

**UNITED STATE OF AMERICA  
BEFORE THE NATIONAL LABOR RELATIONS BOARD  
WASHINGTON, D.C.**

**CHICKASAW NATION operating  
WINSTAR WORLD CASINO**

**Respondent**

**Cases 17-CA-025031  
17-CA-250121**

**and**

**INTERNATIONAL BROTHERHOOD  
OF TEAMSTERS LOCAL 886,  
Affiliated with THE INTERNATIONAL  
BROTHERHOOD OF TEAMSTERS**

**Charging Party**

**UNOPPOSED MOTION OF THE NATIONAL CONGRESS OF  
AMERICAN INDIANS FOR LEAVE TO FILE AN *AMICUS CURIAE* BRIEF IN  
SUPPORT OF THE CHICKASAW NATION**

Movant the National Congress of American Indians (“NCAI”), respectfully seeks leave of the National Labor Relations Board (the “Board”) to file an *amicus curiae* brief in support of the Chickasaw Nation in the above-captioned proceeding.

1. The National Congress of American Indians was founded in 1944 and is the nation’s oldest and largest association of Indian tribal governments, representing 252 governments and many individuals. NCAI serves as a forum for consensus-based policy development among its members, which include Indian Tribes from every region of the country. Its mission is to inform the public and all branches of the federal government about tribal self-government, treaty rights, and a broad range of federal policy issues affecting tribal governments.

2. The issue before the Board in this proceeding is whether, consistent with the National Labor Relations Act, the Board can assert jurisdiction over an enterprise carried on by

an Indian Tribe on land over which the Tribe exercises governmental authority. NCAI and its member Indian tribal governments are both knowledgeable and concerned about the important questions relating to tribal sovereignty, federal Indian law and policy, and the relationships among Congress, federal agencies, and Indian Tribes, that are implicated by the question presented here.

3. Courts, including the United States Supreme Court, regularly cite, discuss, and rely on NCAI amicus briefs in addressing issues involving Indian Tribes. *See, e.g., Carcieri v. Salazar*, 555 U.S. 379, 408 n.7 (2009); *United States v. Lara*, 541 U.S. 193, 215 (2004) (Thomas, J., concurring). NCAI representatives also regularly testify before Congress on these issues. *See, e.g., Santa Clara Pueblo v. Martinez*, 436 U.S. 49, 63 n.15 (1978) (citing congressional testimony of NCAI's executive director on the Indian Civil Rights Act).

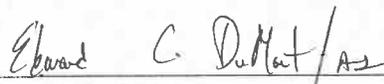
4. NCAI accordingly believes that its *amicus curiae* brief will assist the Board in the determination of the jurisdictional issue presented.

5. NCAI is authorized to state that counsel for the Acting General Counsel of the Board has no objection to NCAI being permitted to file an *amicus curiae* brief, provided that the *amicus curiae* brief is filed on or before November 5, 2012, the date set for the filing of the Chickasaw Nation's response brief in this proceeding.

WHEREFORE, NCAI respectfully seeks leave to file an *amicus curiae* brief in support of the Chickasaw Nation in the above-captioned proceeding on or before November 5, 2012.

Respectfully submitted,

WILMER CUTLER PICKERING  
HALE AND DORR LLP



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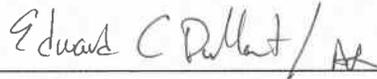
*Attorneys for the National Congress of American  
Indians*

Cases 17-CA-025031  
17-CA-025121

**STATEMENT OF SERVICE**

I hereby certify that I have this date served copies of the foregoing Motion of the National Congress of American Indians For Leave to File an Amicus Curiae Brief in Support of the Chickasaw Nation on all parties listed below pursuant to the National Labor Relations Board's Rules and Regulations 102.114(i) by electronically filing with the Office of the Executive Secretary of the National Labor Relations Board and by electronic mail to counsel for the Acting General Counsel, counsel for Respondent, counsel for the Charging Party Union, Respondent and Charging Party.

Dated this 26th day of October, 2012.



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Edward C. DuMont

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