

THE GREAT CASINO CAMOUFLAGE

Written by Elaine Willman, MPA
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A national pattern is emerging in areas far distant from Indian reservations. Several rural and urban regions whose longtime population is entirely unfamiliar with federal Indian policy are awakening to a systematic process that installs "Indian Country" or a constructive "reservation" as a next door neighbor to communities. Local elected officials are ill-equipped, unprepared and loathe to ever disagree or interfere with "economic development" desires of an Indian tribe.

Community residents tend to walk around shell-shocked wondering what happened. Where did this tribal government come from? Folks wake up to a tribal reservation and fully equipped tribal government where only a tribal casino was contemplated.

It begins with the off-reservation casino. When a community receives notice that an off-reservation casino is approaching, the tendency is to see only the business-venture, and to attempt to treat the tribal business-venture as any other project applicant. How will the project impact the site and adjacent environment? What infrastructure and municipal services will be affected? What about social and law-enforcement impacts? At this point in the process, no one sees the actual tribal government coming to town.

If the proposed casino is targeted for a land space already placed into federal trust for the tribal applicant, adjacent local governments and residents have minimal, if any, voice in the process. The casino literally just opens its doors once it has complied with federal law and secured a state-tribal gaming compact.

In accordance with the Indian Gaming Regulatory Act of 1988 (IGRA), proposed off-reservation casinos to be located on land not yet placed into federal trust, must factor in community detriment and environmental impacts. IGRA permits a greater input from affected local governments, and requires an environmental assessment and review process. But still, no one sees the actual tribal government moving in just yet. Here is the pattern replicating itself in states from East to West, from New York to California:

1. Revenue from a tribal casino is used to acquire land areas adjacent to the operating casino. Casino revenue is also used to acquire lobbyists and litigators who then form a triumvirate of tribal council leaders, lobbyists and litigators to quickly influence, overwhelm or overpower county commissioners, local city council members and other community leaders. Lynwood, Illinois and Rhonert Park, California are at the front end of this process. Then...
2. Land adjacent to the class III casino is acquired to establish a larger land base under tribal control. The Santa Ynez Valley is maturing through this stage. Additional land is used for either expanded gambling enterprises or other tribal, tax-exempt businesses that operate at a significant advantage over neighboring non-tribal businesses. Then...
3. This process of expanding the tribal land base is repeated annually, with annual gambling revenue generated by the primary casino. As the land base increases, a tribal government headquarters appears within the land base, and the need for a tribal court, and subsequent tribal law enforcement emerges. A "satellite" reservation has then been effectively constructed. Then...
4. A very serious presence of a tribal government with governing authority over "Indian Country" or a "reservation" asserts its voice in all projects adjacent to the tribal land base. The tribal government voice is amplified substantially by supportive federal resources, fully intimidating state and local elected officials. Then...
5. Large areas of a county or region have morphed into a separate tribal government, a separate "nation," operating under its own rules and not those of the host state or county. Then...
6. With hefty supportive resources of federal subsidies, gambling revenues, special preferences and tax-exemptions, tribal enterprises thrive and non-tribal enterprises within the region wither and die. Then...
7. Failed businesses and additional properties are generally acquired by a tribe, and adjacent land values are impacted negatively, while adjacent property taxes are increased to offset the loss of state and county property and sales tax revenue that has either flushed down slot machines or disappears with each tribal parcel acquisition.

The most stunning examples of the above pattern are present in Madison and Oneida Counties, NY (Oneida Indian Tribe) and Snohomish County, WA (Tulalip Tribe). The pattern is in full motion in the quiet hills of the Santa Ynez Valley, CA.

Is governmental co-existence, balance and preservation of community values possible? Can state sovereignty hold its own with tribal sovereignty? The answer depends upon two critical components: 1) the education, courage and tenacity of local government officials in their allegiance to represent the best interest of their citizens; and 2) citizen education, engagement and full support of elected officials who support them, and removal of elected officials who fold to tribal government pressure at the direct expense and harm to local governments and those they serve.

The pathway to action is for each citizen to clearly understand that ongoing respect for all cultures, including American Indian culture, is a very separate matter from government and business decision-making. It is appropriate, even necessary to exercise citizen voice in matters affecting your local government, and especially in matters that involve tribal government decisions that affect your community, your businesses, your property and the local tax base.

Citizen silence is absolutely golden for the accomplishment of tribal government goals.

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