Lee, “Critical language awareness among Native youth in New Mexico.” In L. T. Wyman, T. L. McCarty, & S. E. Nicholas (Eds.) *Indigenous youth and multilingualism: language identity, ideology, and practice in dynamic cultural worlds*, 132, New York: Routledge.

¹³³ Lee, “Critical language awareness among Native youth in New Mexico.” 137.

¹³⁴ Lee, “Critical language awareness among Native youth in New Mexico.” 146.

spoken in Navajo schools and being proficient in English may give greater education opportunities.

CHAPTER III: ECONOMIC CONDITIONS ON THE NAVAJO NATION, 1950-2018

“It means a lot of revenues, a lot of jobs. People have been waiting out there to get at jobs all this time, all these many years. It’s about time we started giving them jobs. And then, of course, the Nation’s government is needing revenues all the time to put into direct services so we can have more officers out there, more social workers, better facilities for our Head Start students and our officers. You name it, we’re behind it.”¹³⁵

-Statement by Navajo Nation President Joe Shirley in 2007 prior to signing legislation that approved a \$100 million line of credit for casino gaming development on the Navajo Nation

The Navajo Nation has enacted many forms of economic development ventures. One of the most consequential is natural resource extraction. In the book, *The Navajo People and Uranium Mining*, the editors provide first-hand accounts of Navajo uranium workers and family members. The editors of the book document that thirteen million tons of uranium was mined on the Navajo Nation from 1945 to 1988 and nearly all miners were Navajo men. Many Navajo uranium mine workers were not informed about the negative effect’s uranium exposure could pose for their health. Many worked in poor conditions that led to persistent and deadly health problems. Those living near uranium mines were also impacted. Studies and testimonies have proved that living near a uranium mine negatively impacts the health and quality of life for people and livestock. There has also been an increase in lung cancer and respiratory issues like asthma among people. Livestock that drink and eat near uranium have birth defects and abnormal bodies. Former Navajo uranium worker George Tutt, in *The Navajo People and Uranium Mining*, says about his mining experience, “It was good! Work was available close to home. We were blessed, we thought. Railroad jobs were available only far off like Denver...But

¹³⁵ “Navajo President Joe Shirley, Jr. Praises Delegates after Navajo Nation Council Passes \$100 Million Line of Credit.” The Navajo Nation Office of the President & Vice President, October 22, 2007. <https://www.navajonnsn.gov/News%20Releases/George%20Hardeen/Oct07/Navajo%20president%20signs%20historic%20gaming%20legislation%20for%20Oct%20%2022.pdf>.

for mining, one can just walk to it in the canyon. We thought we were very fortunate...we were not told the ore might harm us.”¹³⁶ Navajo woman Edith Hood said in her statement on The Health and Environmental Impacts of Uranium Contamination in the Navajo Nation before the United States House of Representatives Committee on Oversight and Government Reform on October 23, 2007, “Today, As I pray in the early morning, there is a manmade mesa of radioactive and hazardous waste about a quarter of a mile northeast of my residence. In the other direction is another mound of uranium mining waster...This waste seems to be piled everywhere...This stuff is spread by wind and water. We breathe it and live with it every day.”¹³⁷ Soon thereafter, the Navajo people began to organize and advocate for Navajo public health. Harry Tome, my grandfather and Navajo Nation Council Delegate in the 1960s and 1970s became a leading advocate for the passage on the Radiation Exposure Compensation Act.¹³⁸In the article, “The History of Uranium Mining and the Navajo People,” Dr. Doug Brugge and Rob Goble state, “For up to 2 decades after the harmful effects of uranium mining were known, protective safeguards were not implemented. The position of scientists in the government who were knowledgeable and who often argued for protections was seriously compromised. We are hardly the first to conclude that these delays represent a gross violation of the rights of the miners.”¹³⁹

¹³⁶ Esther Yazzie-Lewis and Timothy H. Benally, *The Navajo People and Uranium Mining*. Edited by Doug Brugge. Google Scholar. Albuquerque, N.M: University of New Mexico Press, 2007, 15

<https://books.google.com/books?hl=en&lr=&id=5IEr1d-C4bAC&oi=fnd&pg=PR10&dq=The+Navajo+People+and+Uranium+Mining&ots=gho3lRiSfn&sig=r5xJWK-afJReTV2tIfTk2Dt0ng8#v=onepage&q=The%20Navajo%20People%20and%20Uranium%20Mining&f=false>.

¹³⁷ House of Representatives Committee on Oversight and Government Reform §. Accessed April 21, 2021. <https://www.govinfo.gov/content/pkg/CHRG-110hrg45611/html/CHRG-110hrg45611.htm>.

¹³⁸ Brugge, Doug, and Rob Goble, “The History of Uranium Mining and the Navajo Nation.” *American Journal of Public Health* 92, no. 9 (2002): 1415, <https://www.ncbi.nlm.nih.gov/pmc/articles/PMC322290/>.

¹³⁹ Brugge and Goble, “The History of Uranium Mining and the Navajo Nation,” 1417.

According to data from the Navajo Nation Office of the Controller, which is equivalent to the United States Department of the Treasury, natural resource extraction made up 14.3% of the total Navajo Nation revenue in 1999.¹⁴⁰ In 2000, it was 13.7% and in 2001, 18.7%. Natural resource extraction is vital to this Navajo Nation economy and its annual government budget.¹⁴¹ Table 2 is an in-depth examination of the sources of Navajo Nation revenue from 1999 to 2003 (projected). Natural resource extraction revenue makes up approximately 18% of revenue, which is significant.¹⁴² As is visible on the table, Grants is the largest source of revenue with approximately 45% of the total revenue and is the most important component of the Navajo Nation Budget.¹⁴³ Grant revenue is primarily sourced from the United States federal government and is spent on goods and services such as education, public safety, veteran’s assistance, public transportation, social services, etc. The data in this graph predates gaming activities on the Navajo Nation.

¹⁴⁰ Navajo Nation Office of the Controller, 2002-2003 Comprehensive Economic Development Strategy of the Navajo Nation §. 65, Accessed July 5, 2020. <http://www.navajobusiness.com/pdf/CEDS/CEDS%202002-03.pdf>.

¹⁴¹ Office of the Controller, “2002-2003 Comprehensive Economic Development Strategy,” 65.

¹⁴² Office of the Controller, “2002-2003 Comprehensive Economic Development Strategy,” 65.

¹⁴³ Office of the Controller, “2002-2003 Comprehensive Economic Development Strategy,” 65.

Table 2.

SOURCES OF NAVAJO NATION REVENUE 1999-2003					
Sources of Revenue	AUDITED 1999	AUDITED 2000	AUDITED 2001	UNAUDITED 2002	PROJECTED 2003
Oil & Gas	\$15,544,604.0	\$23,348,873.0	\$25,618,093.0	\$17,026,187.0	\$16,000,000.0
Mining	\$50,081,130.0	\$49,131,932.0	\$51,750,363.0	\$53,558,071.0	\$54,500,000.0
Taxes	\$26,819,106.0	\$50,398,885.0	\$44,176,344.0	\$46,099,215.0	\$49,000,000.0
Fuel Excise Tax	0	0	0	\$11,652,281.0	0
Land, Building, Business Site & ROW	\$7,821,227.0	\$10,108,808.0	\$22,318,313.0	\$11,609,978.0	\$8,800,000.0
Investment Income	\$107,379,355.0	\$128,853,529.0	\$41,578,373.0	\$43,980,376.0	\$4,700,000.0
Grants Revenue	\$223,895,141.0	\$225,779,714.0	\$260,414,036.0	\$300,106,068.0	0
Contribution from Plan Participants	\$10,542,575.0	\$10,412,787.0	\$12,368,463.0	\$48,511,407.0	0
Insurance Premium Income	\$11,386,935.0	\$10,008,094.0	\$11,428,676.0	\$17,710,911.0	0
Court Fines & Fees	0	0	0	\$1,374,907.0	\$1,300,000.0
Charges for Services	0	\$10,166,275.0	\$15,954,815.0	\$28,758,847.0	0
Other Revenue	\$6,660,729.0	\$10,166,275.0	\$11,460,388.0	\$5,348,463.0	\$3,000,000.0
	\$460,130,802.0	\$528,636,163.0	\$413,911,118.0	\$497,946,959.0	\$137,300,000.0

Navajo Nation Office of the Controller, “2002-2003 Comprehensive Economic Development Strategy of the Navajo Nation,” 65.¹⁴⁴

¹⁴⁴ Navajo Nation Office of the Controller, 2002-2003 Comprehensive Economic Development Strategy of the Navajo Nation §. Accessed July 5, 2020. <http://www.navajobusiness.com/pdf/CEDS/CEDS%202002-03.pdf>.

The Navajo Nation and the Navajo Nation Gaming Enterprise do not release any information about its casino profits or revenue to the general public, which makes it difficult to determine the gaming industry's impact on the Navajo economy. In a press release by Navajo Gaming Enterprise on November 12, 2020, NNGE CEO Brian Parrish released vital information that has not been accessible to the public. In the news release, it states, "In addition to salaries and benefits for 1,180 employees, the majority of NNGE dollars go to four areas: 1. Payments to the Navajo Nation and States = more than \$363 million paid to date. 2. Navajo Nation Loan Return = more than \$183 million paid to date. 3. More than \$328 million in Development Costs of vital infrastructure that directly benefit 110 chapters with roads, water, electricity, cell towers, etc. 4. Employee Salary and Benefits = more than \$443 million paid to 1,180 employees representing 105 of the 110 Navajo Chapters. Additionally, the four casinos and travel plaza benefit the Nation through: Internships and high-paying jobs close to home, keeping young Navajo professionals on the reservation near family and elders. Annual support of Navajo Nation fairs, student scholarships, food and water drives for local chapters, toys and supplies for local schools. Generation of \$1.3 billion in overall economic output. Creating over 7,600 direct, indirect and induced jobs."¹⁴⁵

Available data on Navajo gaming is derived from the New Mexico Gaming Control Board. As stated earlier in this paper, there are three gaming Navajo facilities in New Mexico and one in Arizona. Arizona does not release any Navajo Nation gaming data so I cannot determine its influence on the Navajo economy in this paper. The New Mexico Gaming Control Board "monitors the 2016 Tribal-State Class III Gaming Compact signed by 14 New Mexico

¹⁴⁵ Navajo Gaming Enterprise, "12 November Navajo Gaming to Permanently Close If Not Allowed to Reopen This Month: Gaming Revenue, Jobs, and Payments Benefit the Navajo Nation." Navajo Gaming: An Enterprise of the Navajo Nation, November 12, 2020. <https://www.navajogaming.com/navajo-gaming-to-permanently-close-if-not-allowed-to-reopen-this-month/>.

Tribes. These Tribes report “Adjusted Net Win” and pay “Revenue Share” based on “Adjusted Net Win” to the State on a quarterly basis.”¹⁴⁶ The Adjusted Net Win is “the amount wagered on gaming machines, less the amount paid out in cash and non-cash prizes won on the gaming machines, less State and Tribal Regulatory Fees.”¹⁴⁷ The adjusted net win is not the total net profit of the casino(s).¹⁴⁸ Table 3 contains net win information from the 2013 4th quarter, which is from October 1st to December 31st and from the fourth quarter of 2019.¹⁴⁹ The six-year difference shows nearly \$2,000,000 in more Navajo gaming net win in 2019 than 2013.

Table 3.

Navajo Nation (New Mexico) Net and Adjusted Net Win 2013 and 2019	
Net Win for the Quarter ending 12/31/2013	Adjusted Net Win for the quarter ending 12/31/2019
\$20,911,639	\$22,838,170

Source: *News Release: Net Win Per Tribe for the Quarter Ending December 31, 2013*, State of New Mexico Gaming Control Board ¹⁵⁰

Assessing the leakage of Navajo dollars spent outside the reservation is equally as important in assessing the state of the Navajo economy. Income earned by the Navajo people is

¹⁴⁶ *News Release: Net Win Per Tribe for the Quarter Ending December 31, 2013*, State of New Mexico Gaming Control Board, December 3, 2014.
<https://realfilec5d7c9d5c4424c1fb796bb563e87e31c.s3.amazonaws.com/6e97aa4d-ae01-4f4b-978c-b56d0ec8b054?AWSAccessKeyId=AKIAJBKPT2UF7EZ6B7YA&Expires=1619108954&Signature=LJmDg2%2BdWoKiDw2QEJEW1ewEa0%3D&response-content-disposition=inline%3B%20filename%3D%224th%20Quarter>

¹⁴⁷ *News Release: Net Win Per Tribe for the Quarter Ending December 31, 2013*, State of New Mexico Gaming Control Board.

¹⁴⁸ *News Release: Net Win Per Tribe for the Quarter Ending December 31, 2013*, State of New Mexico Gaming Control Board.

¹⁴⁹ *News Release: Net Win Per Tribe for the Quarter Ending December 31, 2013*, State of New Mexico Gaming Control Board.

¹⁵⁰ *News Release: Net Win Per Tribe for the Quarter Ending December 31, 2013*, State of New Mexico Gaming Control Board.

spent off-reservation in border towns at a high rate.¹⁵¹ Border towns are towns/cities near the Navajo reservation border. Some examples of Navajo border towns are Flagstaff, Farmington, and Gallup. Table 4 is a summary of Navajo money spent in Off-reservation communities from 1998 to 2007. Table 5 is a pie chart of the most recent estimate of the Navajo Nation retail leakage, provided in 2015 by the Navajo Nation Division of Economic Development.

Table 4.

Navajo Money Spent Inside/Outside the Navajo Reservation										
	1998	1999	2000	2001	2002	2003	2004	2005	2006	2007
Outflow of NN % in %	67.98	68.04	69.41	71.39	67.91	71.23	71.17	70.32	65.89	63.03
Total \$ Spent in NN	\$325,554,796	\$354,978,373	\$359,483,744	\$348,448,594	\$418,989,462	\$406,180,588	\$432,482,722	\$482,888,659	\$529,377,763	\$539,014,209

Source: Support Services Department, Navajo Nation Division of Economic Development, 121, 2010.¹⁵²

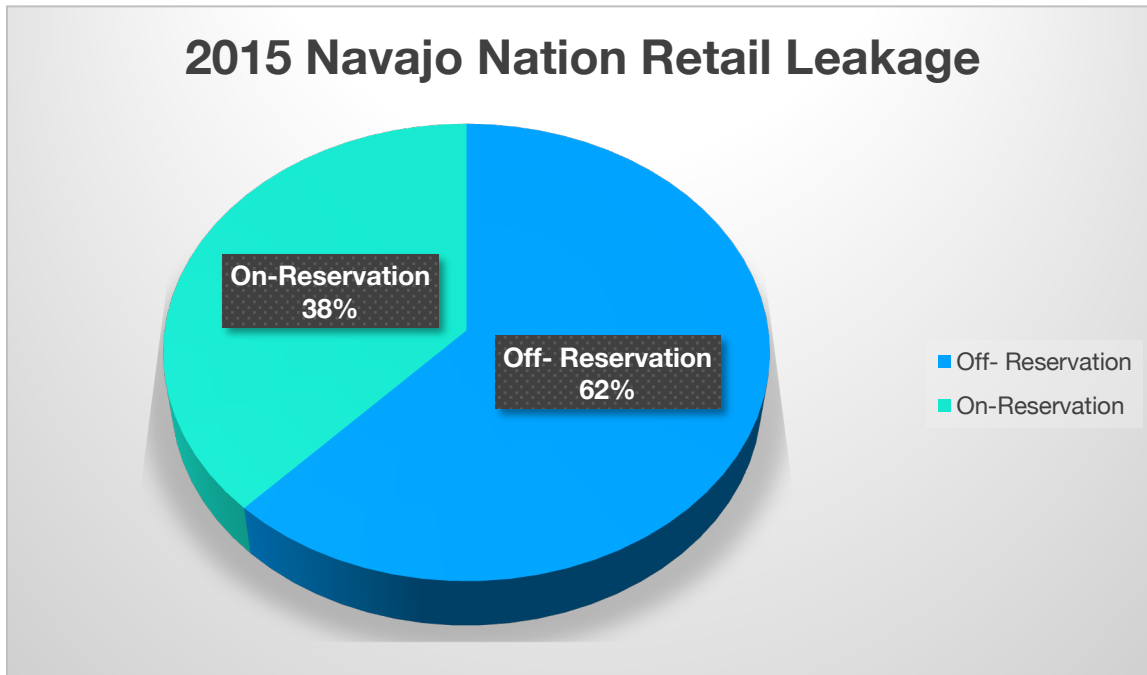
According to Table 4, income earned by Navajo people that is spent off the reservation fluctuates. Outflow of Navajo Nation money begins in 1998 at 67.98% and increases to its peak, 71.38%, then decreases to 63.03% in 2007. In 2015, retail leakage remains in the low 60's, the same rate in 2007. Overall, from its peak, retail leakage has dropped by 8%. The decrease in leakage could be contributed to the increased economic efforts by the Navajo Nation government to establish Navajo businesses and enterprises. Accessing the leakage of Navajo dollars spent outside the reservation is important because it is an indicator of economic development inside the

¹⁵¹ Trib Choudhary, 2005-2006 Comprehensive Economic Development Strategy of the Navajo Nation §, 16. Accessed October 1, 2020. <http://www.navajobusiness.com/pdf/CEDS/CEDS%202005%20-%202006%20Final.pdf>

¹⁵² Navajo Nation Division of Economic Development, 2009-2010 Comprehensive Economic Development Strategy: The Navajo Nation §,121, Accessed June 23, 2020. http://navajobusiness.com/pdf/CEDS/CED_NN_Final_09_10.pdf.

reservation. When there is more retail outlets and enterprises inside the Navajo reservation, more money will remain in the reservation and benefit Navajo employees and businesses on the Navajo Nation.

Table 5.



Source: Navajo Nation Division of Economic Development, Executive Summary

Comprehensive Economic Development Strategy, 22, 2015.¹⁵³

¹⁵³ Navajo Nation Division of Economic Development, Executive Summary Comprehensive Economic Development Strategy: Prepared for the Navajo Nation Division of Economic Development §, 22, (2015). <http://www.nativebuilders.net/wp-content/uploads/2017/02/nnded-ceds-executive-summary.pdf>

CHAPTER IV: NAVAJO NATION DEMOGRAPHICS, 1990-2010

“Must fluently speak and understand Navajo and read and write English.”

- Qualifications for Navajo Nation President and Vice President derived from the Navajo Nation Code.

In this chapter, I assembled data from the 1990, 2000, 2010 US Censuses that show key Navajo Nation Demographics and I also assess the state of the Navajo language. In this chapter, I find that the Navajo Nation has a young population and has some positive trends such as increases in income and education attainment. As with many Indigenous nations during this time, the Navajo Nation is also experiencing an awakening to language shift and endangerment.

In 1990, the total Navajo Nation and Off-Reservation Trust Land population was 148,451 for all races and 143,405 for American Indians. It can be assumed that most American Indians on the Navajo Reservation are of Navajo descent as I found no specific data on the number of Navajo only population for this census year. In 1990, median age for people on the Navajo Reservation and its Off-Reservation Trust Land was 21.8 years of age.¹⁵⁴ In 1990, on the Navajo Reservation and Off-Reservation Trust Land, 19,596 or 13.2% were under 5 years of age.¹⁵⁵ 64,576 or 43.5% of the population wads under 18 years of age. 17,072 or 11.5% of people were 18 to 24 years of age. 38,597 or 26% of people were 25 to 44 years of age. 19,447 or 13.1% were 45 to 64 years of age. 8,907 or 6% of the population was 65 years of age and over.¹⁵⁶ The following table shows some key Navajo Nation demographics for 2000 and 2010.

¹⁵⁴ United States Economics and Statistics Administration, 1990 Census of Population, General Population Characteristics: American Indian and Alaska Native Areas § 38, Accessed November 10, 2020, <https://www2.census.gov/library/publications/decennial/1990/cp-1/cp-1-1a.pdf>.

¹⁵⁵ United States Economics and Statistics Administration, 1990 Census of Population, 38.

¹⁵⁶ United States Economics and Statistics Administration, 1990 Census of Population, 38.

Table 6.

2000 and 2010 Navajo Nation Demographics				
	2000		2010	
NN and Off-NN Trust land Population	180,462		173,667	
American Indian alone or in combination with another race population	173,987		169,321	
American Indian alone population	165,673		166,824	
Gender breakdown of the NN and NN Trust Land	Male 49.02% 88,469	Female 50.98% 91,993	Male 49.1% 85,316	Female 50.9% 88,351
Median age for Navajo tribal members	24		28.5	
Navajo median household income	\$20,005		\$27,389	
Navajo poverty rate	42.9%		38%	
Navajos with a high school diploma or equivalency	25.32% 23,333		32.40% 29,542	
Navajos with a Bachelor's degree	4.66% 4,135		5.4% 4,918	
Navajos with a Graduate and higher degree	2,329		2,938	

Source: Navajo Nation Division of Economic Development, and Trib Choudhary, Navajo Nation Data from US Census 2000, 1.¹⁵⁷ The Arizona Rural Policy, Institute Center for Business Outreach, W.A. Franke College of Business and Norther Arizona University, Demographic Analysis of the Navajo Nation Using 2010 Census and 2010 American Community Survey Estimate.¹⁵⁸

¹⁵⁷ Navajo Nation Division of Economic Development, and Trib Choudhary, Navajo Nation Data from US Census 2000 §, Accessed May 12, 2021, 1, <http://www.navajobusiness.com/pdf/NNCensus/Census2000.pdf>.

¹⁵⁸ Arizona Rural Policy Institute, Center for Business Outreach, W.A. Franke College of Business and Norther Arizona University, Demographic Analysis of the Navajo Nation Using 2010 Census and 2010 American Community Survey Estimates §. Accessed November 10, 2020. https://gotr.azgovernor.gov/sites/default/files/navajo_nation_0.pdf.

While economic and educational attainment are vital to assessing the state of the Navajo Nation, assessing the state of the Navajo language is just as important. The Navajo language, as stated by many scholars, is at a crossroad. The Navajo population, particularly among the young, do not speak the Navajo language at a high level. In her academic research article, “If They Want Navajo to Be Learned, Then They Should Require It in All Schools Navajo Teenagers’ Experiences, Choices, and Demands Regarding Navajo Language,” Dr. Tiffany Lee states that “Navajo tribal government, educators, and community people have been putting much time and effort into developing truly bilingual teaching and language revitalization programs over the years.”¹⁵⁹ The Navajo government has existing education policy that all schools on the Navajo Nation and its Trust Land must offer Navajo language courses.¹⁶⁰ However, as Dr. Tiffany states, their enforcement ability is limited.¹⁶¹

In the mid to late 20th century, revitalization of the Navajo language was not a priority. James Crawford stated in his academic research article, “Seven Hypotheses on Language Loss Causes and Cures,” “When I first started writing about bilingual education in the mid-1980s, language loss was not perceived as a major problem among tribes such as the Navajo...”¹⁶² There were more fluent speakers than non-fluent speakers. Many (researchers, Navajo politicians, and Navajo people) thought that since the Navajo Nation had a large population, the youth would just “pick up” the language due to mass exposure. It is also important to state that this awakening to language shift and endangerment also is happening globally about the same time, so the Navajo Nation is not an isolated case.

¹⁵⁹ Lee, “If They Want Navajo to Be Learned,” 8.

¹⁶⁰ Lee, “If They Want Navajo to Be Learned,” 8.

¹⁶¹ Lee, “If They Want Navajo to Be Learned,” 8.

¹⁶² James Crawford, “Seven Hypotheses on Language Loss Causes and Cures,” Eric.ed.gov, 1996, 46, <https://files.eric.ed.gov/fulltext/ED395731.pdf>.

So, what can be done to reverse this dilemma? Numerous scholars, tribal leaders, educators and members of the Navajo community have offered various methods to revitalize the Navajo language. Dr. Tiffany Lee is one of these scholars. In her academic research article, “If They Want Navajo to Be Learned, Then They Should Require It in All Schools Navajo Teenagers’ Experiences, Choices, and Demands Regarding Navajo Language,” Lee found in her study that “the more a student experienced being teased or the more the language was used as a way to keep children from understanding older relatives, the less fluent the students were in the Navajo language and the less they used it.”¹⁶³ Lee also finds that “families, traditional religious activities, and schools have been influential in promoting Navajo-language learning and use among Navajo teenagers. Of most interest is that schools are having some positive influences on Navajo students’ language use and thus can be more proactive in their language revitalization efforts.”¹⁶⁴ She also offers that a “combination of improved teaching pedagogy and the development of students’ critical-thinking skills and critical consciousness may be another strategy for enhancing language learning.”¹⁶⁵

Additionally, there are Navajo schools dedicated to teaching Navajo culture and language and exposing Navajo youth to the content on a full-time basis. One of these schools is Tsé Hootsoofí Diné Bi’ Olta’, an elementary immersion school that teaches the Navajo language to over 130 students in the Navajo Nation. The school opened in 2004 and instills Navajo values, Navajo culture, Navajo language and Navajo tradition to students so they can tackle the loss of Navajo language fluency among Navajo youth. Teachers at this school have the education credentials and proper certification to teach the Navajo language. During school, teaching

¹⁶³ Lee, “If They Want Navajo to Be Learned,” 28.

¹⁶⁴ Lee, “If They Want Navajo to Be Learned,” 28.

¹⁶⁵ Lee, “If They Want Navajo to Be Learned,” 29.

methodologies depend on “the seasons and events occurring on the reservation, according to Platero, but some traditions that are passed onto the students include weaving, basketmaking and agricultural gardening. Every Thursday, students are encouraged to dress in traditional attire.”¹⁶⁶

Although there have been efforts to revitalize the Navajo language, it is still an ongoing problem in the Navajo Nation. Since 1980, Navajo language fluency rate has been on the decline, particularly among the youth. According to Rock Point Community School cultural specialist, Florian Johnson, in 1980, 93% of Navajos spoke the Navajo Language.¹⁶⁷ A decade later, in 1990, 84% of the Navajo people spoke the Navajo language.¹⁶⁸ In 2000, 76% of Navajos that spoke the Navajo language.¹⁶⁹ In 2010, 51% of the Navajo people spoke the Navajo language.¹⁷⁰ By 2020, it is estimated that the number will be down to 30% and 10% by 2030.¹⁷¹ Florian Johnson utilized census data to find these numbers and Table 6 is a graph of the fluency rate. According to Dr. Wendy Greyeyes, Professor at the University of New Mexico, “the decline in Navajo speakers is more substantial for those 39 and under- meaning they are less likely to speak Navajo. For those 40 and over the decline is considered slight.”¹⁷² According to AnCita Benally, program manager for the Navajo Nation Office of Standards, Curriculum and Assessment Development, “The younger the generations are, the less likely they are to speak Navajo... By the time you get down to kindergarten there are none.”¹⁷³ The language fluency data is located on Table 7. 2020 and 2030 are estimates provided by Florian Johnson in Pauely Denetclaws Navajo Times article, “Data Shows Huge Reduction in Diné Speakers.” The data provided from

¹⁶⁶ Guest Author, “Navajo Nation School Focuses on Language Revitalization,” Indian Country Today, May 24, 2017, <https://indiancountrytoday.com/archive/navajo-nation-school-focuses-language-revitalization>.

¹⁶⁷ Denetclaw, “Data Shows Huge Reduction in Diné Speakers.”

¹⁶⁸ Denetclaw, “Data Shows Huge Reduction in Diné Speakers.”

¹⁶⁹ Denetclaw, “Data Shows Huge Reduction in Diné Speakers.”

¹⁷⁰ Denetclaw, “Data Shows Huge Reduction in Diné Speakers.”

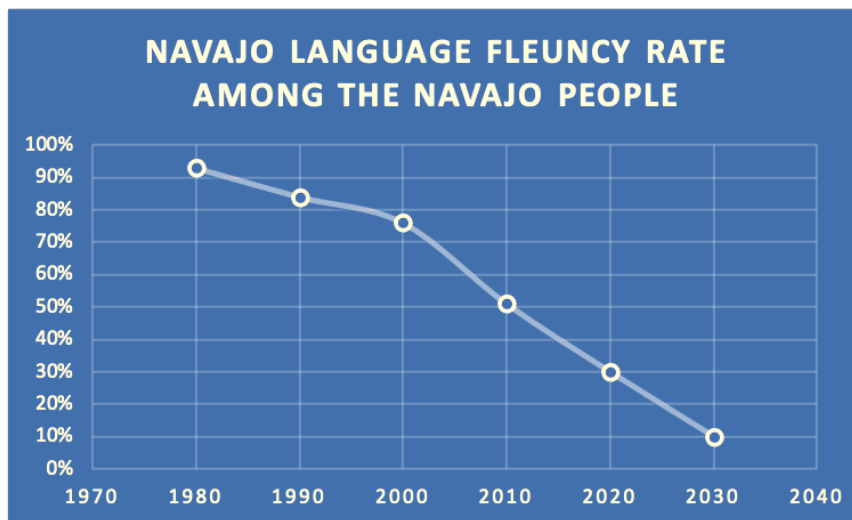
¹⁷¹ Denetclaw, “Data Shows Huge Reduction in Diné Speakers.”

¹⁷² Denetclaw, “Data Shows Huge Reduction in Diné Speakers.”

¹⁷³ Denetclaw, “Data Shows Huge Reduction in Diné Speakers.”

Denetclaw is derived from the United States Census. In the U.S. Census, the bureau asks questions about what other languages are spoken at home other than English. Specifically, the bureau asks “what language he/she speaks, and how well he/she speaks English to create statistics about language and the ability to speak English.”¹⁷⁴ This data is self-reported. Self-report is not especially reliable since people both over-claim and under-claim due in part to a lack of shared standards about just what fluency is. It is also flawed because it is a subjective category with few objective benchmarks. Government entities such as “local, state, tribal, and federal agencies use this language data to plan government programs for adults and children who do not speak English well.”¹⁷⁵ Table 8 is a sample question from the U.S. Census on language(s) other than English spoken at home.

Table 7.



Source: Pauley Denetclaw, “Data Shows Huge Reduction in Diné Speakers,” November 16, 2017.¹⁷⁶

¹⁷⁴ U.S Census Bureau. “Why We Ask About Language Spoken at Home.” American Community Survey. US Census Bureau. Accessed May 16, 2021. <https://www.census.gov/acs/www/about/why-we-ask-each-question/language/>.

¹⁷⁵ U.S Census Bureau, “Why We Ask About Language Spoken at Home.”

¹⁷⁶ Pauley Denetclaw, “Data Shows Huge Reduction in Diné Speakers,” *Navajo Times*, November 16, 2017, <https://navajotimes.com/reznews/data-shows-huge-reduction-in-dine-speakers/>.

Table 8.

14 a. Does this person speak a language other than English at home?

Yes

No → SKIP to question 15a

b. What is this language?

For example: Korean, Italian, Spanish, Vietnamese

c. How well does this person speak English?

Very well

Well

Not well

Not at all

Source: U.S Census Bureau. “Why We Ask About Language Spoken at Home.” American Community Survey.¹⁷⁷

¹⁷⁷ U.S Census Bureau. “Why We Ask About Language Spoken at Home.” American Community Survey. US Census Bureau. Accessed May 16, 2021. <https://www.census.gov/acs/www/about/why-we-ask-each-question/language/>.

CHAPTER V: DISCUSSION

“Gaming is only economically viable near larger population centers where the income levels are high enough to support gaming. This means that gaming is only feasible on the periphery of the Nation near Albuquerque, Farmington or Gallup. Why not bring some of that non-Navajo money back onto the Navajo Nation?”¹⁷⁸

-Trib Choudhary, Principal Economic Development Specialist, Navajo Nation Division of Economic Development

There have been contentious debates in Indian Country, particularly in the Navajo Nation, the Seneca Nation of Indians and the Hopi Reservation on whether for-profit gaming operation(s) is appropriate on their land. These tribal nations have had a similar pathway towards gaming. They all held referendums and voters voted them down at least twice for each nation. In twenty-first century, many people of the Navajo, Seneca and Hopi became more supportive of establishing a gaming operation(s) on their land.

My research question for this paper is: Between 1994 and 2004, the percent of Navajos approving of gaming operations via referendum changed from 45.5% to 60.4%. What explains this change in just 10 years? I hypothesize that three factors were crucial in the changing of Navajo opinion on gaming operations from 1994-2004. My first hypothesis is that the Navajo population got proportionally younger over the course of the decade and younger people tend to approve of gaming operations more than older people. Outside the Navajo Nation, this also appears to be the trend. In a study conducted in 1999 by Gallup, teenagers tend to have a more positive opinion about gambling than adults.¹⁷⁹ According to Gallup, the more income and

¹⁷⁸ Trib Choudhary, 2002-2003 Comprehensive Economic Strategy of the Navajo Nation §. Accessed July 15, 2020, 44, <http://www.navajobusiness.com/pdf/CEDS/CEDS%202002-03.pdf>.

¹⁷⁹ Gambling in America - 1999: A Comparison of Adults and Teenagers, Gallup, June 22, 1999, <https://news.gallup.com/poll/9889/gambling-america-1999-comparison-adults-teenagers.aspx>.

education someone has, the more supportive they are of gambling and ¹⁸⁰ the less religious a person is, the more likely they are to view gaming as morally acceptable.¹⁸¹ Additionally, men are much more likely than women to gamble.¹⁸² In “The Navajo Gaming Referendums: Reservations about Casinos Lead to Popular Rejection of Legalized Gaming,” Henderson and Russell also find that self-identified males favored establishing a gaming enterprise on the Navajo Nation whereas self-identified females opposed it by a substantial margin. The table below shows the sex difference in the 1994 Navajo Nation Gaming Referendum from Henderson and Russell’s article.

Table 9.

1994 Navajo Gaming Vote by Sex			
	Yes	No	Total
Male	124	110	234
Female	88	131	219
Total	212	241	453

Source: Eric Henderson and Scott Russell, “The Navajo Gaming Referendums: Reservations about Casinos Lead to Popular Rejection of Legalized Gaming,” Fall 1997.¹⁸³

Additionally, I hypothesize that those with more Navajo language fluency are more likely to oppose Navajo gaming whereas those less fluent in the Navajo language are more likely to be supportive of Navajo gaming. My third hypothesis is that the gaming success of other tribal nations influenced many Navajo peoples’ opinion on gaming operations.

¹⁸⁰ Jim Norman, Acceptance of Gambling Reaches New Heights. Gallup, June 7, 2018, <https://news.gallup.com/poll/235379/acceptance-gambling-reaches-new-heights.aspx>.

¹⁸¹ Jeffrey M. Jones, Gambling a Common Activity for Americans, Gallup, March 24, 2004, <https://news.gallup.com/poll/11098/gambling-common-activity-americans.aspx>.

¹⁸² Jones, “Gambling a Common Activity for Americans.”

¹⁸³ Eric Henderson and Scott Russell, “The Navajo Gaming Referendum: Reservations about Casinos Lead to Popular Rejection of Legalized Gaming,” *Human Organization* 56, no. 3 (2017): 298, <https://www.jstor.org/stable/44127192>.

In 1990, the median age for people living on the Navajo Nation and its Off-Reservation Trust Land was 21.8 years of age.¹⁸⁴ In 2000, the median age for Navajo tribal members was 24.¹⁸⁵ In 2010, the median age for Navajo tribal members was 28.5.¹⁸⁶ In conjunction, the United States median age was 37.2 in 2010.¹⁸⁷ Instead of getting younger via median age, the Navajo Nation got older. In fact, the median age increased by nearly 7 years. So, what are some potential reasons for the Navajo Nation median age increase? The baby-boomer generation is aging and the advancement of healthcare are some potential contributors to a longer Navajo life expectancy.

After surveying the limited data on this matter, it is true that younger people, particularly Navajos under 50 years of age, support a Navajo gaming enterprise. The younger the person is, the more likely they are to support establishing a gaming enterprise. This is proven on Table 9, which is from Henderson and Russell's article, "The Navajo Gaming Referendums: Reservations about Casinos Lead to Popular Rejection of Legalized Gaming." Of the 440 Navajos interviewed in the Exit Interviews by Henderson and Russell in the 1994 Referendum, 206 Navajos stated they voted for the referendums to establish gaming operations on the Navajo Nation. Of those 206 Navajos, 175 were under 50 years of age. There were 128 Navajos over 51 years of age interviewed by Henderson and Russell. Of those 128 Navajos 97 voted against establishing gaming enterprises and only 31 voted in favor. There is also a similar trend happening outside

¹⁸⁴ United States Economics and Statistics Administration, 1990 Census of Population, 38.

¹⁸⁵ Navajo Nation Division of Economic Development, and Trib Choudhary, Navajo Nation Data from US Census 2000, 1.

¹⁸⁶ Arizona Rural Policy Institute, Center for Business Outreach, W.A. Franke College of Business and Northern Arizona University, Demographic Analysis of the Navajo Nation Using 2010 Census and 2010 American Community Survey Estimates, 14.

¹⁸⁷ *2010 Census Shows Nation's Population Is Aging*, United States Census Bureau, May 26, 2011, United States Census Bureau. https://www.census.gov/newsroom/releases/archives/2010_census/cb11-cn147.html.

the Navajo Nation. According to a poll conducted by Gallup in 2003, people aged 65 and over gambled at a much lesser rate than those 49 years of age and under.¹⁸⁸

Table 10.

1994 NN Gaming Vote by Age				
Vote	18-34	35-50	51-93	Total
Yes	93	82	31	206
No	67	70	97	234
Total	160	152	128	440

Source: Eric Henderson and Scott Russell, “The Navajo Gaming Referendums: Reservations about Casinos Lead to Popular Rejection of Legalized Gaming,” Fall 1997.

It is true that younger people, particularly Navajos under 40 years of age and younger, are less likely to speak and be fluent in the Navajo language. According to Dr. Wendy Greyeyes, Professor at the University of New Mexico, “the decline in Navajo speakers is more substantial for those 39 and under- meaning they are less likely to speak Navajo. For those 40 and over the decline is considered slight.”¹⁸⁹ According to AnCita Benally, program manager for the Navajo Nation Office of Standards, Curriculum and Assessment Development, “The younger the generations are, the less likely they are to speak Navajo... By the time you get down to kindergarten there are none.”¹⁹⁰ Since 1980, Navajo language fluency rate has been on the decline, particularly among the youth. According to Rock Point Community School cultural specialist, Florian Johnson, in 1980, 93% of Navajos spoke the Navajo Language.¹⁹¹ A decade later, in 1990, 84% of the Navajo people spoke the Navajo language.¹⁹² In 2000, 76% of Navajos

¹⁸⁸ Jones, “Gambling a Common Activity for Americans.”

¹⁸⁹ <https://navajotimes.com/reznews/data-shows-huge-reduction-in-dine-speakers/>

¹⁹⁰ <https://navajotimes.com/reznews/data-shows-huge-reduction-in-dine-speakers/>

¹⁹¹ <https://navajotimes.com/reznews/data-shows-huge-reduction-in-dine-speakers/>

¹⁹² <https://navajotimes.com/reznews/data-shows-huge-reduction-in-dine-speakers/>

that spoke the Navajo language.¹⁹³ In 2010, 51% of the Navajo people spoke the Navajo language.¹⁹⁴ By 2020, it is estimated that the number will be down to 30% and 10% by 2030.¹⁹⁵

The decrease in Navajo language fluency in conjunction with the increased support of gaming is interesting. From 1990 to 2000 (around the time when the gaming referendums were held), fluency in the Navajo language among Navajo people decreased from 84% to 76%, an 8 percent decrease in a decade. From 2000 to 2010, it decreased from 76% to 51%, an alarming 33 percent decrease. It can also be correctly assumed that most fluent Navajo speakers are older. As shown in Table 8, voters over 50 years of age voted against gaming by the widest margin (either for or against gaming). There is no data and research available on the 1997 and 2004 Navajo gaming referendums so I cannot make any assumptions about the support of gaming from the 3 age groups listed in table 8. Perhaps in 2004, Navajos over 50 years of age supported gaming at a much higher level than in 1994, which contributed to the 2004 Navajo Gaming Referendum to pass.

The gaming success of other tribal nations may have influenced many Navajo peoples' opinion on gaming operations. Navajo Tribal Council Delegate Albert Lee of Two Grey Hills, New Mexico said that, "Everywhere I go, Navajos are putting some money in them [casinos]... If I lose money, I want to know it's going back to the tribe to help some people."¹⁹⁶ Supporters of Navajo casinos, including Delegate Lee believe that many Navajo people "are already flocking to nearby casinos run by Pueblos in New Mexico, Utes in Colorado and Apaches in Arizona."¹⁹⁷ There were and are many casinos in the American Southwest, especially near the

¹⁹³ Denetclaw, "Data Shows Huge Reduction in Diné Speakers."

¹⁹⁴ Denetclaw, "Data Shows Huge Reduction in Diné Speakers."

¹⁹⁵ Denetclaw, "Data Shows Huge Reduction in Diné Speakers."

¹⁹⁶ Matt Kelley, "Cautionary Tale of The Gambler Ups Ante in Navajo Debate on Casinos," Los Angeles Times, October 26, 1997, <https://www.latimes.com/archives/la-xpm-1997-oct-26-me-46797-story.html>.

¹⁹⁷ Kelley, "Cautionary Tale of The Gambler Ups Ante in Navajo Debate on Casinos."

Navajo Nation. In the fourth quarter of 2003, the total “Net Win” of all New Mexico tribal casinos was \$110,195,229. The Ute Mountain Casino and Hotel opened in 1992 and is located about 10 miles from the Navajo Nation border at the New Mexico/Colorado Border. Sun Ray Park & Casino, a casino located near Farmington, New Mexico, opened in 2000. Many Navajo people go these casinos in addition to the Navajo casinos, although, there is no data and research on how much Navajo money is spent on casinos outside the Navajo Nation. During this period, a lot of tribes were adopting gaming and was a big wave that went across Indian Country and so eventually the Navajo Nation joined this trend.

Income earned by the Navajo people is spent off the Navajo reservation at a high rate. Much of Navajo money is spent in border towns. In fact, about 65% of Navajo Nation money is spent outside the Navajo Nation as shown on Table 4.¹⁹⁸ Accessing the leakage of Navajo dollars spent outside the reservation is important because it is an indicator of economic development inside the reservation. When there is more retail outlets and enterprises inside the Navajo reservation, more money will remain in the reservation and benefit many Navajo people via wages, benefits, government operations, etc.

¹⁹⁸ Trib Choudhary, 2005-2006 Comprehensive Economic Development Strategy of the Navajo Nation §, Accessed October 1, 2020, 16, <http://www.navajobusiness.com/pdf/CEDS/CEDS%202005%20-%202006%20Final.pdf>.

CONCLUSION

“Black clouds will rise and there will be plenty of rain.”

Navajo leader, Barboncito, 1868

Many Navajo people are concerned about the lack of businesses on the Navajo Nation. The process to lease Navajo land for business is a major barrier to economic and business development on the Navajo Nation. Many signatures at various bureaucracies are required before one can start a business on the Navajo Nation. Specifically, there are twelve steps involved and they require the approval of over seventeen people. Shawn Redd, owner of businesses on and off the Navajo Nation said that, “it took us four or five years to get the necessary permits to set up the NAPA store in Shiprock.”¹⁹⁹ In Gallup, a Navajo Nation border town, Redd said “Getting the various approvals and permits in Gallup only took about a month.”²⁰⁰

Although it is difficult to start a business on the Navajo Nation, casino building development occurred relatively quickly on the Navajo Nation. In November 2008, Fire Rock Navajo Casino was the first gaming operation to open. A second establishment, Flowing Water Casino, opened in October 2010. The third casino, the Northern Edge Navajo Casino, opened in January 2012. The fourth and final (to date) casino to open on the Navajo Nation is Twin Arrows Casino.

Although four casinos were established on the Navajo Nation from 2008-2012, gambling is not new to the Navajo people. There is evidence that suggest forms of non-profit gambling were prevalent in many Indigenous communities in the 1600s.²⁰¹ The Navajo people play many card games, but the most popular is “Navajo Ten”. Navajo Ten has been prevalent in the Navajo

¹⁹⁹ Choudhary, 2005-2006 Comprehensive Economic Development Strategy of the Navajo Nation, 52.

²⁰⁰ Choudhary, 2005-2006 Comprehensive Economic Development Strategy of the Navajo Nation, 52.

²⁰¹ Carder, “The Development of a Gaming Enterprise for the Navajo Nation,” 297

community since the mid 1800's according to stories from I heard as a young child from my grandparents. However, there is no trace of origin I can find to confirm this. Also, my great-grandparents and grandparents, via oral history, used to attend gambling events on the Navajo Nation in the early and mid-1900's.

Considering that many people gamble, having a gaming establishment on the reservation is a viable option for economic growth in for many in Indian Country. The most profitable gaming establishments tend to be in highly populated areas. Gaming has provided many jobs for a skilled workforce, has led to a decrease in American Indian unemployment rate, a decrease in family poverty, a decrease in child poverty, an increase in real per capita income, an increase in median household income, increase in education attainment and a rise in the American Indian female labor force. On average, there has been about an 8% decrease in the American Indian unemployment rate from 1990-2010, an 11% decrease in American Indian child poverty from 1990-2010, a 3% rise in high school degree attainment from 1990-2010 and a 40% rise in real per capita income from 1990-2010. This data is derived from an aggregation of sources located in the literature review.

My research question for this paper is: Between 1994 and 2004, the percent of Navajos approving of gaming operations via referendum changed from 45.5% to 60.4%. What explains this change in just 10 years? I hypothesize that three factors were crucial in the changing of Navajo opinion on gaming operations from 1994-2004. My first hypothesis is that the Navajo population got proportionally younger over the course of the decade and younger people tend to approve of gaming operations more than older people. This hypothesis is false. Instead of getting younger via median age, the Navajo Nation got older. In fact, the median age increased by nearly 7 years within a decade. My second hypothesis is that those with more Navajo language fluency are more likely to oppose Navajo gaming whereas those less fluent in the Navajo language are

more likely to be supportive of Navajo gaming. Younger people, particularly Navajos under 50 years of age, support a Navajo gaming enterprise. The younger the person is, the more likely they are to support establishing a gaming enterprise. This is proven on Table 8 and the trend is similar outside the Navajo Nation. My third hypothesis is that the gaming success of other tribal nations influenced many Navajo peoples' opinion on gaming operations. There is no data on this matter, so I cannot determine if the gaming success of other tribal nations influenced Navajo peoples' opinion on gaming operations. However, there was discourse during this period of falling behind other tribes and watching other tribes economically flourish. Former Navajo Tribal Council Delegate Albert Lee of Two Grey Hills, New Mexico said that, "Everywhere I go, Navajos are putting some money in them [casinos]...If I lose money, I want to know it's going back to the tribe to help some people."²⁰² Having seen firsthand that many Navajo people gamble, and having gaming establishments on the Navajo Nation may curb the outflow. However, there is no independent data on Navajo Gaming Enterprises' impact on the Navajo Nation economy and its effect on the outflow of money earned by the Navajo people.

For further research, I think it is time to update the 1997 article, "The Navajo Gaming Referendum: Reservations about Casinos Lead to Popular Rejection of Legalized Gambling." In this article, Henderson and Russell examine the Navajo electorate's rejection of gaming in the 1994 Referendum/General Election. Navajo Nation General Elections occur every four years with the next elections occurring in 2022, 2026, 2030, 2034, etc. It may be best to have researchers stationed at various Navajo Nation Chapter Houses to conduct exit polls, just as Henderson and Russell did for their research. Some questions that can be included in the exit polls are as follows:

²⁰² Matt Kelley, "Cautionary Tale of The Gambler Ups Ante in Navajo Debate on Casinos," Los Angeles Times, October 26, 1997, <https://www.latimes.com/archives/la-xpm-1997-oct-26-me-46797-story.html>.

- 1.) What is your self-identified sex?
- 2.) What is your annual income?
- 3.) Are you a religious person?
 - a. Are you involved in Native American Church?
 - b. Are you “Traditional”?
 - c. Are you Christian?
- 4.) How well do you speak/write the Navajo language?
 - a. Well
 - b. Not-well
- 5.) Do you align more with the Democratic or Republican Party? Or neither?
- 6.) Do you gamble?
 - a. If yes, how often?
- 7.) What are your thoughts on Navajo Gaming?
 - a. Do you think it has been “successful” so far?
 - b. Do you think it is “helping” the Navajo people?
 - c. Why don’t you support Navajo Gaming?

APPENDIX

APPENDIX A.

Who is Involved in the Business Site Lease Approval Process?

I: BIA

- (a) Regional Director
- (b) Solicitor
- (c) Area Realty Office
- (d) Agency Realty Office
- (e) Appraisal Office

II: NAVAJO NATION

- (a) RBDO
- (b) DOF
- (c) DOJ
- (d) President's Office
- (e) Legislative council
- (f) EDC
- (g) Chapters
- (h) Landowner
- (i) NTUA
- (j) Property Surveyor
- (k) Environmental Consultant
- (l) Archaeological Consultant

WHO IS INVOLVED IN THE BUSINESS SITE LEASE APPROVAL PROCESS?

I: NON-ESTABLISHED BUSINESS SITE

1. Land User-Content
2. Chapter Approval
3. Property Survey
4. Environmental Assessment
5. Archeological Survey
6. Property Appraisal
7. Procurement Check
8. SAS Process
 - a. RBDO Develop Lease Packages
 - b. Credit Officer Review
 - c. Signature of SBDD Director
 - d. Signature of DED Executive Director
 - e. Finance Department Review and Signature
 - f. Justice Department Review and Signature
 - g. President's Office Review and Signature
 - h. Legislative Counsel Review and Signature
9. EDC Agenda and Necessary Copies
10. EDC Approval
11. Navajo Nation President Approval
12. BUA Approval Process
 - a. Realty Office Review
 - b. Lease Processing Fee
 - c. Bond Requirements
 - d. Insurance Requirements

e. Regional Director Approval

BIA APPROVAL PROCESS

40 Days Realty Office Review

Lease Processing Fee Collection

Bond Requirements

Insurance Requirements

Regional Director Approval

APPENDIX B.

NAVAJO GAMING REFERDUM VOTE RESULTS BY CHAPTER: 1994, 1997 AND 2004

CHAPTER	1994		1997		2004		Rgstrd Voters*	Population**
	Yes	No	Yes	No	Yes	No		
Alamo	302	149	89	27	136	382	921	2,267
Aneth	253	328	155	136	262	143	1,098	2,501
Baca	188	136	130	118	281	203	965	972
Becenti	134	169	67	111	100	86	469	554
Beclabeto	179	150	116	122	134	92	481	897
Birdsprings	125	175	91	63	126	91	571	907
Black Mesa	99	117	63	79	113	72	417	435
Bodaway/Gap	208	384	121	167	217	206	893	2,010
Bread Springs	183	163	116	133	246	147	624	1,113
Burnham	81	151	40	112	80	47	398	262
Cameron	169	227	146	201	181	172	686	1,347
Canoncito	219	213	62	57	219	150	745	1,805
Casamero Lake	121	107	83	56	100	23	387	601
Chichiltah	268	346	119	210	297	216	985	1,851
Chilchinbeto	112	258	106	140	194	149	591	1,450
Chinle	562	661	401	391	595	302	2,472	9,582
Church Rock	327	250	217	216	394	179	1,254	3,066
Coalmine Mesa	124	176	108	58	157	115	655	409
Coppermine	131	172	91	105	130	72	575	736
Cornfields	174	266	143	168	181	133	637	908
Counselor	79	137	56	77	94	111	483	1,114
Cove	96	143	48	111	121	68	468	0
Coyote Canyon	258	272	175	195	324	151	815	1,047
Crownpoint	254	251	150	199	242	85	991	3,180
Crystal	274	200	162	167	234	164	654	851
Cudeii	140	147	71	144	108	66	575	0
Dennehotso	225	250	146	171	267	163	797	1,779
Dilkon	235	236	243	142	306	194	916	2,414
Forest Lake	102	189	63	109	101	94	414	627
Fort Defiance	689	560	432	492	561	331	2,330	6,296
Fruitland, Upper	270	322	136	308	140	173	955	3,165
Ganado	255	355	166	218	279	185	904	3,315
Hard Rock	129	330	99	162	147	157	604	1,375
Hogback	300	229	148	208	218	182	854	1,517
Houck	251	294	216	187	344	143	985	1,673
Huerfano	264	385	129	280	278	417	1,251	2,590
Indian Wells	162	197	121	114	181	104	577	1,062
Inscription House	140	259	107	160	146	156	682	1,328
Iyanbito	198	110	150	64	264	57	591	1,131
Jeddito	223	256	155	104	173	66	634	1,421
Kaibeto	255	324	109	202	215	229	948	2,156
Kayenta	421	527	303	372	317	280	1,540	6,910
Kinlichee	297	399	241	257	386	192	1,113	1,536
Klagetoh	216	340	137	193	224	137	663	1,135
Lake Valley	75	105	38	48	83	73	319	484

Lechee	209	219	125	131	168	185	689	2,068
Leupp	171	298	129	180	216	235	837	1,756
Little Water	150	192	80	82	130	112	573	625
Low Mountain	161	202	137	94	203	117	641	1,010
Lower Greasewood	241	267	201	153	264	159	764	1,540
Lukachukai	248	392	146	214	264	183	902	2,202
Lupton	181	191	144	142	191	90	529	1,095
Manuelito	120	125	67	100	212	80	552	392
Many Farms	277	423	235	260	314	180	1,104	3,034
Mariano Lake	175	200	100	112	182	106	636	952
Mexican Springs	260	169	172	140	242	123	661	1,442
Mexican Water	120	153	76	94	110	90	577	892
Nageezi	232	277	126	200	227	148	932	1,098
Nahata Dziil	140	142	130	89	278	99	784	1,589
Nahodishgish	113	57	64	53	97	52	327	442
Naschitti	331	377	217	269	319	201	1,092	1,855
Navajo Mountain	96	186	62	105	137	99	513	691
Nazlini	172	276	136	173	272	145	707	1,260
Nenahnezad	212	216	113	199	155	159	843	1,855
Newcomb	142	203	63	178	112	124	474	0
Oak/Pine Springs	130	216	114	113	198	116	533	671
Ojo Encino	102	118	50	61	162	118	607	775
Oljato	243	431	105	226	209	225	1,188	2,508
Pinedale	178	199	127	101	247	100	834	1,236
Pinon	260	367	196	220	330	197	1,259	3,355
Pueblo Pintado	103	176	68	71	124	118	436	508
Ramah	173	232	148	275	294	253	952	1,834
Red Lake	127	91	76	88	129	89	405	2,639
Red Mesa	171	241	101	103	187	63	839	1,245
Red Rock	233	231	153	150	313	180	1,024	2,221
Red Valley	212	276	166	298	224	209	931	1,906
Rock Point	164	380	111	202	143	133	832	1,496
Rock Springs	194	182	125	125	263	128	846	1,085
Rough Rock	143	200	82	88	205	98	527	1,006
Round Rock	178	207	114	142	244	130	636	1,414
Saint Michaels	496	430	334	293	369	208	1,561	6,727
San Juan	93	76	68	72	78	44	309	21
Sanostee	307	520	175	351	282	256	1,318	2,088
Sawmill	248	272	184	159	237	132	720	1,000
Sheep Springs	223	147	92	107	178	120	524	899
Shiprock	909	822	556	778	763	488	3,572	10,154
Shonto	232	367	170	154	281	245	1,067	2,647
Smith Lake	123	148	81	112	131	104	528	1,167
Standing Rock	131	129	91	99	199	91	529	744
Steamboat	329	338	196	206	359	187	941	1,826
Sweetwater	157	275	108	157	154	115	708	1,547
Tachee/Blue Gap	108	304	65	160	150	99	606	1,579
Teec Nos Pos	238	341	110	203	228	197	900	1,448

Teestoh	162	260	125	153	227	139	691	1,022
Thoreau	207	158	115	126	217	102	795	1,587
Tohatchi	383	293	211	237	418	175	1,045	2,271
Tolani Lake	136	160	109	78	135	108	487	826
Tonalea	218	417	172	255	307	264	1,037	2,776
Torreon/Star Lake	265	241	114	136	175	122	992	1,989
Tsaile/Wheatfields	242	308	166	179	350	193	1,046	2,237
Tsayatoh	175	188	101	89	242	62	654	818
Tselani/Cottonwood	242	372	155	235	315	208	1,031	1,478
Tuba City	424	525	441	356	530	437	2,390	9,560
Twin Lakes	336	228	181	157	491	202	1,092	2,463
Two Grey Hills	174	238	163	179	160	91	763	2,011
Whippoorwill	165	251	107	107	213	133	682	1,594
White Cone	196	269	153	113	212	139	721	1,513
White Horse Lake	100	146	53	73	107	151	479	598
White Rock	72	74	45	50	45	29	252	65
Wide Ruins	230	249	140	128	237	89	708	1,340
Total	23450	28073	15305	18087	25051	16732	91021	197,471

* Updated on August 22, 2005

Population figures have been extrapolated by Trib Choudhary based upon the 2000

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