



Indian Country

THIS WEEK FROM

TODAY

THE PREMIER E-NEWSLETTER SERVING THE NATIONS, CELEBRATING THE PEOPLE

A Letter from the Publisher

Shekóli. According to the latest available statistics, the Indian gaming industry in the United States continued to grow through 2012, with revenues increasing 2 percent from the previous year for a total of more than \$28.1 billion. It was the third straight year of growth since 2009, when there was a one-percent drop—the only year revenues ever declined since the Indian Gaming Regulatory Act in 1988 marked the official start of the industry. Non-gaming revenue generated by native casinos also increased, up three percent from 2011 and topping out at \$3.4 billion collectively. Growth and expansion are at the heart of many articles in this special print edition of This Week From Indian Country Today, published for distribution at the National Indian Gaming Association's Indian Gaming 2014 Tradeshow and Convention in San Diego. It carries news of growth of casino floors and construction of new hotel spaces; plans for a grand shopping mall and more recognition for an award-winning golf course.

If 2013 is any guide, then growth in revenue will mean more native philanthropic giving in 2014. Last year, the Shakopee Mdewakanton Sioux Community, which owns and operates the Mystic Lake Casino Hotel, topped the list of Indian nations that generously give to other nations and their surrounding communities by dispersing \$10 million in grants to native causes, governments and foundations. All of these signs point to the decades-old fact that native gaming is a key economic engine and capital-raising mechanism for our nations, which were forced to struggle for years with depri-



vation and hardship thanks to restrictions placed on the ability of our governments to raise revenue.

While growth and expansion continues, there is one area where we see undeniable shrinkage. In this week's issue, the article "Fatter Wallets/Skinny Kids" presents the findings of a study recently published in the *Journal of the American Medical Association*. Researchers from various medical schools gathered data on Indian kids in California, and found a marked decrease in obesity among children whose tribal nations owned a casino.

Most important, the research indicated that the reduction in weight was seen shortly after the casino opened, and was long-lasting. While the study of body mass index of the children of tribal citizens of casino-owning nations doesn't demonstrate a causal link per se, the investigators surmise that the reason for the drop in obesity can be attributed to growth of economic resources for the nations and its members. It doesn't take a scientist to see that rising out of poverty has health benefits, but it is reassuring to know that, for our children, the positive benefits of leaving poverty behind can be immediate and undeniable.

NA ki' wa,

Ray Halbritter

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A Question of Ownership

ICTMN contributor **Duane Champagne** considers the argument that Indians could have more effectively protected land under U.S. law if they owned it in fee simple rather than under trust:

The difficulty with the argument that private property rights would be better for Indians is its assumptions about Indian people. Most Indian community members prefer collective ownership of land. The land is held collectively, but subgroups like families, clans, villages, or other groupings according to local traditions, are managers and users of specific segments of land. Unlike land in fee simple, the land assignments for tribal col-

lectivities cannot be sold on the market.

For thousands of years, tribal communities have done quite well within their own property rights systems. But they often have not done well under American private ownership land rights systems. The most telling historical examples are both the various allotment acts and the termination acts. Under both policies, Indians were compelled to sell collective land, and take land that was distributed as private fee simple, or land that would eventually turn into fee simple.

In general, the allotment acts and termination acts, designed to make the transition to private property, and to explicitly

destroy the collective property powers of tribal nations, were dismal economic failures for the tribal nations. The failures were so devastating that scholars often suggest that the primary purpose of allotment and termination policies was not fostering tribal economic development, but rather the dismantling of tribal nations and the transfer of Indian land to U.S. citizens.

Many Indian allotments today are largely rented out to non-Indian businessmen and farmers, who economically benefit more than Indian allotment holders. Indian nations, who have different understandings of community, land, spirituality, and future goals, will probably do better within their own property rights systems. <http://bit.ly/QRJXnE> ☞

Legal Cannabis on the Rez

Biologist and judge **Ruth Hopkins** (Sisseton Wahpeton & Mdewakanton Dakota, Hunkpapa Lakota) recently visited two tribal marijuana growers in California to ask what they thought of legalizing the plant for medicinal purposes:

The first individual I spoke with had been growing marijuana for decades. He said that as a recovering alcoholic and meth addict, he was kept from relapsing by smoking marijuana. As a dealer, he expressed concern about cannabis legalization. He said that seven years before, a pound went for \$35,000. Currently, it costs around \$1,200. The market is flooded. For that reason, he explained, much

of the pot grown in northern California leaves the state and is sold elsewhere. I questioned how so much could be illegally grown; he mentioned that his tribe had no law enforcement.

The next grower I talked to was a staunch environmentalist. He was pro-legalization because he saw regulation as a way to weed out most negatives associated with the production and selling of cannabis. He was actively lobbying his tribal council to legalize cannabis so the tribe could have its own nursery. Besides providing the Tribe with new revenue, which he assured me would be greater than gaming profits, he sought to teach

people how to grow cannabis in an environmentally friendly way. He expressed dismay that some people were not irrigating their plants properly, draining water sources during a drought, and illegally disposing of waste. He concluded that full legalization was needed throughout the United States to ensure that the process was regulated, and to stabilize the market. We also discussed how tribes may be able to tax marijuana they sell, and how that promotes tribal sovereignty.

There's no mistaking that legalization proponents are gaining ground. It's time for tribes to have a serious discussion about where they stand on the issue. <http://bit.ly/1keoo9m> ☞

A Torch That Needs Passing

Sara Marie Ortiz, an Acoma Pueblo writer, scholar, poet, public speaker and Native education specialist, bemoans the gap between old entrenched Native leadership interests who are unwilling to surrender their power at the expense of a younger, less complacent generation that is now ready to assume its rightful place:

I see leaders grown fat on the marrow of the dispossessed and unwilling to admit it, lest they lose their perceived power. And the dispossessed, the poor, the uneducated, in the city? They are our powerful majority. The great divide be-

tween the haves and the have-nots is real.

"Fancy Indians" abound in my realm. So too do powerful and visionary ones who know they are. But they don't wear their status like an Armani suit, and they don't tout it as scepter or armistice, as though they are innocent or righteous. They don't tout it as though they are truly gatekeepers or saviors or the voice of our Nations, and they don't wave it around just so they can have something to talk about at this gala or that one.

True leaders know how finite this human moment is, how finite the social,

economic, and political power the U.S. government touts as the highest good actually is, to Native Nations and all. True leaders share this knowledge.

Leaders of the people, in this infinitely complex human moment, have their work cut out for them, no doubt. Let none of us rest on our laurels or light too many fires without thinking deeply about what our endgame actually is.

All of this is really to say, I'm looking forward to being elders with you all. We'll do the math when we get there, yes? *Kuutra tsa tse mah sru taie qui yah* ("Your life you are carrying"). <http://bit.ly/R7vLa2> ☞

Reparations Comment Sparks Ire After Bill for Indian Tuition Dies

BY SIMON MOYA SMITH

A bill in Colorado that would have provided prospective Native American college students with in-state tuition died on April 29 in the Senate Appropriations Committee. Hours after the bill was defeated, State Sen. Mary Hodge (D) told ICTMN that the potential cost of the bill was too great and that there was an issue of “reparations.”

“I don’t know how long we can make reparations [to Native Americans] or how far we’d have to go back,” she said. “I guess my point is we can’t fix what we did.”

House Bill 1124, sponsored by State Rep. Joseph Salazar, was designed to provide a Native American of a federally recognized tribe with resident status when applying to a state-supported institution if the student’s tribe had “historical ties” to what is now Colorado territory. “Often due to circumstances beyond their control, many American Indian tribes and members of American Indian tribes have been forced to relocate across state lines, far from their historical home places,” the bill reads.

“Those people are already gone,” Hodge said. “At what point do we say ‘We’re sorry’ and move on? And I don’t know if we’re there yet.”

Salazar told ICTMN that he is “absolutely baffled” by Hodge’s comments. “This isn’t reparations,” Salazar said. “This is recognizing that something has to be done in the state of Colorado to encourage Native youth to come here to get a higher education.”

But Hodge estimated that the state’s “cash-strapped” colleges and universities would suffer a loss of upwards of \$5.3 million in tuition monies if the bill passed. “I’m looking for money in the couch cushions,” she said. “Five million isn’t a huge hit, but it’s a hit.” <http://bit.ly/1hXjhaR> ☞



Open enrollment is over but you can still sign up!

As an American Indian or Alaska Native you can still sign up for health insurance. Here is what you need to know:

- Members of a federally recognized tribe and Alaska Native shareholders can enroll after the open enrollment period ends. **You can enroll anytime and change plans once a month.**
- If you applied for an exemption from the shared responsibility payment, **you can still sign up.** You are still eligible to apply for the Marketplace, Medicaid, or CHIP.

Find out if you and your family qualify for free or low-cost coverage, Medicaid, or CHIP.

Contact your local Indian health program, visit www.healthcare.gov/tribal, or call **1-800-318-2596** (TTY: 1-855-889-4325).



Hunting Structure Under Lake Huron Testifies to Ancestors' Sophistication

University of Michigan archaeologists have discovered a complex array of stone lanes and V-shaped structures on an underwater ridge in Lake Huron, marking the most elaborate hunting structure found to date under the Great Lakes. An article detailing the 9,000-year-old caribou driving lane appeared in *Proceedings of the National Academy of Sciences*.

The lane is 26 feet wide, 98 feet long and ends in a natural cul-de-sac; it also has hunting blinds—structures meant to conceal hunters—built along it. It was discovered on the Alpena-Am-

berley Ridge, under 121 feet of water, about 35 miles southeast of what is now Alpena, Michigan, on what was once a dry land corridor connecting northeast Michigan to southern Ontario.

“Constructed on level limestone bedrock, the stone lane is comprised of two parallel lines of stones leading toward a cul-de-sac formed by the natural cobble pavement,” said *Michigan News*. “Three circular hunting blinds are built into the stone lines, with additional stone alignments that may have served as blinds and obstructions for corralling caribou.”

Autumn was the preferable hunting

season for caribou, but the orientation of this hunting drive shows it would have only been effective if the animals were moving in a northwesterly direction, which the release says they would have done during spring migration from modern-day Ontario.

And the hunting was good. “I’m imagining seas of animals going through there,” John O’Shea, the Emerson F. Greenman Professor of Anthropological Archaeology at the University of Michigan and lead author of the article, told CTV News London. <http://bit.ly/1hhvIPv> ☞

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South Dakota Senator Tim Johnson Visits Cheyenne River Youth Project

BY SUZETTE BREWER

The Cheyenne River Youth Project (CRYP) welcomed Sen. Tim Johnson (D-South Dakota) on April 24 for a tour of its youth organization, which started in an abandoned bar 25 years ago and has grown into a 30,000 square-foot facility that today serves hundreds of families throughout the reservation.

“Senator Johnson has been a champion for the youth of the Cheyenne River community,” says Julie Garreau, CRYP’s founder and executive director. “He was instrumental in assisting CRYP in obtaining congressional funding to support the construction of the teen center. He has always supported our efforts in providing services and activities to our kids and we deeply appreciate all of his efforts on behalf of our organization over the years.”

The tour was followed by a luncheon at the new Keya Cafe & Coffee Shop, which CRYP launched in January. The cafe uses locally sourced produce from CRYP’s own *Winyan Toka Win* (“Leading Lady”) garden. The organic, non-GMO garden is managed by youth interns from the Cheyenne River community during the growing season and Farmer’s Market.

Other guests were Elsie Meeks, state director of USDA Development for the State of South Dakota, along with her colleagues, Clark Guthmiller, Christine Sorenson, and other community members.

Founded in 1988, the Cheyenne River Youth Project is dedicated to providing the youth of the Cheyenne River reservation with access to a vibrant and secure future through a variety of culturally sensitive and enduring programs, projects and facilities, ensuring strong, self-sufficient families and communities. Today, CRYP provides a wide variety of programs and services to the community, covering nearly 3 million acres in South Dakota. <http://bit.ly/1iHBQ2K>



Fish & Wildlife Service Awards \$5.8 Million for Species Preservation

The U.S. Fish and Wildlife Service has allocated \$5.8 million to help the survival of three animal species. The money will be distributed to 17 projects in 15 states and territories through the Cooperative Recovery Initiative, which focuses on the most at-risk species living on or near national wildlife refuges. The species are the black-footed ferret, the razorback sucker and the Wyoming toad.

Under the program, the Colorado-Rocky Mountain Arsenal National Wildlife Refuge will receive funding for recovery of the black-footed ferret (*Mustela nigripes*). This entails preparing the refuge for the reintroduction of the ferrets in the future, with the goal of creating a self-sustaining population. Preventing outbreaks of plague in the prairie dog, the ferret's main prey, is key, since the Wildlife Service said the disease has been known to wipe out entire prairie dog colonies. The refuge is working to eliminate fleas to stop the spread of the disease and will to monitor the prairie dog population.

The razorback sucker is another animal that will benefit from the funds. In Colorado and Utah, the Quai National Wildlife Refuge is receiving money to help in recovery of the fish species *Xyrauchen texanus* by improving nursery habitat. The project will improve and expand the floodplain wetland habitat in Johnson Bottoms on Ouray National Wildlife Refuge in Utah, the USFWS said.

Finally, the Wyoming toad, which the Wildlife Service once classified as "extinct in the wild," will receive some help from funding being awarded to the Wyoming-Saratoga National Fish Hatchery. The grants will go toward managing vegetation, treating fungal infections in wild toads and take other measures to promote survivorship. The long-term goal is to make several self-sustaining populations of the toad take, the Wildlife Service said. <http://bit.ly/1rxYiAX> 📱

Minneapolis Replaces Columbus Day With Indigenous Peoples Day

By the unanimous decision of its mayor and city Council, Minneapolis will now recognize Indigenous Peoples Day instead of Columbus Day on the second Monday of October. "This act recognizes and celebrates the Native people who still live on this land and will foster stronger relationships moving forward," Mayor Betsy Hodges told KMSP-TV. "I am grateful to the community for organizing to make this a reality and am honored to sign this resolution, something I promised last summer I would."

The idea of Indigenous Peoples Day was first proposed in 1977 by a delegation of Native nations attending a United Nations-sponsored International Conference on Discrimination Against Indigenous Populations in the Americas, held in Geneva.

"We had been edited out of existence in the public school system," Bill Means,

brother of the late American Indian Movement Activist Russell Means, told MPR News. "To say Columbus discovered America is one of the first lies we're told in public education. It's only right that we begin to document the contributions of Indian people to the history of the state of Minnesota, starting with the biggest myth of all: Columbus discovered America. This is just a real... recognition of our contributions."

Minneapolis joins states like Alaska, Hawaii, Oregon and South Dakota, which do not celebrate Columbus Day at all. In 2002, President Hugo Chavez of Venezuela declared October 12 to be the Day of Indigenous Resistance, Nicaragua adopted the same a few years later. In 2011, Aymara President Evo Morales of Bolivia declared the occasion Decolonization Day; in Argentina it is called Respect for Cultural Diversity Day. In Ecuador, the holiday has been designated Intercultural Day since 2011.

<http://bit.ly/1nOvALR> 📱

Foxwoods Catskills Resort Casino To Open Headquarters in Liberty, New York

On April 23, just a few hours after submitting the required \$1 million application fee to the New York State Gaming Commission for a destination resort gaming license, Foxwoods Catskills Resort Casino, LLC announced the opening of their new local headquarters in Liberty, New York.

The team also launched its local "We Support Foxwoods" initiative to solicit letters of recommendation from officials, and petition signatures from residents endorsing the project. In addition to the \$1 million fee, demonstrating support is a necessary part of the Request for Applications process.

Foxwoods Catskills Resort Casino is expected to present a draft environmental impact statement to the state planning board before the end of May, which will keep the project

on schedule to receive a final environmental impact statement prior to the Gaming Commission awards as required by state law.

"Liberty is a prime location for a world-class casino and resort," said Liberty Town Supervisor Charlie Barbuti. "The planned development will be a much needed economic boost to the town."

The staff at the local office will coordinate a petition drive with petitions located in key locations in Liberty, where local residents can express support for the project. The local office will serve as the base of operations for Foxwoods Resort Casino, Muss Development, the architects, construction team and consultants working on the project, and will also be able to provide local residents and visitors with information about the project and serve as a point of contact. The more than 100-year-old Muss Development is the largest development company in New York City's five boroughs. <http://bit.ly/1j9ZNV1> 📱

Groundbreaking On New Cherokee Venue

Will replace existing Oklahoma facility

Tribal and city officials of the greater Sequoyah County, Oklahoma region gathered on April 29 to break ground on the new Cherokee Casino Roland to replace the existing facility. The upgraded gaming destination will offer an additional 100 jobs. The nearly \$80 million gaming facility will also feature more entertainment options and amenities, as well as a six-story, resort-style hotel. The new 170,000-square-foot facility will offer 850 electronic games, table games and a private High Limit poker room. Guests can choose from two dining options, a grab-and-go café and Las Vegas-style buffet. Along with the expanded gaming options, guests can enjoy a cocktail and live music at the entertainment venue. The new hotel will feature 120 rooms, along with convention space to host conferences, special events, weddings and trade shows. <http://bit.ly/1iIsYPE> 📍

Taylor Thomas Is Miss Indian World

Crowned at Gathering of Nations

Taylor Thomas, 21, was crowned Miss Indian World on April 26 at the 31st Annual Gathering of Nations powwow at the University of New Mexico in Albuquerque. The Idaho State University student is a member of the Shoshone Bannock tribe, and was chosen out of 23 Native American women who competed in tribal knowledge, dancing ability, public speaking and personality assessment. Thomas will also serve as a cultural good-

will ambassador for a year. She succeeds Kansas Begaye from Waterflow, New Mexico. Megan Leary, 23, of Napaimute, Alaska, was named first runner-up and Danielle Ta' Sheena Finn, 23, of Bismarck, North Dakota, was named second runner-up. <http://bit.ly/1kmpH1c> 📍

Sherman Alexie Book Gets Idaho Reprieve

Grassroots movement restores volume

The 2007 National Book Award-winning volume *The Absolutely True Diary of a Part-Time Indian*, by noted Native author Sherman Alexie, which was recently taken off the reading list of Mountain View High School in Meridian, Idaho, has been given a new lease on life. Some Meridian parents had challenged the book's use of language discussion of sexuality and ostensibly anti-Christian viewpoint. But students at the University of Washington raised money through GoFundMe.com to purchase 350 copies of the book, which were distributed for free to Meridian students on World Book Night, April 23. Alexie's publisher, Little, Brown, has donated another 350 copies to the effort. <http://bit.ly/1heBA0x> 📍

New Yorker Magazine Chronicles Mega-Loads

Draws attention to ongoing concern

The *New Yorker* magazine recently spotlighted the attempts of Native communities and local activists to head off so-called mega-loads—those monolithic hunks of equipment being trucked across

the Northwest to assist in the extraction of tar-like bitumen from the Albert oil sands of Canada. The magazine's March 18 online story "Another Oil-Sand Challenge: Transporting Equipment" discusses the struggle of the Nez Perce Reservation, "which had been sitting on the legal sidelines" as the battle unfolded along scenic Highway 12 as loads grew from "logging trucks, to freight haulers, then hazardous materials," Nez Perce Tribal Council Silas Whitman said. As the article recounts, the Nez Perce began blocking the highway in August. <http://bit.ly/1hTLVhx> 📍

Grant For 'Talking Circle' Treatment

Emphasis on drug abuse prevention

Florida Atlantic University Professor John Lowe, Cherokee, was recently awarded a \$2.9 million grant, funded by the National Institutes of Health, to conduct and evaluate an after-school substance abuse prevention intervention. Lowe's "Intertribal Talking Circle for the Prevention of Substance Abuse in Native Youth" is a five-year research project targeting sixth grade Native American youth in three tribal communities: the Ojibwe/Chippewa in Minnesota; the Choctaw in Oklahoma; and the Lumbee in North Carolina. The goal is to evaluate the use of the Talking Circle to increase Native American youth cultural identity while decreasing substance use. The study also will train tribal personnel throughout the three regions on how to implement the Talking Circle intervention as a more permanent program. <http://bit.ly/1hf2qRt> 📍

Fallen Law Enforcement Officers Honored

Poignant ceremony in New Mexico

The 23rd Annual Indian Country Law Enforcement Officers Memorial Service took place on May 1 at the Bureau of Indian Police Academy in Artesia, New Mexico to honor officers who have given their lives in the line of duty. Two officers were added this year. They are Alaska State Trooper and Village Public Safety Officer Thomas O. Madole, who succumbed on March 19, 2013, to bullet wounds while handling an altercation in the community of Manokotak; and Sgt. Robert W. Baron, of the Sandoval County, New Mexico, Sheriff's Office, who on December 6, 2013 succumbed to injuries sustained the previous day after being struck by a vehicle on Interstate 25 near the Pueblo of San Felipe. <http://bit.ly/1miiMAF> 📍

'Chief Red Wing Day' In Minnesota

A rebuke to Columbus Day

The city council of Red Wing, Minnesota voted celebrate Chief Red Wing Day instead of Columbus Day on the second Monday in October, in a vote taken on April 28. Even though the move to celebrate Chief Red Wing to promote education about the area's earliest inhabitants is a symbolic one, since the city does not have the authority to change a federal holiday, advocates believe it is an important one. "There are a lot of things we do that are symbolic," Council president Lisa Bayley told TwinCities.com. "And we do it because symbols matter." Red Wing is named after a chief who was called Hupahuduta, which means "a swan's wing dyed in red." <http://bit.ly/1fJUHjc> 📍

Inside A Housing Holdup

Delays dog a widely popular act **BY ROB CAPRICCIOSO**

Bottom Line: *Reauthorization of the Native American Housing Assistance and Self Determination Act (NAHASDA)—a bipartisan piece of legislation that is widely popular with tribes and legislators—was supposed to pass Congress last year. And then it didn't.*

"You don't know how many times I stood in front of hundreds of people saying we were getting close to having a bill introduced in the House," said Shawn Pensoneau, a governmental affairs specialist with the National American Indian Housing Council (NAIHC), in regard to the reauthorization of the Native American Housing Assistance and Self Determination Act. "I said that month after month, based on what our congressional contacts were telling us—but at a point I kind of got embarrassed. I just couldn't say it anymore."

The law, first passed by Congress in 1996, provides nearly \$700 million per year in discretionary formula block grants to eligible tribal housing authorities for the building and maintaining of reservation houses. It officially expired September 30. But Congress, realizing its utility to American Indian citizens, continued funding it while reauthorization talks have slowly proceeded.

What's the Hold Up?

Key legislators on Capitol Hill, including former chair of the Senate Committee on Indian Affairs Maria Cantwell (D-Washington), gave their blessings later into 2013 than tribal advocates would have liked, with Cantwell getting her bill passed through her own committee in December, nearly three months after the law had already expired. The Senate Banking Committee could have then asked for oversight, given its jurisdiction over this matter. But the time for the committee to do so expired in mid-March.

The new chair of the Indian Affairs

Committee, Jon Tester (D-Montana), supports Cantwell's legislation, and he has vowed to strengthen it if the opportunity arises. As it stands, the bill is widely expected to be able to pass the upper chamber by unanimous consent, as it did when last reauthorized in 2008. Senate Majority Leader Harry Reid (D-Nevada) has not said when he plans to move the bill.



Rep. Don Young R-Alaska; Rep. Steve Pearce R-NM

In comparison, there have been more complications and debate on the House side—although, ironically, the two pieces of legislation now being seriously considered in the lower chamber are perceived by tribal housing advocates as somewhat stronger for tribes than Cantwell's offering.

"Maybe the wait has been worth it," said Pensoneau, who takes pride in the number of calls, meetings, and strategy sessions his organization has led on this issue. "But it has been frustrating."

A House Divided

One House division was on display in early March when Steve Pearce (R-New Mexico) floated a draft reauthorization bill only to be followed days later by the introduction of a NAHASDA bill by Rep. Don Young (R-Alaska), chairman of the Subcommittee on Indian and Alaska Native Affairs. Young's bill included bipartisan support and a nod from Rep. Tom Cole (R-Oklahoma), one of two Na-

tive Americans in Congress. Days later, Pearce introduced his legislation with Cole as a co-sponsor.

Young's office says his bill is not meant to compete with Pearce's. "Congressman Young's bipartisan bill is part of an overarching, coordinated strategy to navigate the complicated political dynamic surrounding the NAHASDA reauthorization process and secure final passage of legislation down the road," said Young spokesman Matt Shuckerow. "Congressman Young believes his bill, part of a dual approach alongside Congressman Pearce's bill, provides the necessary legislative tools for achieving the overall goal of NAHASDA reauthorization."

For the most part the Pearce/Young bills are the same. But Young's advances previous congressional authorization for Native Hawaiian housing programs. These provisions concern Pearce, according to sources familiar with his deliberation on this matter, because he thinks they cannot ultimately make it through the House Financial Services Committee, which oversees the Department of Housing and Urban Development (HUD). Still, money would not be taken away from tribes in the lower 48 states or in Alaska under Young's Native Hawaiian plan if it were to become law. And it could still be authorized separately if it could not pass muster from within his bill.

Pearce's bill also includes support for a Department of Defense-inspired demonstration project, which would help tribes have greater ability to partner with private industry on housing matters. "It's aimed at getting private investment into tribal communities using housing as the tool," said Paul Moorehead, an Indian affairs lawyer with Powers Pyles Sutter & Vervill who represents NAIHC, at a February meeting of the organization regarding a draft of the provision he had seen by that time.

Young's bill, meanwhile, includes lan-

guage related to tribally determined wages for work on all NAHASDA-related projects and access to a drug elimination program, which were not included in Pearce's legislation.

In contrast to Cantwell's bill, both House bills allow tribes to have greater control over their housing block grants in some respects, and they both streamline for tribes the federal government's environmental review standards involving NAHASDA. These provisions have been fervently supported by NAIHC, but federal agencies have expressed some misgivings toward relinquishing their power.

The Hidden Division

Notably, a major division in House thinking on reauthorization has not been included in the Young/Pearce bills to date. But legislative staffers say they still expect the issue to be addressed as the bill progresses, perhaps via an amendment.

Some House members, including Jeb Hensarling (R-Texas), chairman of Financial Services Committee, strongly believe that any reauthorization should address what they see as a current problem under NAHASDA—that a relatively small number of tribes have been able to carry over a large amount of unexpended funds year-to-year granted to them under the law.

The Navajo Nation has received special attention from both Congress and from the Obama administration because as of July 2013 it had carried over nearly \$500 million in unexpended NAHASDA funds dating from as far back as 1998, according to a March 2014 Government Accountability Office (GAO) report. There are other tribes with long-term unexpended funds, but none nearly as large as the Navajos'.

The tribe counters that it receives a substantial amount of money under the program because it has many citizens with great housing needs, and it has blamed HUD for the tribe's inability to more quickly spend the money. Navajo leaders have also highlighted a multi-year spend-down plan, while noting the tribe's unique infrastructure needs to federal officials. They have hired Mellor Willie, former executive director of NAIHC, to help address this issue.

"If it was so easy to spend that much, as some people think, then it would have been done a long time ago," Aneva Yazzie, CEO of the Navajo Housing Authority, was quoted as saying in a recent newsletter issued by the organization. "It's difficult because we have to go through layers of bureaucracy and approvals, all the way down to inspections, land withdrawals, environmental clearances, and then comply with the meticulous procurement process. Our sheer size in program implementation is makes housing challenges unique to Navajo."

Yazzie told Indian Country Today Media Network that it is "not fair or just" for the federal government to be so focused on Navajo's unexpended funds. "It is well known and seen throughout Native American communities that a lack of adequate housing exists and development takes longer on Indian reservations than off reservations," she said, pointing to HUD and GAO findings that back up her claim. There has also been turmoil within the Navajo Housing Authority regarding staffing issues, which has been dealt with, according to statements from the tribe.

Not wanting to single out one tribe, Financial Services Committee staffers came up with a plan last year that would allow Congress to put limits on the amounts of unexpended funds for all tribes and that would require past unexpended funds to be returned to the federal government.

Tribal advocates did not like that plan, because they feared it could harm Indian country as a whole in unforeseen ways in the future. "We had to work with Mr. Pearce and other members of the committee to tone back that language," Pensoneau said. "We are happy with the current language."

A Growing Conflict

While Pearce and Young did not include any language in their bills focusing on unexpended funds—nor did Cantwell—the issue has not gone away. Rather, it came to a head during a February meeting between Navajo Nation President Ben Shelly and HUD's Assistant Secretary for Public and Indian Housing Sandra Brooks Henriquez. Before the meeting, the Navajo Nation issued a press release blaming HUD for the tribe's inability to

draw down its money, and HUD officials had been seeking authorization from Congress to take back unexpended Navajo funds after three years.

Henriquez, according to sources familiar with the meeting, asked what HUD could be doing better to help the tribe to spend its money. Shelly, according to sources, was displeased with the question, and he made his displeasure verbally known to Henriquez, who, in turn, responded by yelling at him.

HUD officials have not responded for requests for comment on the encounter. But one person who attended the meeting said it was "one of the most uncomfortable situations" they had ever seen happen between a tribal and federal official. After the meeting, the Navajo Nation issued more press releases indicating they have a new plan to spend more of the unused funds, but HUD has since questioned about \$60 million in spending under the tribe's plan, saying it does not conform to the law.

As a result of the confrontational Navajo-HUD meeting, legislative staffers and tribal housing advocates say they would not be surprised to see a legislator insert language regarding unexpended housing funds into one of the pending House bills as the legislative process progresses.

Yazzie cautioned that such a maneuver could be bad for everyone. "Congressional action to address unexpended funds may have unintended consequences that will negatively impact all tribes, including those who do not have unexpended funds," she said.

Wait And See

Despite that possibility, there are now three strong, real bills on the table, which is a whole lot more than Pensoneau had last year when he was telling tribal housing officials that they were close. He and tribal housing advocates nationwide eagerly await a hearing to be scheduled before the Financial Services Committee. "It's hard to estimate when it will all get passed," Pensoneau says. "I am confident, though, that all our hard work will pay off by the end of the year."

If it does not, the work would have to begin all over again in the new Congress in 2015. <http://bit.ly/1m1r4bx> ☞

A Double Victory in Beantown

The story of the Narragansett Indian who won the Boston Marathon—twice

BY JOHN CHRISTIAN HOPKINS

Bottom Line: *April's running of the Boston Marathon, a year after its devastating bombing, offers the author an occasion to revisit the long-ago twin triumphs of his late great-uncle, the quixotic Ellison "Tarzan" Brown, in that legendary race.*

I knew my Great-Uncle Tarzan—or thought I did. We were used to most adults ignoring us, unless we got too loud or rambunctious. But Uncle Tarzan always had time for the kids. He told jokes and tall tales, he paid attention to us. Then, on an August day of 1975, I looked around at all the people who had come to his funeral. Even the governor had come. I listened to the stories people told, and I was amazed to realize that I had not known Uncle Tarzan, at all.

Uncle Tarzan, of the Narragansett Tribe, was one of only two Native Americans to win the Boston Marathon—and he was the only one to have done so twice.

He was born Ellison Myers Brown on Sept. 12, 1913, the fifth of eight children. His Narragansett name was Deerfoot, and he lived up to it at an early age. One day in 1926 another noted Narragansett runner, Horatio "Bunk" Stanton, was doing his training, running from Westerly to a ball field in Shannock, some 20 miles distant. Arriving there, Stanton told his manager, Thomas "Tippy" Salimeno, about "some young kid" who had followed him all the way. About 10 minutes later a 12-year-old boy jogged onto the ball field. He told Salimeno his name was Ellison Brown. Salimeno told Brown to come back when he was 16, and he'd manage his career.

Tarzan dropped out of school to learn stone masonry beside his father. Tarzan, like many Narragansett men, became an

exceptional mason, and many of his works still stand today. In 1931, 16-year-old Tarzan returned, and Salimeno took the boy to The Arctic, an area around Warwick, R.I., where Tarzan handily topped the field in his first race, a 10-mile event.

Tarzan entered the arena at a time



Ellison 'Tarzan' Brown crosses the finish line in the 43rd Boston Marathon in downtown Boston, Massachusetts, on April 19, 1939. Brown finished the 26 miles, 385 yards in 2 hours, 28 minutes and 51.8 seconds, breaking the marathon world record. It was the second of his two marathon victories.

when foot racing was one of the more popular sports in America. My aunt said that Tarzan—her uncle—got his famous nickname from his Johnny Weissmuller imitation and from leaping from tree to tree faster than most people could run. In 1933, Tarzan was finally ready to test his skills against the best long distance runners in the world by entering his first Boston Marathon.

Begun in 1897, the Boston Marathon is the oldest continuously run marathon in the world, and was often used as an elimination race to select the U.S. Olym-

pic marathoner. Tarzan finished 13th in the 1935 marathon, running barefoot. It wasn't a gimmick; Tarzan was often short of money and couldn't afford shoes. My mother, Tarzan's niece, once told me of arriving in Boston to cheer Tarzan on, only to discover he had no shoes. She bought him a pair before the race started.

In 1936, Tarzan would take his place in the pantheon of Boston Marathon legends. The race started out innocently enough. The official press car, as usual, followed a group of runners thought to be leading the pack. At the five-mile checkpoint an official timer asked the media representatives what they were doing. When they told him they were following the leaders, the timekeeper was shocked: "That Indian from Rhode Island went through here five minutes ago!"

The Legend of Heartbreak Hill

He ran "like a bat out of hell," former *Boston Globe* sports editor Jerry Nason said. The press car sped up and caught the Indian, and for 21 miles he burned up the course record. But then he slowed his pace.

Tarzan's unorthodox racing style was to run as fast as he could, for as long as he could. The wild style would cause the local press to dub him "Chief Crazy Horse." Tarzan did not pace himself, saying later in life that his career ended before he ever knew how to run a race or even train properly. He dreamed about his races before they were run and in his dreams he always lost. That spurred him to run harder.

He had built up a huge lead in 1936 and then slowed, jogging along head down. He might have lost the race except for an ill-advised display of sportsmanship that

turned the race into legend—and gave a name to the most treacherous hill along the course. With his own furious run, defending marathon champ Johnny A. Kelley caught up with Tarzan at the foot of the hills that had defeated many a runner. Nason said that as he passed Tarzan, Kelley reached him and patted him on the butt “as if to say ‘nice run, pal.’”

Tarzan’s head came up. He had no idea anyone else was near him. The Indian lit out “as if someone had stuck a pin in his ass,” according to Nason. That hill was christened Heartbreak Hill.

The original Boston Marathon, called the “short course,” was 24 ½ miles, but the distance had been increased to its current 26 miles, 385 yards in 1926. Tarzan became the youngest to win the longer distance.

Tarzan and The Fuhrer

With his surprising victory in Boston, Tarzan Brown earned a spot on the 1936 U.S. Olympic team. He was going to Berlin, where Adolf Hitler hoped to prove the superiority of the Aryan race. But Tarzan’s gold was taken away before he could earn it.

What happened? One story says that on the ship to Berlin he was imitating the awkward style of the British long distance walkers and pulled a muscle. Another claimed that Tarzan had taken a hot bath before the race, thinking it would help him relax, and it tired him more quickly. Jerry Nason believed Tarzan was bothered by a hernia. My father told me that Tarzan told him years later that he had gotten into a fight with “some of Hitler’s brown-shirts” and was thrown in jail, where he was warned he had better not win the marathon.

Most of the reports about various injuries lose luster when the race itself is considered. Tarzan—in his typical style—burst out in front, leading the Olympic field for the first 13 miles. At 18 miles he slowed but was still a close second. Then he sat on the grass to catch his breath when a spectator approached him to see if he was all right. At that point one of the official’s cars came by and immediately disqualified Tarzan for receiving aid.

“I know in my heart I could have won that race,” Tarzan said later.

Return to Rhode Island

Tarzan returned to Rhode Island after the 1936 Olympics. The reckless champion, used to adulation, found himself the object of scorn. Critics emerged everywhere, disappointed that Tarzan had given up and quit the biggest race of his life. Tarzan rebutted them by winning two full-length marathons on consecutive days later that year. First he won the New York Championship at Port Chester. Then he hitchhiked through the night to Manchester, New Hampshire, where he arrived just before race time. There he drank orange soda pop for breakfast and then went out and won.

Everyone was praising Tarzan now, from seven-time Boston Marathon winner Clarence DeMar to Olympic champion Paavo Nurmi. Now that he had shut his critics up, Tarzan decided to retire. It was only shortly before the 1937 Boston race that he changed his mind. He showed up without any preparation and finished 37th. In 1938, he didn’t even finish. About halfway through the race the press car was watching the four leaders running close together. “They were looking good, Tarzan looked the best,” Nason said. Suddenly, unpredictable as ever, Tarzan veered from the course and leaped off a bridge into the lake below.

Then, in 1939, Tarzan began to take running seriously again. The year began in Cranston, Rhode Island, when, in a 10-mile race, Tarzan’s time of 50:15 equaled the record set by Nurmi. It was only the beginning. Tarzan broke the record for the Syracuse (New York) Marathon and won both the 15- and 20-kilometer National Championships. Tarzan competed in 25 races in 1939, having the best time in 20 of them. Only three times did he fail to crack the top 10.

Then came the 1939 Boston Marathon. It was a chilly April day, with constant drizzle. But the only thunder was in the stride of Tarzan Brown. Unlike 1936, when he burst out at full speed, Tarzan paced himself, running evenly and smoothly. This time there was no drama on Heartbreak Hill. “I just set a pace today that would carry me along faster than I figured anyone else could run that distance,” Tarzan explained.

With a time of 2:28:51 Tarzan won his

second Boston Marathon, becoming the first person to complete the longer course in under two and a half hours. And he won a spot on the 1940 Olympics, to be held in Amsterdam. This was probably the year that *Providence Journal* writers had in mind when the headline of his eulogy stated, “Forty years ago he was, perhaps, the greatest long distance runner in the world.”

The Race No Man Can Win


Tarzan was looking forward to redeeming himself in the 1940 Olympics. But the contests were cancelled because of World War II. His career was winding down now, as Tarzan’s dash through life was slowly losing its lead to Father Time’s unrelenting pace. But his legend was established.

With his racing career over, life became a struggle for Tarzan. He lost his house in Westerly and moved to King’s Factory Road, in Charlestown, where his shack was constructed by nailing boards up to four trees he found in a square. His family bathed in a nearby brook, at a spot Tarzan had widened by hand. There was no electricity. He took on odd jobs to provide for his family—woodcutter, coal deliverer, stonemason and handyman.

When he was running, people couldn’t do enough for him, he complained. But after he stopped he couldn’t even get a haircut in Westerly, Tarzan lamented. People would pay a “tree expert” \$75 to remove a tree from their yard, but Tarzan said he was lucky if they’d pay him \$20. “I won 1,000 trophies, but sooner or later they all turn black,” he said. He sold or given away most of his trophies over the years.

His last race took place in 1954. A young sailor doubted the old man’s story about once being a great runner and bet five dollars he could beat Tarzan. After years of winning trophies and laurels, Tarzan took home five dollars in his last race. He ran it in old work boots.

In 1975, Tarzan was at The Wreck bar in Misquamicut, Rhode Island, with some other Narragansett tribal members. Some of the Indians got into an argument with a 26-year-old Connecticut man. In the parking lot the man jumped in his van and sped off, running over Tarzan Brown.

The race was over. <http://bit.ly/1rQ3H8o> 



Taylor Thomas, Shoshone Bannock, was crowned Miss Indian World at the Gathering of Nations Pow Wow on April 26.



The black-footed ferret is one of several species now protected by funds allocated by the U.S. Fish and Wildlife Service.



Frank Waln, a rising force in Native American hip-hop, helped conclude the Earth Day protests in Washington, D.C. on April 26.



Navajo golfing legend, philanthropist, health advocate and sports commentator Notah Begay III is recovering from a recent heart attack.

Employment Opportunities

Accounts Receivable Manager

Salary Range: \$60,736 - \$75,920

Exempt, Full-time, 40 hours/week

The purpose of this position is to serve as the first level supervisory of this department under the Revenue Cycle Management, performing full range of administrative technical and supervisory duties.

Essential Duties:

- Serves as the Manager, who oversees the development, implementation and updating of Corporation policies regarding Collections.
- Supervises and coordinates and distributes workload. Incumbent is responsible for work planning, implementation, monitoring and evaluation of subordinates work in the field of patient collection activities. Interprets regulations, requirements and procedures. Provides explanation on the inter-relationship of the various facets of the Revenue Cycle Management operations, Medical Records Department, Patient Accounts, Patient Registration, activities and functions related to specified situations or problems.
- Assures that internal controls are maintained for use in evaluation quantity and quality of employee production.
- Approves and disapproves annual and sick leave base on workload.
- Supervises and directs the Accounts Receivable Department.
- Conducts staff meetings and conferences with staff to explain work requirements, methods and procedures as needed.
- Reviews periodic reports submitted by staff to monitor activities, anticipate problems and ensure accurate recording or transactions on accounting system; compiles data for written work.
- Analyzes and resolves complex or difficult problems presented by subordinates and Revenue Cycle staff.

Experience:

Three years of Specialized accounting experience in accounts receivable and collection processes and two years supervisor experience overseeing patient collection services within a health care or hospital setting.

Education:

Bachelor's degree in Business Administration, Finance or related field

Patient Registration Manager

Salary Range: \$60,736 - \$75,920

Exempt, Full-time, 40 hours/week

The incumbent performs responsible and moderately complex management-level duties by overseeing the Patient Registration, Admissions Office, and Patient Benefits Coordinator sections of Tsehootsooi Medical Center. Duties include significant responsibility for formulating and administering policies and procedures in assigned areas, as well as providing management support and advice to superiors. Assigned operations and function

Essential Duties:

- Plans, organizes, directs, staffs and controls Patient Registration/Admissions operations and activities; oversees the financial counseling, insurance verification, pre-registration, service scheduling, point of service collections and related, activities; ensures assigned areas conform to Tsehootsooi Medical Center goals, objectives and requirements
- Plans, assigns, directs, and monitors the work of subordinate staff
- Develops, recommends and implements policies and procedures for Patient Registration/Admission to ensure consistency.
- Prepares and administers annual budget.
- Provides technical assistance to management.
- Conducts meetings and gives presentation regarding Patient Registration.
- Ensures that all patient demographics and third party resource data is updated and accurate according to the organization requirements.
- Makes the final determination on direct care eligibility of all individuals seeking care who have not previously established eligibility.
- Develops, recommends and implements policies and procedures designed to ensure a quick, efficient and courteous, experience for patients.
- Conducts special studies and projects as assigned; researches and analyzes information; prepares statistical and narrative reports and documents as needed.

Experience:

Five (5) years of increasingly responsible professional experience related to health care access or patient financial services, including at least one year in a hospital or health care setting; and at least one (1) year in a lead or supervisory capacity.

Education:

Bachelor's degree in Business Administration, Public Administration, Health Care Administration, Accounting, closely related field.

Apply at: www.fdihb.org

For more information call: 928.729.8000

Tsehootsooi Medical Center is a Navajo Preference Employer



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Riverdale Osborne Towers,

a 525 unit building which includes unites designated for the disabled, located at 420 Watkins Street, Brooklyn, NY 11212, is available for renting to those with limited income. Qualifications will be based on the HUD Section 8 income guidelines.

Request an application by phone, by writing or in person during office hours at:

**Riverdale Osborne Towers
Management Office
420 Watkins Street
Brooklyn NY 11212
(718) 346-4500**

**Office hours are Monday thru
Friday 9AM to 5PM.**

Completed applications must be sent by regular mail, not registered or certified mail.

The deadline date to submit an application is May 9, 2014, any applications received after the deadline date will not be processed until all applications received by the deadline are processed.



U.H.O. MANAGEMENT AS AGENT FOR 1712 & 1715 H.D.F.C., INC., 1690 LONGFELLOW AVE., BRONX, NY 10460, ANNOUNCES IT IS NOW ACCEPTING APPLICATIONS FOR A **WAIT LIST** FOR ONE (1), TWO (2) AND THREE (3) BEDROOM APARTMENTS. APPLICANTS WILL BE REQUIRED TO MEET INCOME AND ADDITIONAL SELECTION CRITERIA. APPLICATIONS MUST BE REQUESTED **BY MAIL ONLY** FROM:

U.H.O. MANAGEMENT
GENERAL POST OFFICE
P.O. BOX 8177
NEW YORK, NY 10116

PLEASE INCLUDE A SELF-ADDRESSED STAMP ENVELOPE WITH YOUR REQUEST.

COMPLETED APPLICATIONS MUST BE RETURNED BY REGULAR MAIL ONLY TO A DIFFERENT POST OFFICE BOX NUMBER THAT WILL BE LISTED ON THE APPLICATION AND MUST BE POSTMARKED BY:

JUNE 06, 2014

SECTION 8 RENT BASED ON ANNUAL INCOME NOT TO EXCEED:

1 PERSON	\$47,000
2 PERSON	\$53,700
3 PERSON	\$60,400
4 PERSON	\$67,100
5 PERSON	\$72,500
6 PERSON	\$77,850
7 PERSON	\$83,250
8 PERSON	\$88,600

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**MORE OFFERS MADE TO
MAKAH LANDOWNERS IN
PROPERTY BUYBACK PLAN**
<http://bit.ly/PRDU1m>

**GOVERNOR'S DAUGHTER
OUTRAGES NATIVE AMERICANS
WITH PERFORMANCE**
<http://bit.ly/1u5Ld5O>

**INDIAN TRIBES' NEW NEGOTIATING
POWER COSTS UTILITIES**
<http://on.wsj.com/1pPHW1e>

**TRIBAL TAKEOVER: CAYUGA UNITY
COUNCIL MOVES AGAINST HALFTOWN**
<http://bit.ly/1ftZtl7>

**DEPARTING SWAIA STAFFERS LAUNCH
NEW MARKET FOR NATIVE ARTISTS**
<http://bit.ly/1kiP47v>

**SENECA GAMING EXECUTIVE SAYS
\$1.7 MILLION MARKETING TARGET
FOR BUFFALO CASINO WILL BE MET**
<http://bit.ly/R4kk2R>

Upcoming Events

FATHERS: KEEP FAMILIES TOGETHER MAY 8

This is the third of four regional seminars sponsored by the Native American Fatherhood & Families Association and designed to encourage and promote responsible fatherhood and the strengthening of families. Among the seminar topics are "Fatherhood is Sacred," "Strengthening Relationships," "Addressing Family Violence" and "Grandparents Raising Grandchildren."

Location: Sheraton at the Falls, Niagara Falls, New York

NATIVE WOMEN'S CONFERENCE MAY 8-10

"Redeemed!" is the theme of the 12th annual conference sponsored by the Native American Fellowship of the Assemblies of God, which includes sessions devoted to "A Biblical View on Human Trafficking," "Celebration of Redemption," "Living a Redeemed Life," "God's Rest in Redemption," "A Redemptive Miracle," and "Celebrate Me & Scrapbooking."

Location: American Indian College, Phoenix, Arizona

ANNUAL MEDICINE WAYS CONFERENCE MAY 10

The theme of this year's conference, "Transformation of Native Women: Continuing Tradition in the Modern World," expects to present broad yet specific histories and accounts of Native women in the U.S. and create further interest and inspiration for unearthing the roles of women in home communities and how they have and have continued to change. The conference has been hosted for over three decades by the Native American Student Association and Native American Student Programs at the University of California-Riverside. Admission is free and open to the public.

Location: University of California-Riverside, Riverside, California

PUBLIC LAW 93-638 TRAINING MAY 13-14

This two-day webinar is recommended

for all federal and tribal contract and grant personnel who are directly or indirectly responsible for the design, operation and management of programs that are contractible under Public Law 93-638 (the Indian Self-Determination and Education Assistance Act of 1975), as amended. The webinar is being conducted by the Bureau of Indian Affairs Division of Self-Determination Services.
Contact: Central Office West, (505) 414-0272

NATIONAL INDIAN GAMING ASSOCIATION TRADESHOW AND CONVENTION MAY 11-14

The Indian gaming industry's premier annual event will feature workshops, certifications among various levels, regional caucuses, a chairman's leadership award luncheon, the Wendell Chino Humanitarian Award, Native American arts and crafts booths, and the opportunity to participate in one of three National Indian Gaming Association golf tournaments.

Location: San Diego Convention Center, San Diego, California

LETTERS TO THE EDITOR

Re your article about the recent Yale University conference devoted to the repatriation of ransacked Tlingit objects currently in possession of the university's Peabody Natural History Museum (April 26):

I find it ironic that this panel would convene on the campus of Yale, where the secret society Skull and Bones allegedly

keeps the skull, elbow bone, and silver stirrups and bridle of Geronimo—robbed from his grave in 1918 by Prescott Bush (father of President George H.W. Bush and grandfather of President George W. Bush)—hidden in their headquarters ("The Tomb").

— Mark Adkins
Greenwood, Mississippi

The news about stolen Tlingit objects that remain in the Peabody Natural History Museum at Yale University saddens my heart. These are sacred objects to me, because of the hands that made them. From them we can learn and teach respect to others. But they are stolen—and what does that teach?

— Ronna Sommers
Fordland, Missouri

Let us know what you think. To have your letter to the editor considered for publication, please email us at editor@ictmn.com

Omaha Nation Public Schools in Macy, NE is seeking applications from qualified candidates with Nebraska Teaching Certification for the following positions:

- 1) Head Start Teacher, must have Early Childhood endorsement
- 2) Secondary Industrial Technology, grades 7-12
- 3) K-12 Assistant Principal/Instructional Coach, must know APL
- 4) Possible 5th grade teacher

Omaha Nation is a Nebraska public school district of 385 K-12 students 30 miles south of South Sioux City. We have a very competitive salary schedule and great benefits. Our school is making gains with school improvement and we seek dynamic people who want to help move our school system forward. Contact Superintendent Tom Carlstrom with letter of application, resume and credentials at: tcarlstrom@esu1.org or mail to Omaha Nation Public Schools, PO Box 280, Macy, NE 68039



STANDING ROCK/FORT YATES COMMUNITY SCHOOL

2014/2015

SCHOOL YEAR

Job Announcements

The Standing Rock Community School and the Fort Yates Public School District #4 operate under a Joint Powers Agreement between the Fort Yates Public School District #4 and the Standing Rock Sioux Tribe. (Elementary K-5, Middle School 5-8, and High School 9-12)

Standing Rock Community School

ELEMENTARY

Kindergarten Teacher
Elementary Teacher
Computer Teacher
Paraprofessional

HIGH SCHOOL

English Teacher
Business Teacher
Math Teacher
Science Teacher
Reading Intervention Teacher
Librarian
Woods Instructor

OTHER

Campus Computer Technician
Head Cook

Fort Yates Public School Dist. #4

MIDDLE SCHOOL

Science Teacher
Reading Coach
Guidance Counselor

OPENING DATE: April 25, 2014

CLOSING DATE: Until Filled

Request Applications at: Standing Rock/Fort Yates Community School
9189 Hwy 24

Fort Yates, North Dakota 58538

Or call Katherine Bailey at 701-854-2142

Email Address: Kathy.Bailey.1@sendit.nodak.edu

Visit our website: www.fort-yates.k12.nd.us

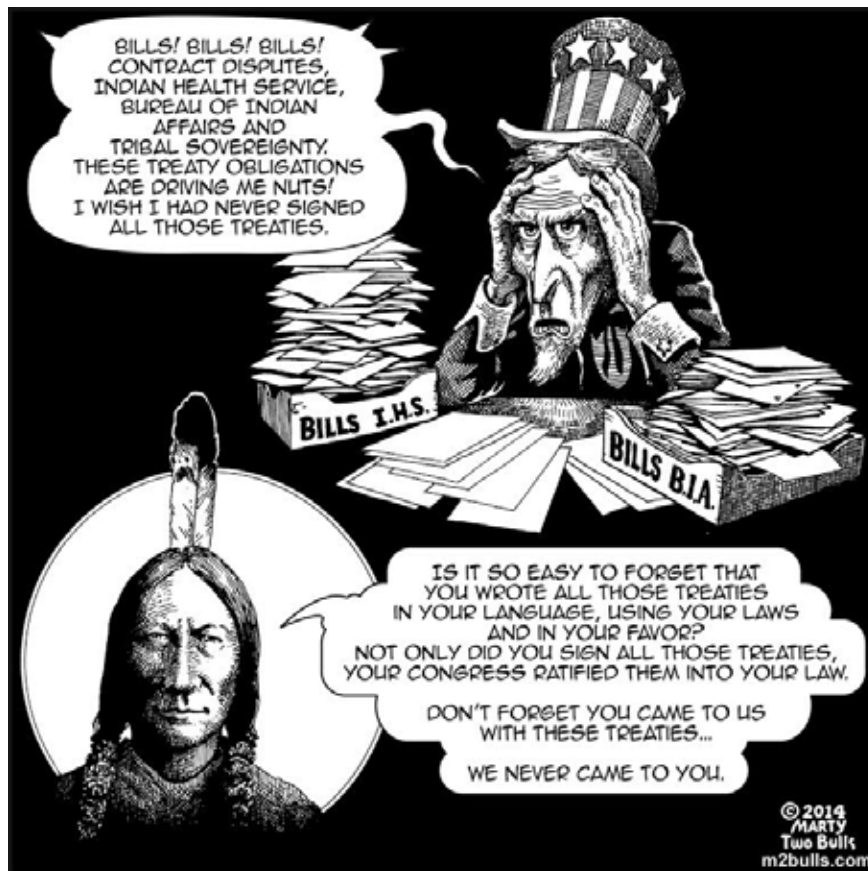
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TOP NEWS ALERTS

From IndianCountryTodayMediaNetwork.com

MORATORIUM ON DRY CREEK DISENROLLMENTS

The Dry Creek Rancheria band of Pomo Indians in the North Bay, California area has announced a 10-year moratorium on disenrollments of tribal members. Over the past few years, the tribe has been disenrolling dozens of its members. But following news reports that spotlighted the procedures, and in advance of the opening of the tribe's casino, the tribe determined that no members would be disenrolled unless they had been convicted of a crime.

LISTENING SESSION ON LAND BUY-BACK PROGRAM

The Interior Department will hold a listening session on May 29 on the Land Buy-Back Program for Tribal Nations, in connection with the \$3.4 billion

Cobell settlement; the department is using the money to buy fractionated interests from landowners, and then return the land to tribes. "The purpose of this session is to gather input from tribes in order for the Department to continue to refine its land consolidation process," the Federal Register announced. The session will take place at the Federal Building in Portland, Oregon.

HO-CHUNK NATION OPPOSES RAIL LINE

The Ho-Chunk Nation legislature has passed a resolution that opposes a railroad expansion in La Crosse, Wisconsin, that the tribe says would pass through sacred tribal sites, in addition to raising health and safety concerns. "This process does require a lot of consultation

and we do need to have that happen, you can't get around it," chief tribal communications officer Arvina Martin told WKBT. BNSF Railway, which has proposed the four-mile line, said that it would "reach out" to the Ho-Chunk and "follow up on their concerns."

TWO TRIBES RECEIVING SETTLEMENT CHECKS

Members of the Northern Arapaho and Eastern Shoshone tribes are receiving settlement checks stemming from a joint lawsuit the two tribes filed regarding oil and gas leases on the Wind River Indian Reservation dating to the 1970s. Approximately 9,700 Northern Arapaho members received checks of \$6,300 last week, and this week some 4,200 Eastern Shoshone were due to receive checks of \$13,200. Tribal

leaders have encouraged their members to open bank accounts with the money, and local bank officials have made extra efforts to facilitate the process.

NEW LEADER FOR CHOCTAW NATION

Gary Batton, former assistant chief of the Choctaw Nation of Oklahoma, was sworn in as chief on April 28. He succeeds Greg Pyle, who led the tribe for 17 years. Batton had been assistant chief since 2007; before that, he held positions that included deputy director of the Choctaw Nation Housing Authority and executive director of health. "My theme is do what is best for Choctaws," he told the hundreds who attended the swearing-in ceremony. "We are a family. We are a tribe. We are not a corporation."

UPCOMING POW WOWS

39th Annual Edisto Natchez-Kusso Pow Wow

5/9/14 – 5/10/14

Four Holes Indian Organization
Community Center
1125 Ridge Road
Ridgeville, SC
843-871-2128

EdistoNatchez-KussoTribe.com/38th-annual-natchez-kusso-powwow/

Mount Airy Veterans Pow Wow

5/9/14 – 5/11/14

Veteran's Memorial Park
691 West Lebanon Street
Mt. Airy, NC
336-749-0593

TheVMF.org

4th Annual Seminole Okalee Indian Village Pow Wow

5/9/14 – 5/11/14

Seminole Hard Rock Hotel and Casino
5716 Seminole Way
Hollywood, FL
954-797-5582

jenniferosceola@semtribe.com
SemTribe.com

46th Annual University of Oregon Mother's Day Pow Wow

5/9/14 – 5/11/14

Matthew Knight Arena
1776 East 13th Avenue
Eugene, OR
503-206-2886

asuonasu@uoregon.edu or
oliviaf@uoregon.edu
<https://www.facebook.com/uonasu>

43rd Annual Stanford Pow Wow

5/9/14 – 5/11/14

Stanford University
Stanford, CA
650-723-4078

chairs@stanfordpowwow.org
PoWow.Stanford.edu

34th Annual Tuscarora Nation of North Carolina Pow Wow

5/9/14 – 5/10/14

Tuscarora Nation Tribal Grounds
288 Tuscarora Nation Road
Maxton, NC
910-844-2036

orenda0405@yahoo.com
TuscaroraNationNC.com

Chi-Tock-Non Kote-U-Pu

5/10/14 – 5/11/14

Mariposa County Fairgrounds
Mariposa, CA
209-742-2244

VisitMariposa.net/powwow

25th Annual Cherokee County Indian Festival & Mother's Day Powwow

5/10/14 – 5/11/14

Rolling Thunder Enterprises
1200 Marietta Highway
Canton, GA
770-735-6275

chipa.wolfe@yahoo.com

Institute of American Indian Arts Pow Wow

5/10/14

83 Avan Nu Po Road
Santa Fe, NM
505-424-2339

nburgess@iaia.edu

<http://www.iaia.edu/calendar/2013-iaia-pow-wow/>

33rd Annual Ben Calf Robe Traditional Pow Wow

5/10/14

Commonwealth Community
Recreation Centre
11000 Stadium Road, Edmonton, Alberta
United States Minor Outlying Islands
Rhonda Metallic
780-944-2000

rhonda.metallic@ecsd.net
Facebook.com/BenCalfRobeAnnualTraditionalPowWow

9th Annual Noxen's Mothers Day Pow Wow

Date

5/10/14 – 5/11/14

Noxen Fire Company Grounds
3493 Stull Road
Noxen, PA
570-947-2097

wisteria18704@yahoo.com

46th Annual Comanche Little Ponies Pow Wow

5/10/14

Comanche County Fairgrounds
920 South Sheridan Road
Lawton, OK
580-583-5279

lowellnibbs@yahoo.com

Facebook.com/comancheponies

25th Annual Cherokee County Indian Festival and Mother's Day Pow Wow

5/10/14 – 5/11/14

Boling Park
1200 Marietta Highway
Canton, GA
770-735-6275

chipa.wolfe@yahoo.com

RThunder.com

22nd Everett Community College Hibulb Traditional Pow Wow

5/10/14

Everett Community College
Everett, WA
425-388-9281

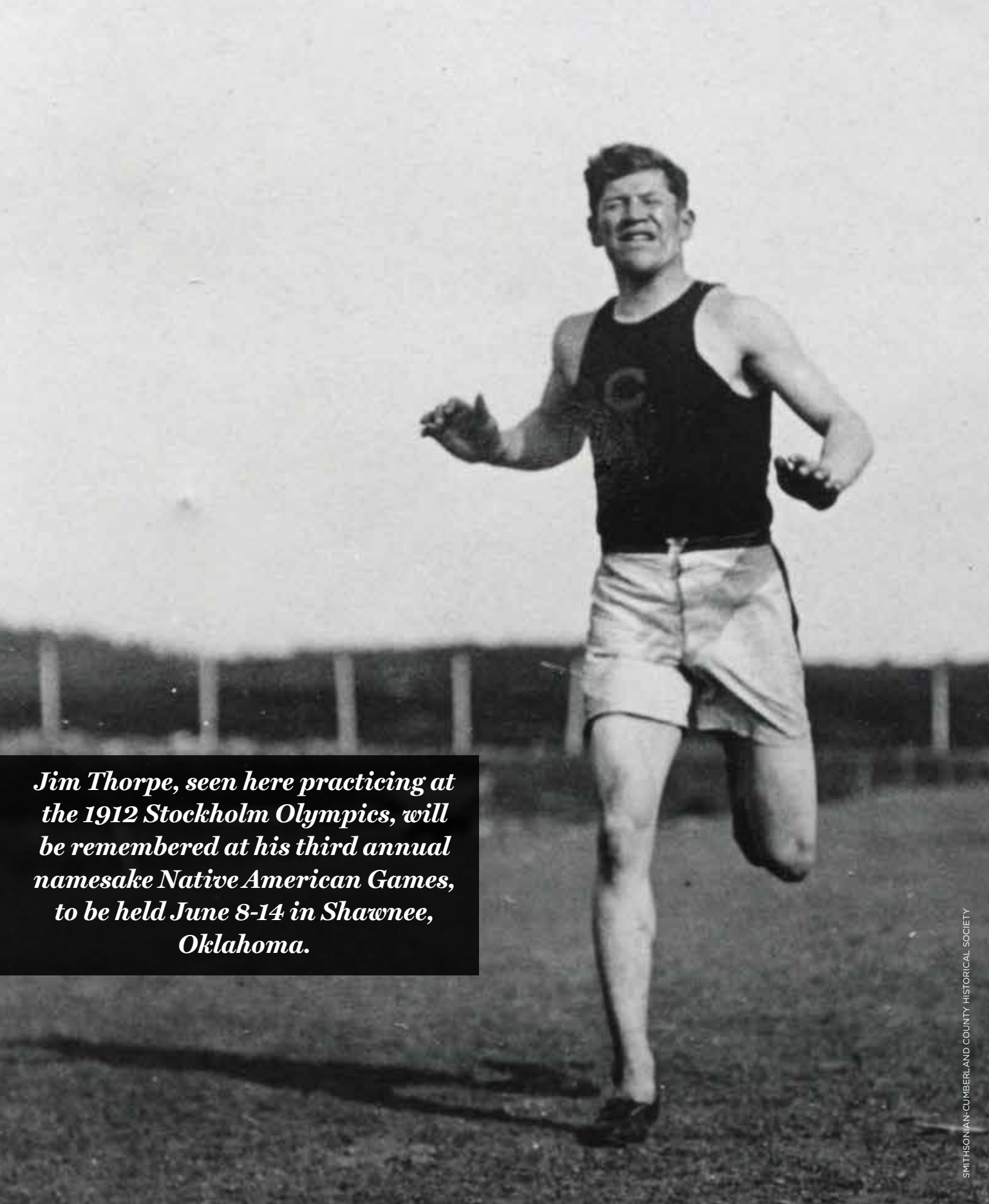
20th Annual Native American Arts Festival and Mothers Day Pow Wow

5/10/14 – 5/11/14

Riverside Park
Grants Pass, OR
541-531-6104

rockyverdugo@yahoo.com

NativeArtsFestival.WordPress.com



Jim Thorpe, seen here practicing at the 1912 Stockholm Olympics, will be remembered at his third annual namesake Native American Games, to be held June 8-14 in Shawnee, Oklahoma.



ASK ERNIE
NIGA CHAIRMAN
TALKS TAXES AND
DREADED "R" WORD



TANGLED WEB
TRIBAL GROUP
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A LETTER FROM THE PUBLISHER

Shekóli. According to the latest available statistics, the Indian gaming industry in the United States continued to grow through 2012, with revenues increasing two percent from the previous year for a total of more than \$28.1 billion. It was the third straight year of growth since 2009, when there was a one-percent drop—the only year revenues declined since the Indian Gaming Regulatory Act in 1988 marked the official start of the industry. Non-gaming revenue generated by native casinos also increased, up three percent from 2011 and topping out at \$3.4 billion, collectively. Growth and expansion are at the heart of many articles in this special print edition of *This Week From Indian Country Today*, published for distribution at the National Indian Gaming Association's Indian Gaming 2014 Tradeshow and Convention in San Diego. It carries news of growth of casino floors and construction of new hotel spaces; plans for a grand shopping mall and more recognition for an award-winning golf course.

If 2013 is any guide, growth in revenue will mean more native philanthropic giving in 2014. Last year, the Shakopee Mdewakanton Sioux Community, which owns and operates the Mystic Lake Casino Hotel, topped the list of Indian nations that generously give to other nations and their surrounding communities by dispersing \$10 million in grants to native causes, governments and foundations. All of these signs point to the decades-old fact that native gaming is a key economic engine and capital-raising mechanism for our nations, which were forced to struggle for years with deprivation and hard-

ship thanks to restrictions placed on the ability of our governments to raise revenue.

While growth and expansion continues, there is one area where we see undeniable shrinkage. In this week's issue, the article, "Fatter Wallets/Skinnier Kids" presents the findings of a study recently published in the *Journal of the American Medical Association*. Researchers from various medical schools gathered data on Indian kids in California, and found a marked decrease in obesity among children whose tribal nations owned a casino. Most important, the research indicated that the reduction in weight was seen shortly after the casino opened, and was long-lasting. While the study of body mass index of the children of tribal citizens of casino-owning nations doesn't demonstrate a causal link per se, the investigators surmise that the reason for the

drop in obesity can be attributed to growth of economic resources for the nations and its members. It doesn't take a scientist to see that rising out of poverty has health benefits, but it is reassuring to know that, for our children, the positive benefits of leaving poverty behind can be immediate and undeniable.

Na ki' wa,

Ray Halbritter





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My Year of 'Exiled Enlightenment'

BY LORETTA A. TUELL



My Nez Perce name is Sik-no-wit-Tats which means "Good Speaker," which was given to me by my tribal elders as a nod that I am to be a "voice" for our people. True to my name, the Creator has blessed me, guiding my path to be a Native American lawyer practicing in the field of Indian law and policy. For more than 20 years, I have worked to become a guiding voice on indigenous issues here in Washington, D.C.—working alongside other Native lawyers in the Congress, the Administration and the private sector. This is my life's passion.

During the 112th Congress, I served as staff director and chief counsel on the Senate Committee on Indian Affairs for Sen. Daniel Akaka (D-Hawaii), the first Native Hawaiian to serve as Chairman. For me, the Committee epitomizes the powerful role of Congress over Indian issues. I seized the opportunity to make a difference, moving quickly to engage Native leaders, teachers, elders, youth—anyone with a "voice" to share their views in the Committee's 44 hearings, 17 roundtables and listening sessions. Our priorities—secure our tribal homelands, protect our natural resources, preserve our cultural identity, advance human and religious rights, expand tribal self-governance, address taxation issues and strengthen self-reliance in Indian gaming. The trade-off for my public service—the ethical rules of the U.S. Senate prohibit any advocacy contact with any Senator or their staff for one full year after leaving my position. True to life's ironies, my ban officially ended on April Fool's Day.

Rather than feel shunned by my one-year ban, I embraced it, and became empowered by it. I opted for a sabbatical of sorts, to use my time in "exile" to explore

other aspects of who I am and what I want to do as a Native American woman living in a global village. This would be my time to grow—a rare opportunity to gain greater insight and gather wisdom wherever I could find it. I just had to watch, listen and learn. Today, as I reflect on this past year, I ask myself: *What have I learned?* and *What should I do next?*

What have I learned? There is an old saying "travel broadens your mind". During this past year, my mind expanded as I explored the rich and vibrant cultures of other countries. Challenging my own boundaries and perceptions, I traveled to India, Turkey, Mexico, Hong Kong and Dubai. Most auspicious was my pilgrimage to India. Along with 40 million other people, I bathed at the sacred confluence (*sangam*) of the three holy rivers: the Ganga, the Yamuna and the invisible spiritual river, the Saraswati during the Hindu celebration known as the Maha Kumbha Mela—Great (*maha*) Festival (*mela*) of the Pot (*kumbh*). It is said, the act of bathing at the site will cleanse the karma (actions) not only of those who bathe, but it also liberates seven generations back and forward. For me, my spirit was at peace as I dipped three times into the cool waters. Truly, it was a once in a lifetime experience, as the particular alignment of sun, moon and planets for this great (*maha*) will not repeat for another 144 years.

Each country I visited brought "exiled enlightenment." Around the globe, I slowed down from the fast paced D.C. lifestyle and opened my mind to learn about different religions, languages and foods. Highlights of my travels include, the Blue Mosque in Istanbul, Turkey; the indigenous artists in Mexico; the largest bronze Buddha in the world in Hong Kong; and the tallest building in the world in Dubai.

What should I do next? Moving for-

ward, I am prepared to return to the hectic pace of being an Indian law attorney and an advisor on the difficult policy issues facing Indian country. My goal—to simply use my voice, along with my new insight and my existing expertise – to advance the vision of Chief Joseph that "men of my race...live as other men live...free to travel, free to stop, free to work...free to think and talk."

Yet, given the current political environment, I believe it is critical that all the "collective voices" within Indian country are joined together in unity. My vision, to strengthen tribal sovereignty; to protect and grow our homelands and resources; to safeguard our Native identity, culture and tradition; and to advance the well-being of our children, elders and Tribal leaders. To that end, I offer two insights for strategic advocacy success:

—Use the Legislative Record. Why start over. Advocates should utilize the vast Indian Affairs legislative record to achieve today's goals. For example, during the 112th Congress, Chairman Akaka created a dynamic record on a host of priorities, like the *Carcieri* fix, federal recognition and Internet gaming. The facts, figures, and impacts developed from written and oral testimony at hearings, mark-ups and filed reports are strategic weapons to be used as catalysts for action. My insight—don't reinvent the wheel, but try to strengthen the existing record to propel forward movement. Keep in mind, few bills are introduced, passed and signed into law during one session of Congress. Instead, just like our ancestors we must persist and persevere, our survival depends on it.

—Build Non-partisan Support. "Today's enemies can be tomorrow's friends" goes the adage. The current political climate underscores the need to build non-partisan support in Indian affairs. It is not self-evident to Democrats, Republicans and Independents that they have a constitutional duty and a trust responsibility to Native Americans. My insight—build non-partisan support with mutual respect and education. Don't let ignorance be an excuse. 🍀

Loretta A. Tuell, Nez Perce, is president of iNative Consulting, a strategic planning and government relations firm.

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Is Your Casino Truly a Place for Everyone?

BY ANN ZENOR



It's always very interesting to see how people react when I tell them my company provides hourly childcare in resorts, spas and casinos. Their expression is at first quizzical, followed

by an incredulous tilt of the head and then chased by a set of pointed questions. "What? Childcare in a casino? How does that work? Aren't you just enabling gamblers?"

The answer I have is simple.

At Kids Quest and Cyber Quest we exist so that children can have their own fun while vacationing at casino-based resorts. Our concept creates a space for kids to play happily and safely while their parents explore and enjoy all our host properties have to offer. The world has changed. Casinos are no longer just about gaming.

Casinos have evolved. In fact, a recent study reported that non-gaming amenities have surpassed slots and table games as a source of revenue for many casino-resort properties. People don't go to casinos to just roll dice or push buttons on a slot machine—they can now indulge in world-class dining, a massage or facial, a round of golf, a movie, a few games of bowling, or a concert—in fact, they may even pull out their credit cards for some great retail shopping as well. Casinos are fast becoming entertainment centers offering the very best leisure options for entire regions—a community hub hosting activities for a wide variety of clientele.

The economy necessitated a re-

evaluation of the marketplace, and the result pushed casinos to diversify the amenities they provided to broaden their appeal as "destination resorts." With more families being attracted to the "new casino," a proactive response becomes necessary not only for business reasons—ethically it's the right thing to do. Bottom line, you simply can't build a hotel, add luxury swimming pools, lazy rivers, water parks, bowling alleys, movie theaters and concert venues, and then ignore the

features and amenities that inevitably bring families to their resorts. The responsible thing to do is be prepared for the needs of the new guest base. Such is the case with childcare. If proactive measures are not in place for families (and options are limited) that's when children are left unsupervised in hotel rooms and cars, or left wandering a gaming property alone. This is where moral obligation comes into play. If childcare is readily available, people will do the right thing—

they just need casino ownership to give them that opportunity.

Parents love their children and will travel with them in tow, but there will always be a need to spend time apart, in order to reconnect with their spouse, partner or friends. Most adults need just a few hours away to be on their own, or to feel like a couple again, and to restore themselves so they can be better

parents; well-rested, intellectually stimulated and spiritually revived parents.

To that end, I will admit that at Kids Quest we are indeed enablers. We enable adults to enjoy much-needed free time, we enable children to partake in play time, and ultimately we enable our business partners to say they have fully addressed the needs of their guests and promoted responsible gaming practices. 🍀

Ann Zenor serves in a variety of capacities for The Learning Tree, including new business development, business communication, facility design, activities and curriculum research, and employee training.

Parents love their children and will travel with them in tow, but there will always be a need to spend time apart, in order to reconnect with their spouse, partner or friends.

fact that your property will attract families with children.

There have always been ethical challenges with bringing little ones into a gaming-based environment—and nowhere is it more thoughtfully debated than within tribally owned casino board rooms and council meetings. Respecting the family is the very core of the Native American culture, never a subject to be taken lightly. Gaming has proven to be a very successful venture for the various Bands, Nations and Tribes in this country. In fact, tribally owned casinos are designed to rival the finest properties in the world, and with that progressive thinking they too have included

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Take It Into Account

Don't treat tribes that give self-determination awards as federal entities

BY CORRINE WILSON & BRUCE BLEAKMAN



A recent Indian Country Today Media Network column by Don Lake and Jerry Noonan titled, "Tribes Move to Form and Independent Tribal Accounting Standards Board" addressed issues facing tribes related to accounting, financial reporting and auditing. The piece states that information contained in the financial statements of tribes

"...for all practical purposes is worthless to any interested user...and understandable only by the preparing CPA firm." It also:

- recommends that tribes move away from organization-wide audits specified by Statement No. 34 of the Governmental Accounting Standards Board;

- asserts that entities created by tribes to administer tribal self-determination awards should follow standards issued by the Federal Standards Advisory Board (FASAB) as part of the federal government;

- recommends establishment of an independent Tribal Accounting Standards Board.

We agree the existing standards do not always consider the many important differences between tribes and other governmental entities. However, treating tribal organizations that administer self-determination awards as federal entities is inconsistent with tribal sovereignty and self-governance and it would not improve auditing, accounting and financial reporting by tribes. Instead, tribes and organizations that advocate for tribes, such as the Native American Finance Officers Association and the National Indian Gaming Association, should redouble their efforts to effect changes in audit-

ing, accounting and financial reporting within the existing accounting and auditing standards. Doing so will improve the usefulness and understandability of financial statements so they better meet the needs of interested users.

Management, governing bodies and auditors of all types of entities—commercial businesses, non-profit organizations and federal, tribal, state and

- American Institute of Certified Public Accountants (AICPA)

- International Accounting Standards Board (IASB)

These organizations establish the standards, guidelines, principles, frameworks and other requirements to produce useful, effective financial information to creditors, investors, grantors, owners, governing bodies, citizens and others.

Treating tribal organizations that administer self-determination awards as federal entities is inconsistent with tribal sovereignty and self-governance

local governments—face an increasingly complex web of laws, regulations, authoritative pronouncements and non-authoritative guidance. Many organizations are responsible for establishing accounting, financial reporting and auditing requirements, including the following:

- Financial Accounting Foundation (FAF)

- Governmental Accounting Standards Board (GASB)

- Financial Accounting Standards Board (FASB)

- United States Federal government

- Federal Accounting Standards Advisory Board (FASAB)

- General Accountability Office (GAO)

- Office of Management and Budget (OMB)

- Securities and Exchange Commission (SEC)

- National Indian Gaming Commission (NIGC)

Each standards-setting organization has established procedures for soliciting and considering input from interested parties, including tribes.

As Mr. Lake and Mr. Noonan point out in their article, the unique circumstances and needs of tribes are still often misunderstood and/or not considered, resulting in standards and requirements not well-suited to tribes and their enterprises. A prime example is the most recent revision to the federal requirements applicable to recipients of federal awards. On December 26, 2014 the Federal Register published an update to OMB's Uniform Administrative Requirements, Cost Principles, and Audit Requirements for Recipients of Federal Awards. The updated OMB rule reiterates the Single Audit Act Amendments of 1996, which require that Single Audit Reporting Packages, including reporting entity financial statements, be made available for public inspection. Previous-

ly, tribes were responsible for allowing public inspections, and only summary information (not including financial statements) was available through the Federal Single Audit Clearinghouse website. As originally proposed, the new OMB rules would have required publication of tribal financial statements on the Clearinghouse website. Because of tribes' objections, as well as the Native American Financial Officers Association (NAFOA) and others, the final rule allows tribes to opt out of having their financial statements published on the Clearinghouse website.

The tribal exemption from website publication is a small victory for tribes, but more work remains to be done. For example, a tribal exemption must be pursued from the Single Audit Act requirement that financial statements be made available for public inspection. In many instances, much of the content in financial statements is sensitive business, operational and governance information; it is private and confidential to tribes. This sensitive content is not related to the administration or expenditure of federal awards, and it is inappropriate to be made available for public inspection.

Until the requirement for public inspection can be changed, some tribes have minimized adverse consequences by designing organizational units and financial reporting structures that isolate activities involving expenditure or administration of federal awards. To comply with federal audit requirements, they prepare separate audited financial statements of only these applicable organizational units to include in the Single Audit Reporting Package. Those separate financial statements are not entity-wide financial statements, but they comply with relevant GASB and AICPA standards and meet the requirements of the Federal Single Audit Act and related regulations. This protects the confidentiality of tribal financial information that is not involved with federal awards.


Would a Tribal Accounting Standard Board benefit tribes? We aren't convinced. The process requires significant resources. For example, the Financial Accounting Foundation, the Governmental Accounting Standards Board and the Financial Accounting Standards Board collectively spend over \$50 million annually, mostly devoted to the accounting standards-setting function. While it may sound appealing to create a Tribal Accounting Standards Board, tribal resources can be deployed much more effectively within the existing structure to improve reporting by tribes for its members and other financial stakeholders.

For many years, the Native American Finance Officers Association (NAFOA), a tribal organization, has focused on technical accounting and financial re-

NAFOA provides input to the Federal OMB and other regulatory authorities on existing regulations and proposed changes.

We believe all concerned tribal financial professionals should join with NAFOA to uphold and strengthen tribal sovereignty by addressing the ongoing and future complex accounting, financial reporting and auditing standards and other financial and business strategies..

Tribes are sovereign, independent nations that govern and manage their affairs and control their resources. As part of their fiduciary responsibility, it is essential that tribes have appropriate accounting, financial reporting and auditing standards so they can better convey financial and compliance information to their constituents and stakeholders..

Audits of all tribal resources help demonstrate a tribe's fiduciary duty to its membership, assist with assessing financial condition, business results and compliance with tribal laws and/or grantor regulations. Audits also provide a financial picture of the use of tribal resources and play a key role in assisting tribal governance and its membership, and the strengthening of tribes for future generations. 

Audits of all tribal resources help demonstrate a tribe's fiduciary duty to its membership (and) assist with assessing financial condition


porting standards applicable to tribes. NAFOA has provided education and advocated for tribes in the accounting standards setting process, as demonstrated by the following:

Since 2000, a Native American CPA has represented NAFOA Governmental Accounting Standards Board Advisory Council.

NAFOA has published accounting and financial reporting guides for tribes and tribal gaming.

In partnership with the American Indian Policy Institute at Arizona State University, NAFOA developed and conducts training and certification programs specific to tribes and tribal gaming. The programs cover the sovereign, legal, regulatory, accounting and financial management of tribes, including federal awards.

NAFOA provided tribal input to the AICPA in the development of their Gaming Guide.

ture of the use of tribal resources and play a key role in assisting tribal governance and its membership, and the strengthening of tribes for future generations. 

Corrine Wilson, CPA, Principal with REDW LLC, a CPA and consulting firm with offices in Phoenix and Albuquerque that works extensively with tribes. She is a member of the Fort McDermitt Paiute-Shoshone tribes, has been a board member of NAFOA, and was NAFOA's GASAC representative 2000-2006. She has more than 25 years of experience as a Tribal CFO and in auditing and consulting for tribes. Bruce Bleakman, CPA, is an REDW Principal (retired) with extensive experience serving tribes and their enterprises. He has served on GASB and AICPA task forces, and served as the project lead for NAFOA's accounting publications.



Ernie L. Stevens Jr., with Adam Beach, Ben Nighthorse Campbell and Billy Mills, says that the tradeshow represents a \$26 billion industry.

The Struggle Continues

Ernie Stevens on Internet gaming, taxation, *Carcieri* and two r-words as NIGA Convention approaches

BY GALE COUREY TOENSING

There's a clock on the National Indian Gaming Association website that's counting down the days to the Indian Gaming 2014 Tradeshow & Convention, which as I write this, is 37 days, nine hours, 15 minutes and five seconds away—sorry, make that four seconds...

The Indian Gaming 2014 Tradeshow & Convention will take place at the San Diego Convention Center May 11-14. This year will mark the 29th year of the gathering known as the Indian Gaming

industry's premier event, which usually draws upwards of 5,000 attendees from almost a dozen countries.

The first day of the convention—Sunday, May 11—will be filled with fundraising golf tournaments at nearby Indian-owned golf courses, topped by National Indian Gaming Association (NIGA) Chairman Ernie Stevens Jr.'s Chairman's Welcoming Reception. The reception will take place again this year on an aircraft carrier-turned-museum—the USS Midway Museum in San Diego's

Navy Yard. The tradeshow and convention begin in earnest the next day with general membership meetings, regional caucuses, special award presentations, training sessions, workshops, cultural events, luncheons, receptions and more. A full schedule of events is available on the website IndianGaming.org.

Internet gaming, a clean *Carcieri* fix and taxation are unresolved issues carried over from previous years, Stevens said. Stevens was re-elected by acclamation last year and is serving his seventh two-year term as NIGA's chairman and national spokesman.

"With the Internet gaming issue, we have to be on guard because you never know what people will do. We want to be ready," Stevens said. He pointed



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to 2006, when the Unlawful Internet Gambling Enforcement Act (UIGEA) was “dropped” into the legislative mix and passed into law. UIGEA was an anti-Internet gaming bill, but since then the debate both in and out of Congress has focused on legalizing Internet gaming.

“NIGA’s priority is to make sure that any proposals protect tribal sovereignty and existing tribal government rights and tribal-state compacts. Any Internet legislation must meet the principles that NIGA member tribes adopted,” Stevens said.

According to the principles, any legislation must assure that: sovereign Indian tribes have the right to operate, regulate, tax and license Internet gaming; Internet gaming must be available wherever it’s not prohibited; Indian gaming revenues are not taxable; state compacts and the Indian Gaming Regulatory Act (IGRA) must be respected and not opened for amendments; and Internet gaming must provide economic benefits for Indian country.

NIGA is supporting passage of the Tribal General Welfare Exclusion Act, a bill that would stop the Internal Revenue Service from imposing federal income taxes on benefits tribal members receive from a wide range of tribal government programs and services, such as education scholarships, funds to attend and participate in cultural events, housing benefits, bereavement stipends, and many others. In addition, it will put an end to IRS agents showing up unannounced on reservations to conduct audits of tribal governments’ expenditures that have not been and never should be subject to taxation. “The Tribal General Welfare Exclusion Act will strengthen tribal

sovereignty and ensure a strong Indian Country voice in future decision-making at the U.S. Department of Treasury,” Stevens said.

And then there’s *Carcieri v. Salazar*—the devastating U.S. Supreme Court ruling that limited the Depart-



NIGA's Internet gaming subcommittee meeting at Mystic Lake Casino Resort

ment of the Interior’s ability to take land into trust for tribes not under federal jurisdiction in 1934.

February marked the fifth anniversary of the high court’s ruling, but Congress has not been able to pass a bill to “fix” it by clarifying that the Interior Depart-

“Racism is a strong word that people use to hide behind. If I call somebody a racist that’s their out because if I drop the r-word that’s something to hide behind. Something as strong as that only empowers them,” Stevens said.

So, do you think it’s something beyond racism? ICTMN asked.

“No, I think they think it is... I think they can convince people that it’s something else when it’s really trying to stop Native progress, not giving tribes their rightful status as agreed to by treaties and the United States Constitution – sovereignty, all that stuff, they don’t want to stand by any of that. But they don’t want it to be called racism because they just don’t want to do it, They just don’t want communities to have the neces-

sities, have a nice school, have a hospital. They just don’t want that,” Stevens said.

“And the other thing to hide behind is the fact that a few tribes have got a lot of resources so their governments can meet their capital needs and per capita payments so they try to make that small minority with resources the

norm of Indian country and then say Indian country doesn’t need the resources that are obligations under the treaties and Constitution. But we do, we know the statistics are way on the other side in Indian country when it comes

to need, jobs, employment, health and so on. We continue to struggle -- even the tribe that aren’t federally recognized.”

Where does Stevens stand on the other r-word—the name of the Washington Redskins football team?

“Adamantly opposed,” he said. “Shocked and dismayed that we’re still fighting this battle in this day and time.”

“With the Internet gaming issue, we have to be on guard because you never know what people will do.”

ment has the authority to take land into trust for all federally recognized tribes.

“As right as the passage of a clean *Carcieri* fix is and as appropriate as it is, we’ve still got to fight for it. It’s so unfortunate that we have to be involved in this kind of fight in this day and time,” Stevens said.

Do you think racism is preventing the *Carcieri* fix from happening? ICTMN asked.

Key Thoughts From KeyBank:

Economic Development Plans Must Diversify to Sustainably Meet Community Needs



Mike Lettig

Many nations throughout Indian Country benefit from single sources of revenue that help to mitigate pressing community challenges. To have lasting and significant change, Indian Country is striving to create communities that develop core infrastructure (stable government, health, education, and employment) and go beyond basic community services.

The problem is better community services require sustainable revenue. Revenue (other than grant and contracts) is limited by the kinds of businesses that can be developed and attracted to Indian Country.


A solution might be an economic growth plan that incorporates infrastructure development into each step of the ongoing services development. Proposed business ventures should include plans to improve community infrastructure.

For guidance, Indian Country leaders could take a look at how corporations build business models to recruit top talent by reinforcing the connection between the community quality of life and employment opportunities.

The following are examples of Indian Country integrated economic development:

- Southern Ute Indian Tribe, the largest employer in La Plata County CO, creates and operates new businesses off and on the reservation in a wide range of industries. The tribe's Southern Ute Permanent Fund has Triple A rating and assets spread out over 14 states and the Gulf of Mexico. The Southern Ute Community Action Program offers a range of community services such as child and family development, public transit and job training.
- The Pullayup Tribe of Indians in the Pacific Northwest has an economic development arm, Marine View Ventures, Inc., that boosts land assets and creates jobs. MVV manages assets including commercial real estate, industrial/port real estate, marinas, gas stations and billboards.

Given tribal differences, it is not appropriate to mandate specific steps in developing an integrated economic development plan. That said, there are at least two characteristics all tribes share. All tribes cope with challenges such as the responsibility for self-governance and protection of sovereignty. Just as importantly, all tribes have unique resources that cannot be duplicated, and as such have tremendous value.

Tribal leadership can create an integrated economic development strategy that is tailored to the priorities of their tribe and their people by empowering tribal members to become part of the solution and identifying immutable challenges and unique resources with economic potential. 

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Rodney Butler, front left; Scott Butera, front right, and tribal council members acknowledge employees during Foxwoods's 20th anniversary

The Never-ending Wonder of It All

The iconic Foxwoods Resort Casino: past, present & future

INTERVIEW BY GALE COUREY TOENSING

The Mashantucket Pequot Tribal Nation's Foxwoods Resort Casino is iconic in the world of Indian gaming. Beginning as a high-stakes bingo operation in 1986, it evolved seven years later into the biggest, wealthiest, glitziest gaming facility in the country. The Nation's rags-to-riches story was reflected in an early marketing slogan: The wonder of it all. Earning a

billion-plus a year in revenue, Foxwoods has poured more than \$3.7 billion into state coffers since opening. Along the way, the Nation has fought some major legal battles and forged new paths for Indian country. Among other things, it was the first to deal with labor disputes under the National Labor Relations Act and the first to face enormous debt and restructuring. It successfully changed a

federal law to allow long term leases on Indian land to encourage investors, and most recently, it fought a tax issue lawsuit that it won in federal district court only to be reversed in an appeals court. Today, with casino earnings down and regional competition increasing, Mashantucket Pequot Chairman Rodney Butler talked to Indian Country Today Media Network about Foxwoods' past, present and future.

Is the golden age of Indian gaming over?

There are only so many people with so many hours, and so first movers like Mashantucket and Mohegan had an advantage in the late 80s with bingo and in the 90s with gaming. We had an untapped market with tremendous potential. As time passes and more competition comes into the market you don't necessarily see growth overall, you just see the spreading of the pie to the

other facilities. In the last five years with Rhode Island, Connecticut, New York and Pennsylvania, the overall gaming market's grown less than 10 percent yet the number of facilities has grown ten-fold. I think the overall market will still grow, but as far as Mashantucket goes, our peak earning days for the single property are most likely behind us.

So what's ahead?

But that doesn't mean our overall earnings potential isn't there in the future and we will continue to focus on growth – we're just not going to see that growth come out of the New England gaming market.

But it's still okay?

Yeah, it's still a good business. You don't realize how exceptional it was until those times are gone, but when you sit back and say 'We still have a billion dollar market here'—that's not bad! And it could be worse—there are tribes out




Rendering of Tanger Outlets at Foxwoods, featuring upscale brands and designer retailers

there who have never had and probably will never have this opportunity.

The new Casino City Indian Gaming

Report shows an increase in revenues of 2 percent to \$27.1 billion for 2012. And Indian gaming is now 43 percent of the casino industry in the U.S.



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The Mashantucket Pequot recently broke ground for a new \$115 million Tanger Outlet mall at Foxwoods.

What do you think of that?

The overall U.S. gaming market including lottery and race tracks was \$92 billion in 2007 and it recovered back to \$92 billion by 2012 after substantial decline, even after all the new product in the market. If you look at casino gaming only, the US market was \$64 billion

the casino market but I put out a cautionary tale: Let's celebrate it, but let's realize that we don't want to see that peak at 43 percent and keep the party going as we're down to 30 percent and 20 percent. We have to truly reinvest in our facilities, reinvest in our properties and make sure that we're being very fis-

So we're looking at other amenities that correlate with driving and gaming markets and one of the biggest is retail -- a national pastime. People love to shop. We have a lot of people visiting here. Why not give them what they want? And we were fortunate enough to partner with one of the best outlet

developers in the country—Tanger Outlets. It will open in May 2015 in 300,000 square feet and feature more than 80 leading brand name upscale fashion outlet discount stores.

How does the partnership with Tanger work?

We set up a leasing structure. Seven years ago we were instrumental in getting the first long term [Indian] land lease law passed. Previously, 25 years was the cap on leases to non-Natives, which wasn't enough time for a third party investor to get a return on his investment. We were successful in getting that extended to 75 years. That was a specific law for Mashantucket but it was a frame-

"We need to reinvest our current earnings wisely to preserve our economic independence for future generations."

in 2007 and now \$65 billion in 2012. Same point, essentially flat revenue with a lot of new product in the market making every dollar of revenue that much more competitive. This is why we need to reinvest our current earnings wisely to preserve our economic independence for future generations. It's absolutely incredible that Indian gaming is 43% of

cally responsible as well with those earnings.

Were you not fiscally responsible earlier? Is that what caused the need to restructure \$2.3 billion of debt?

I don't think we were as fiscally responsible as we could have been. We made incredible investments in Mashan-



"First Roll" at High Rollers Luxury Lanes & Lounge

work that was later used to extend it for all of Indian country.

Talk about your online gaming site.

Foxplay is our online gaming initiative. We wanted to do two things: get our site here at Foxwoods up and running and go out and sell that service to other Indian and commercial gaming companies interested in getting into online gaming. We've seen an incredible amount of interest. We've had north of 20,000 active accounts signed up, close to 200,000 visits to the site and here's the interesting thing -- it's actually for free play yet people buy online credits to play the game. So we've done a substantial amount of sales -- not in the millions but to the tune of several hundred thousand in online credits. So not only does it make a bit of money but the tremendous marketing value and data collection that you can get from the players that you can integrate into the resort is second to none. We think everybody should be in the same position of getting your presence online established now in play for free as quickly as possible and work out all the bugs so that when real money gaming comes, you're ready to go, you just flip the switch.

What are the rewards and challenges of being the largest, most successful Indian casino?

We're facing many of these issues because of our success. It says we were and have been and continue to be successful and there's a tremendous reward in that. And being able to break the mold—at first, you're thinking how to make it better here at Mashantucket, but knowing that once you break through it sets the pace for the rest of the nations -- that's extremely rewarding. The challenge is when you're facing something that's pioneering, nobody's ever been there before so there's really no reference point. So we do a lot of analysis here, a lot of legal work and just gut- and brain-storming and try to find simple approaches as we go through the uncharted waters. 🍀



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The Desert Diamond Casino & Hotel in Tucson, which opened in late 2007, was the first casino/hotel facility in southern Arizona.

It's Your Spiniversary!

It's party time as Tohono O'odham celebrates three decades of gaming and progress

BY LEE ALLEN

The month of April is officially party time among the 28,000 members of the Tohono O'odham Nation scattered across some 4,500 square miles of reservation land in southern Arizona.

While planning is underway to celebrate the centennial establishment of the reservation, there's another milestone to be feted first. Party hats have been ordered in celebration of the tribe's 30th anniversary of Desert



Today's Desert Diamond Casino in Tucson started as a bingo hall in an oblong tent in 1984.

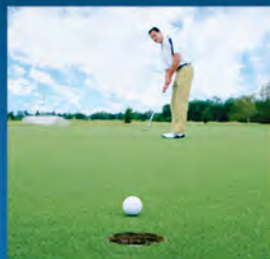
COURTESY TOHONO O'ODHAM SAN XAVIER DISTRICT (5)

Diamond Casinos & Entertainment. Festivities kick off on April 4 with a performance by the Doobie Brothers at the Sahuarita location.

The economic climate significantly changed for these dwellers of the Sonoran Desert in 1984 when the tribe opened Papago Bingo Hall in Tucson. The Nation quickly recognized the prospect of greater revenue generation and signed its first Indian gaming compact, turning its small bingo operation into the Desert Diamond Casino. Six years later, the tribe opened a satellite casino in Why, Arizona, followed by the Sahuarita gaming house in 2001. In 2007, the tribe's original Tucson-based casino was replaced with a new gaming facility, as well as a hotel, convention center and entertainment arena. The tribe has a fourth venture on the drawing table, the multi-million dollar West Valley Resort slated for Tohono-owned acreage in the Phoenix Valley.



The Tucson casino offers more than 1,000 slots, poker, live blackjack, high-stakes bingo and keno.



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The Desert Diamond Sahuarita site, located along Interstate 19, halfway between Tucson and the Nogales border with Mexico

Desert Diamond's three existing facilities currently employ more than 1,300 workers, making the casino operation one of the region's largest employers, ranking alongside military, governmental, manufacturing and tourist industry efforts. When salaries, subcontractors and services are combined, it's estimated the tribe's gaming operations inject over \$25 million into southern Arizona's economy annually, a respectable percentage of the \$1.8 billion generated in 2012 by Arizona Indian-owned casinos, according to the just-released Casino City's Indian Gaming Industry Report.

When the Tuc-

son hotel venue opened in 2007, then General Manager Henry Childs told Indian Country Today Media Network: "You need to think strategically, proceed with your business plan, and market aggressively." They have done all that, particularly on the gaming and entertainment fronts, and now everyone gets to celebrate the benefits in the form of month-long festivities that include more than a million dollars worth

of giveaways.

Current and long-time Tribal Chairman Dr. Ned Norris, Jr., functioned as director of community relations at Desert Diamond during the time of the big change and was one of the principals involved in the creation and perpetuation of this success story.

In his casino days, Dr. Norris was responsible for discovering staff talent to move the mission forward. Apparent-

ly he had a knack for finding the right folks, because a number of employees who started in the bingo tent have been with the Tohono gaming industry operation since its inception.

"Not only have we provided the tribe and the southern Arizona community with jobs and economic development, we've reinvested in all our employees."

Chief Operating Officer Libby Francisco just celebrated her 19th anniversary and says the job still provides it's fair share of challenges as well as rewards, giving her the true sense of accomplishment. "I love my job and being part of the many transitions, growth and success," she told ICTMN.

Reflecting on the tribe's economic evolution over three decades, Francisco said, "The difference is like night and day, and we continue to grow and take new steps."

Another Ned Norris hire was Treena Parvello, who now counts 15 years on the job. "I've been able to see the evolution of positive change, the growth, maturity and sophistication as we've overcome obstacles. Not only have we provided the tribe and the southern



The original bingo tent that became Desert Diamond Casino

Arizona community with jobs and economic development, we've reinvested in all our employees." In her case, the Tribe paid for Parvello to earn her MBA and now she says she's "happily paying back my dues" in a job which gives her that opportunity.

When it comes to longevity, keno

and bingo manager Jesus Contreras takes top honors. "I started when it was high-stakes bingo with over 1,400 people in the hall. It was crazy," he says. "Now it's a different kind of crazy with bingo, Keno, slots, poker and blackjack. I went there thinking it was going to be a part-time job, but it turned out to be my lifelong career. I've been blessed, because it was the right choice."

Recognizing that a 30th anniversary comes only once, the Nation has pulled out all stops throughout the month with April 17 being the key date as it coincides with the official start of modern gaming for the tribe. A Million Dollar Diamond Spiniversary will conclude with end-of-the-month drawings for lucky winners at each of the three casino properties. 🍀

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Accounts Receivable Manager

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Exempt, Full-time, 40 hours/week

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- Conducts staff meetings and conferences with staff to explain work requirements, methods and procedures as needed.
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- Analyzes and resolves complex or difficult problems presented by subordinates and Revenue Cycle staff.

Experience:

Three years of Specialized accounting experience in accounts receivable and collection processes and two years supervisor experience overseeing patient collection services within a health care or hospital setting.

Education:

Bachelor's degree in Business Administration, Finance or related field

Patient Registration Manager

Salary Range: \$60,736 - \$75,920

Exempt, Full-time, 40 hours/week

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Essential Duties:

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- Plans, assigns, directs, and monitors the work of subordinate staff
- Develops, recommends and implements policies and procedures for Patient Registration/Admission to ensure consistency.
- Prepares and administers annual budget.
- Provides technical assistance to management.
- Conducts meetings and gives presentation regarding Patient Registration.
- Ensures that all patient demographics and third party resource data is updated and accurate according to the organization requirements.
- Makes the final determination on direct care eligibility of all individuals seeking care who have not previously established eligibility.
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Home page for Lac du Flambeau Band of Lake Superior Chippewa Indians' free online play site, Lake of Torches

Internet Tribal Gaming Group Tests the Waters

BY ROB CAPRICCIOSO

A new tribal Internet gaming consortium is steadily taking shape as part of growing movement of such efforts that are sure to capture the attention of federal regulators and, probably, the courts.

The effort, called the Tribal Internet Gaming Alliance (TIGA), is pursuing what organizers say is the most conservative approach of a recent batch of tribal online gaming pioneers that

include the Inter Tribal Gaming Association (ITOGA), founded by several already successful California, Michigan, and Oklahoma gaming tribes, and Great Luck LLC, championed by the Alturas Indian Rancheria Tribe of northern California.

"We have immediate, short-term, and long-term goals," says Jeffrey Nelson, a lawyer with the Indian affairs firm Kanji & Katzen who has played

a major role in organizing the TIGA endeavor over the past year. "Immediate: A networked virtual currency play platform where tribes will not have to share their player databases, yet can benefit from shared costs and attract online players into their casinos. Short-term: Development of class II real-money games (poker, slot-like bingo and traditional bingo) where TIGA will take bets from the collective gaming eligible Indian lands of our member tribes. Long-term: Better ability to lobby and compete in statewide, national and international online gaming markets."

Rather than making an immediate large cash profit, TIGA organizers want to establish a coalition of tribes pursuing the like-minded interest of shaping federal Internet gaming policy. With signals coming frequently from legislators in Congress indicating they want to tinker in this field, TIGA or-



TIGA's Jeffrey Nelson of Kanji & Katzen

ganizers think the right approach is to have a foot in the water, while not rocking the boat.

Small tribes that have not been able to establish major gaming enterprises

to date may be especially interested in joining TIGA, Nelson says, for the relatively safe leverage it provides in getting involved in this field without much legal risk at zero cost to join.

As opposed to ITOGA and Great Luck, TIGA does not plan or even want to take wagers from places that are not in its reservation-based network, which currently includes two tribes, the Lac du Flambeau Band of Lake Superior Chippewa Tribe and the Bad River Band Chippewa Tribe. Six council representatives from the two tribes have elected Duane Chapman from Lac du Flambeau as the TIGA Interim Chairman—an interim title because the group does not yet have the three tribes necessary in TIGA's treaty to make its business committee formally operational.

"Geofencing technology is robust enough to allow TIGA to take real-money bets only from the collective



Duane Chapman, TIGA interim chairman

gaming eligible Indian lands of its member tribes," Nelson says, noting that geofencing refers to different types of technology where platform operators can verify the physical location



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Rep. Jason Chaffetz, R-Utah, left, and Sen. Lindsey Graham, R-S.C., introduced legislation that would overturn licensed online gaming in states.

of the customer, whether that person is sitting at a desktop or on a mobile device; some examples are GPS, cell phone signal triangulation and ISP identification. “With that comes the ability to fence certain areas where you either will not take bets, or conversely where you will only take bets,” he adds. “So TIGA can have a database of gaming eligible Indian lands of its collective member tribes, and [it can] take bets only from customers who are physically present within those areas.”

TIGA also has some international ideas brewing. Letters of support for the alliance have already come in from the Isle of Man and the Kahnawake Gaming Commission in Canada, which means that tribes in TIGA could have avenues of performing gaming within these nations in the future.

Some tribal Internet gaming entrepreneurs and even tribal leaders have questioned why TIGA is choosing a long-term approach to taking part in

an online gaming field that is ripe for development right now.

Nelson responds that TIGA is operating under the current parameters of federal law, while also preparing to help shape and compete in any new legislative initiatives.

“If there are any legal challenges, I would expect to win them,” Nelson says. “We are offering a way for tribes to get involved and get ahead of the competition without jeopardizing anybody’s gaming license or future ability to get a gaming license in other jurisdictions.”

Nelson says that it was important to tribal organizers that tribes in TIGA also be able to participate in other Internet gaming activities, and they may belong to groups like ITOGA and Great Luck as well.

Like TIGA, ITOGA and Great Luck organizers believe they are operating within the parameters of the law, yet they are admittedly taking more

chances than TIGA.

Lee Helper, an organizer with Great Luck, explains that the class II games his venture offers are available to “anyone anywhere” and “do not have to be on Indian lands.” Great Luck organizers think they are legally sound in offering this service because their online gaming servers are located on sovereign Indian lands, and the games they offer are all web browser accessed and electronically enabled.

ITOGA, meanwhile, has built itself up based largely on the four tribal safe harbor provisions of the 2006 Unlawful Internet Gambling Enforcement Act (UIGEA). Like Great Luck, ITOGA depends on Internet servers based on Indian reservations, and for a while it intended to it go farther by accepting wagers as loan transactions through tribal-owned payday lending operations. But as scrutiny of the tribal payday lending field has increased, ITOGA decided to shelve that plan, according to a November ar-



Rob Rosette, a lawyer for ITOGA

ticle in the Washington Post.

Rob Rosette, a lawyer for ITOGA, has made the case that since the federal government has not explicitly said that tribes cannot operate class II gaming

over the Internet – and the UIGA provides a path for doing so – it is worth being aggressive here.

Still, some Congress members appear unhappy with the early Internet gaming efforts of both tribes and commercial entities. Sen. Lindsey Graham (R-South Carolina) and Rep. Jason Chaffetz (R-Utah) recently introduced bipartisan legislation that would reestablish the 2006-11 federal interpretation of the 1961 Wire Act. Under that interpretation, licensed online gambling in states including New Jersey, Nevada, and Delaware would become illegal. Joe Valandra, CEO of Great Luck, said in a press release that tribal jurisdiction over class II games could be “severely compromised” as well if the bill were passed.

In light of such hurdles, Nelson says TIGA members are happily taking the safe road, yet he notes that it has taken longer than he expected to get three tribes to sign on as founding treaty



Joe Valandra, CEO of Great Luck, LLC

members.

“Tribes are being careful and doing their due diligence,” Nelson says. “[I]n Indian country, if something seems too good to be true, it probably is.”



LAND CONSOLIDATION EFFORTS UNDERWAY

The Land Buy-Back Program for Tribal Nations, created to implement part of the *Cobell Settlement*, is offering fair market value to landowners for voluntarily restoring fractional land interests to tribes, which helps ensure that Indian lands stay in trust.

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A Class II and Class III Act

Indian Gaming Topped \$28.1 Billion in 2012

BY GALE COUREY TOENSING

The Indian gaming industry across the country continued to grow in 2012 with a 2 percent increase in revenue to more than \$28.1 billion, according to Casino City's Indian Gaming Industry Report.

The comprehensive annual gaming report by Alan Meister, an economist with Nathan Associates Inc., provides 2012 statistics for the nation and by state on gaming and non-gaming revenue; Class II vs. Class III gaming; number of facilities, tribes, gaming machines, and tables; and revenue sharing with state and local governments, and

much more.

Calendar year 2012 was the third straight year of growth since 2009, when Indian gaming revenue dropped by one percent—the only revenue decline the industry has experienced since it was launched by the Indian Gaming Regulatory Act in 1988.

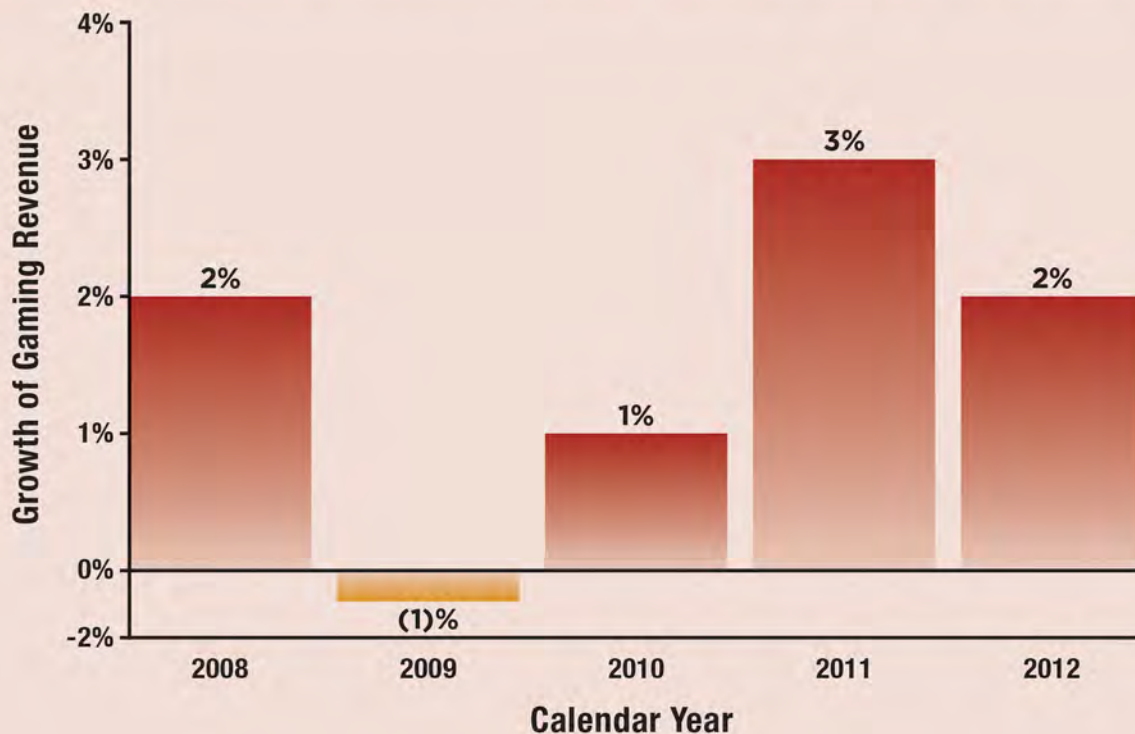
The industry was moving in the right direction, Meister said, “However, amidst a slow-growth economy, Indian gaming grew at a slower pace than it did in calendar year 2011 (3.4 percent). Indian gaming’s 2012 growth rate was also below its prerecession growth rate

(4 percent in 2007).”

In addition to the 2 percent increase from \$27.5 billion in 2011 to \$28.1 billion in 2012 gaming revenue, Indian casinos generated approximately \$3.4 billion in non-gaming revenue, reflecting nearly 3 percent growth over 2011. This was the second consecutive year of non-gaming revenue growth for Indian gaming.

Indian gaming grew at a slower pace than commercial gaming, Meister said. Commercial casino revenue grew by 4 percent from \$28.4 billion to \$29.4 billion, while the racetrack casinos—called

Growth of Gaming Revenue at Indian Gaming Facilities, 2005-2012

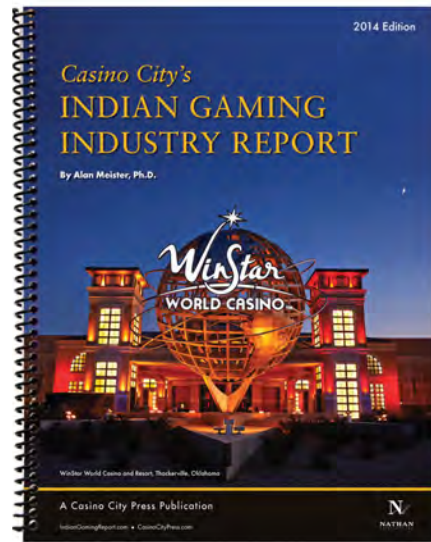


racinos—grew 8 percent. “In fact, it has been 18 years since the commercial casino segment had a higher annual growth rate than Indian gaming. The faster 2012 growth rate for the commercial casino and racino segments was largely driven by the introduction of casinos in new or expanding jurisdictions,” Meister said.

Despite the disparity in growth, Indian gaming generated approximately 43 percent of all U.S. casino gaming revenue, while commercial casinos generated approximately 45 percent of casino gaming revenue, and racinos generated the other 12 percent.

Indian gaming in 2012 included 468 tribal casinos operated by 243 tribes in 28 states. California had 68 Indian casinos in 2012, the same as in the previous two years, and had the highest revenue, \$6.96 billion, an increase of 0.8 percent.

Oklahoma, the nation’s No. 2 Indian gaming market, collected \$3.7 billion in 2012—an increase of 6.6 percent—from 118 large and small casinos.



The 2014 edition by Alan Meister

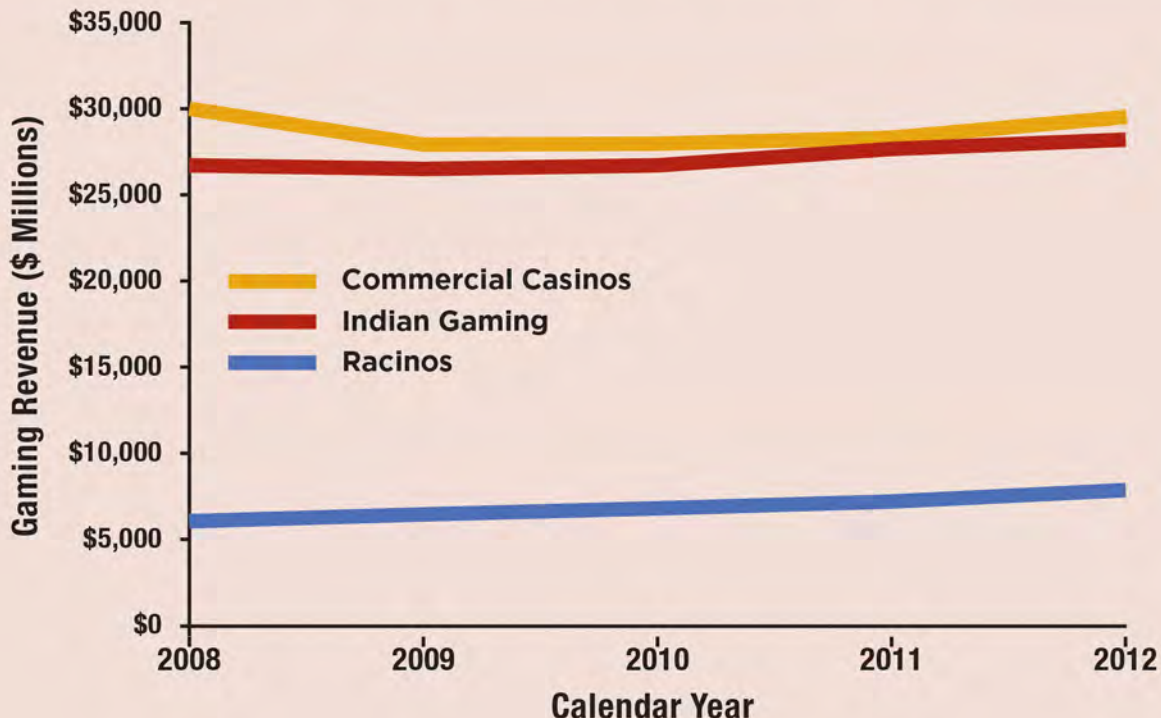
California and Oklahoma generated 38 percent of the overall Indian gaming revenue in the U.S. The top five states—

California, Oklahoma, Washington, Florida and Connecticut—accounted for 60 percent of the nation’s gaming revenue. The top 10 states, which also include Arizona, Michigan, Minnesota, Wisconsin and New York, generated 86 percent of total gaming revenue.

Indian gaming facilities, including non-gaming operations, directly and indirectly generated approximately \$91 billion in output, 679,000 jobs, \$30 billion in wages, and \$9 billion in taxes and revenue-sharing payments to federal, state and local governments.

Looking to the future, Meister predicted that Indian gaming is likely to experience only modest growth, while the economy grows at a slow pace. “However, as the economy improves over time, it will lead to higher disposable personal income, consumer confidence and spending on casino gambling. In any case, performance is likely to continue to vary widely across Indian gaming facilities, tribes and states.”

Casino Gaming Revenue by Market Segment





In 2002, the Quechan Tribe added a Mediterranean-themed destination across the state border in the California desert: Quechan Casino Resort.

Hearts and Diamonds In the Rough

Quechan Tribe's Casinos Draw Gamers Across Borders

BY LEE ALLEN

If you walk out of the Quechan Tribe's Arizona casino, the California state line is only 18 inches away, so it made business sense to have a casino in both states.

Today the 45,000-acre reservation

that straddles the lower Colorado River, just north of the Mexican border, houses two bustling gaming houses—Paradise Casino in Yuma, Arizona, and Quechan Casino Resort in Winterhaven, California.

It's been 20 years since the Quechan Tribe of the Ft. Yuma Indian Reservation entered the field of gaming with their 300-seat bingo hall. In 1996, the tribe expanded operations, opening Paradise Casino, which initially offered 475 slots, live poker, keno and bingo, and a

full-service restaurant.

Thanks to the area's warm winter temperatures, the casino capitalizes on the cold weather tourism trade, additionally aided by Interstate 8, which several million cars traverse annually on their way to and from Phoenix and San Diego.

To accommodate growing consumer demand, the tribe debuted Quechan Casino Resort on the other side of the state line in 2002, just six minutes from Yuma, where they could offer table games under California State law.

PARADISE CASINO; QUECHAN CASINO RESORT



Hot summers and relatively warm winters draw visitors to Paradise Casino in Yuma, Arizona.

“It was an economic boom time and gamers showed up left and right.”

The newest addition was deemed a “Mediterranean Oasis in the Desert” by YumaSun.com, with the Casino City Times describing it as “a transformation of sand-covered hills into a new \$200 million casino-resort.”

Tribal member Charles Montague Sr., general manager of Paradise Casinos, says: “It was a wise move to put two casinos close together, because, initially, Arizona didn’t have any table games, but California did. It was an economic boom time and gamers showed up left and right.”

Quechan Casino Resort’s nearly 3,000-square-foot gaming space houses 1,000 gaming machines and two-dozen table and poker games, open 24/7. Table games include six-deck and double-deck Blackjack, Pai Gow and Three Card Poker, while eight live poker tables deal Texas Hold’em and Omaha Hi-Low splits. High-rollers are awarded VIP treatment in the region’s only high-limit room with multi-denomination

reel slot machines, video reel slots, Keno and video poker machines and double-deck Blackjack.

Two restaurants are available to feed hungry gamers—Sidewinders Grill and Ironwood Steakhouse—and 166 guest rooms (including eight 800-square-foot suites) await exhausted gamers and other consumers who partake in the resort’s other entertainment options.

The 20,000-square-foot Pipa Event Center is one of the area’s largest venues for entertainment, special events and meetings with a full-size stage and seating for 2,300. Paradise Casino on Quechan Drive in Yuma keeps its 500 new and classic slot machines humming by continuing to add new floor games.

Despite a drop in gaming participation during the recession, the casinos have contributed to the tribe’s economic vitality. “Looking at both properties, our trips are up over last year at Quechan Casino Resort and substantially up at the Paradise facility,” says Montague. 🍀

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Fatter Wallets = Skinnier Kids

Casinos associated with lower obesity rates

BY TANYA LEE

New research shows that opening a new tribal casino, or expanding an existing one, is associated with a reduction in child-

hood obesity. The finding is extremely important, according to researchers, because obesity is a significant problem among American Indian child-

dren and adults, and because being overweight or obese in childhood has impacts that can eventually become life-threatening.



A recent John Hopkins study reveals that casinos reduce poverty and waistlines—particularly among American Indian/Alaska Native youth.

THINKSTOCK (2)

The research does not prove a causal relationship between casino development and fewer overweight/obese kids, but it does strongly suggest that such a relationship exists. Johns Hopkins' Department of International Health's Jessica C. Jones-Smith, lead investigator for the project, says, "This is a strong study that is not as methodologically rigorous as a randomized control trial but that offers better evidence towards causality than most other observational designs."

The research also shows that the reduction in overweight/obese children associated with casino development appears to

*The risk of being an overweight/
obese American Indian/Alaska
Native child dropped 0.19 percent
per new slot machine.*

be long-lasting. "In this time period of 2001 to 2012, different tribes opened their casinos at different times, and we did look at whether the time that you opened the casino had any impact on our estimate of the casino's impact on obesity," Jones-Smith says. "It didn't, so it looks like throughout this time whenever you opened the casino you still experienced a decrease in the risk for obesity."

Thus, a tribe that opened a casino in the early 2000s showed the same reduction in overweight/obese children as one that opened a casino five or six years later.

Researchers looked at 117 California school districts that encompassed tribal lands, based on information from the U.S. Census Bureau. Of those school districts, "57 gained or expanded a casino, 24 had a preexisting casino but did not expand, and 36 never had a casino." Then they looked at body-mass index (BMI) for the children in those districts based on information supplied by the California Department of Education. Forty-eight percent of the BMI measurements for children whose parents identified the child's race as American Indian or Alaska Native were classified as overweight/obese.

In school districts that encompassed tribal lands where a new casino had been built or an existing casino expanded between the years 2001 and 2012, the risk of being an overweight/obese American Indian/Alaska Native child dropped 0.19 percent per new slot machine. Since there were on average 13 new slots per capita, the total reduction in the risk of being overweight or obese averaged 2.47 percent. Each new slot represented a per capita increase in annual income of \$541 and a decrease in the number of people living in poverty. For the average of 13 new slots per capita, this would mean a 7.8-percent reduction in the number of people living in poverty.

The investigators concluded that the most plausible explanation for their findings is that opening a new or expanding an



Researchers found that areas with casinos are linked to higher incomes.

existing casino increased families' and communities' economic resources and that in turn led to a decrease in the risk of children being overweight or obese. 🎰



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Venue Wishes Upon the Stars

The Mohegan Sun Arena is the place to watch NCAA women's basketball

BY MARK FOGARTY



WNBA stars Tina Charles and Maya Moore during the 2013 All-Star game at Mohegan Sun.

The Mohegan Sun Arena recently increased its presence in women's basketball as the casino facility hosted the first American Athletic Conference tournament in February.

American Indian basketball celebrities Shoni and Jude Schimmel provided some of the fireworks for the newly created league's first finals. The sisters, from the Umatilla reservation in Oregon, played three games at the Uncasville, Connecticut, facility for the Louisville Cardinals, who lost the championship game to the University of Connecticut.

The 10,000-seat Mohegan Sun is the home court of the Mohegan-owned Connecticut Sun of the Women's National Basketball Association. In 2013

it played host to the WNBA All Star game.

At the time the deal was announced last year, Mohegan Tribal Gaming Authority chief executive Mitchell Etes credited the casino's collaboration with the Sun for the Mohegan Sun Arena scoring the opportunity to host the Big East women's basketball tournament (which later morphed into the American Athletic Conference, or AAC). "This is what bringing the Connecticut Sun here has done for us, it has made us a true entertainment company, not just a gaming or hotel company," Etes said.

AAC Commissioner Mike Aresco agreed with Etes. "Mohegan Sun Arena offers our student-athletes, coaches and

fans the best of many things—a world-class facility, a great destination and committed management.


According to the Hartford Courant, the deal includes the conference's option to host the NCAA Division I tournament at Mohegan Sun next year as well.

The AAC was playing its inaugural tournament after being created out of a realignment of the Big East and other conferences. Besides UConn and Louisville, the ten-team league includes Rutgers, the University of South Florida, Southern Methodist University, the University of Houston, the University of Cincinnati, the University of Central Florida, the University of Memphis, and Temple University. All 10 teams played in the single-elimination tournament.

Shoni Schimmel made the go-ahead basket for Louisville in the most exciting game of the tournament, the quarterfinal match with the University of South Florida. Jude Schimmel put the game out of reach with two foul shots just a few seconds later, and the Cardinals won 60-56. Shoni Schimmel led all Louisville scorers with 17 points.

The younger Schimmel sister is not a starter for the Cardinals but was a crowd favorite, with the Louisville band leading spectators in serenading her with the chorus of the Beatles' "Hey Jude" after each basket.

Shoni Schimmel had 15 points and Jude 6 in Louisville's trouncing of the University of Houston in their quarterfinal game, as the Cardinals won the game by 45 points. But Louisville, seeded number 2 in the tournament and number 3 in the nation, couldn't stop the top team in the conference and in women's college basketball, the University of Connecticut.

This year's undefeated Huskies squad, touted as one of the best teams ever to play college women's basketball, rolled over the Cardinals by 20 points in front of a large contingent of in-state fans, despite Shoni Schimmel's 20-point effort. More than 8,000 fans attended the championship game at Mohegan Sun, and more than 7,500 attended the thrilling semifinal against the University of South Florida. 

Is the Fix Finally In?

Senator Jon Tester introduces a clean *Carcieri* fix

BY ROB CAPRICCIOSO

Sen. Jon Tester (D-Montana), chairman of the Senate of the Committee on Indian Affairs (SCIA) since mid-February, has introduced a pro-tribal legislative solution to the controversial 2009 Supreme Court *Carcieri v. Salazar* decision that limited the Department of the Interior's ability to take land into trust for tribes not under federal jurisdiction in 1934.

Tester's bill, introduced April 1, reaffirms the Secretary of the Interior's authority to take land into trust for all tribes, regardless of when they were recognized by the federal government. His legislation does not exclude any tribes on issues like off-reservation gaming or location, as past *Carcieri* legislation considered in the Senate has done.

"I know that there are a number of my colleagues who have an interest in this legislation and would like to see changes to this bill," Tester said on the Senate floor. "I want to let you know that I stand ready to work with each of you to craft a bill that the Senate can enact and that will end this problem of two classes of tribes forever."

Tester sought to introduce a clean fix quickly into his tenure leading SCIA, Senate aides said, because he believes this is an issue causing economic uncertainty and costly litigation for many tribes, as well as for the U.S. government.

"This decision has had a significant impact on tribes in every part of this country, whether it is the Poarch Band of Creek Indians, which is facing spurious litigation over its status as a tribe; the Samish Tribe of Washington, which has been waiting four years for a *Carcieri* determination; or the Little Shell Tribe of my home State of Montana, who could be affected by this ruling if they are granted federal recognition, as they should be," Tester said in his introduction of the bill. "Moreover, the *Carcieri* decision has spawned more harmful litigation, including *Salazar v. Patchak*, where the Supreme Court ruled that individuals have six years to challenge

a tribe's trust land acquisition, and *Big Lagoon Rancheria v. California*, where the Ninth Circuit essentially ruled that there is no time limit on challenging a tribe's status or its trust land acquisitions."

Tester noted at a March 12 gathering of the National Congress of American Indians (NCAI) in Washington, D.C. that problems for tribes stemming from *Carcieri* have been ongoing for five years and counting. "While I believe a clean fix is a solution, many of my colleagues in the Senate don't agree," Tester cautioned at NCAI. "Even Indian country is divided on the issue. I can tell you that I plan to introduce a clean fix, but it must come with the support and pledge of Indian country to come together on this issue and engage in meaningful dialogue."

"At the end of the day, we need the votes to pass the legislation," Tester added.

Many tribes and Indian organizations have argued that land-into-trust policy should not be tied to gaming policy.

"When we look at the map of the nation, we need to know where we stand on the issue. And when we look at the Senate, we need to know how we reach sixty votes. So let's be realistic. We will not receive the full support of my Democratic colleagues, so the question becomes how we bargain with Republican leaders to make meaningful inroads to solve this issue."

Randy Noka, a councilman and ambassador with the Narragansett Indian Tribe, told Tester at the NCAI meeting that while Indian country may not be 100 percent supportive of a clean fix, he believes there is overwhelming tribal support for one. He noted at the time that over 30 Native organizations that represent hundreds of Indian tribes had signed letters of support for a clean fix.

"Maybe not 566 federally acknowledged tribes, but overwhelmingly, Senator, we support a clean *Carcieri* fix," Noka told Tester. "We are ready to stand side-by-side with you."

Sens. Jerry Moran (R-Kansas), Mark Begich (D-Arkansas), Tom Udall (D-New Mexico), Heidi Heitkamp (D-North Dakota), Patty Murray (D-Washington), Martin Heinrich (D-New Mexico) and John Walsh (D-Montana) have signed on as co-sponsors to Tester's bill.


Bipartisan clean *Carcieri* bills have already been introduced in the House this session of Congress, and a clean *Carcieri* fix passed the House in a previous session of Congress. The Senate has not moved a *Carcieri* bill.

Tester's legislation stands in contrast to draft legislation floated by Sen. Maria Cantwell (D-Washington) late last year before she exited the SCIA chairmanship. Her legislation called for a fix that would exclude the Narragansett Tribe of Rhode Island, and it made modifications

to federal rules that would make gaming impossible or more difficult for some tribes. Many tribes and Indian organizations have argued that land-into-trust policy should not be tied to gaming policy, as they are distinct issues.

Cantwell's legislation was not drafted with wide consultation from tribal leaders, as opposed to Tester's, which is said to have wide-ranging tribal support.

Retired Sen. Daniel Akaka (D-Hawaii) pushed for passage of a clean *Carcieri* fix when he led SCIA before Cantwell, but that effort was stalled by legislators including Sen. Dianne Feinstein who would only support a legislative compromise that tied limits on off-reservation gaming for some tribes to *Carcieri* legislation. Some tribal lobbyists who want to limit casino competition for their clients have worked with Feinstein to develop *Carcieri* compromises that in effect create two classes of tribes.

Interior in March issued a legal opinion that has allowed it to continue taking lands into trust for tribes no matter their dates of federal acknowledgement, but the opinion could be ignored by future presidential administrations. 



In January, Pechanga Resort & Casino unveiled the multimillion-dollar renovation of its hotel lobby, which features “water chandeliers.”

Doubling Down

The high-ticket renovation of Pechanga Resort & Casino expected to improve economy

BY LYNN ARMITAGE

Ernest White Eyes has been dealt a very good hand. The 52-year-old Oglala Lakota native, who has worked in gaming for nearly 20 years, recently moved to Southern California with his wife and 2-year-old son. After an extensive search for casino work, he was one of about 100 people recently hired at the newly renovated Pechanga Resort & Casino in Temecula. In a state with unemployment still hovering around 8.5 percent,

White Eyes considers himself one of the lucky ones.

“I was hoping to work in a bigger operation, and this is one of the biggest casinos in California right now,” said White Eyes, who was hired as a dual-rate dealer (a floor supervisor and a blackjack dealer). He is especially grateful that he doesn’t have to pool his tips, as was the policy in other casinos where he worked. “I’m very happy. It’s more money down here and better benefits,”



Tuna sashimi at Umi Sushi & Oyster Bar

he said.

It took four months and 30,000 man hours to complete, but the multimillion-dollar renovation (exact cost is undisclosed) of the Pechanga Resort & Casino is expected to have a positive economic impact on the Temecula region, most famous for its wines, for many years to come.

Dr. Manfred Keil, an economist and associate professor at Claremont McKenna College, estimates that the wages

and purchases of more than 350 construction workers, as well as the nearly 100 new, permanent positions created within the resort, will result in a much-needed \$20 million pumped back into the local economy.

"Pechanga is one of the most popular destinations we have in the region," said Kimberly Adams, founding president of the Temecula Valley Convention and Visitors Bureau. According to bureau statistics, travel spending in Temecula amounted to \$625.3 million in 2012—much of it from visitors to Pechanga.

"I think when people get here, they have no idea that it is the largest casino in California," said Adams. One Pechanga spokesperson said the casino floor is even larger than any in Las Vegas.

What's more, Adams said the renovation was something the local community was really looking forward to. "Just to be able to have something new and fresh, and to inspire a new kind of traveler...people who travel for the newest luxuries...is exciting for us to see."

Some of the highlights of the renovation include a 22,000-square-foot lobby decked in Italian marble, mahogany and brushed brass, two new restaurants—Umi Sushi & Oyster Bar and Blends Coffee & Wine Bar—as well as upgrades to Blazing Noodles and Pechanga Café. There are also plans in the works to renovate the rooftop nightclub, Eagle's Nest. Resort officials stressed that ecological touches were used wherever possible, in alignment with tribal values.

"We set out to renew and transform the lobby and restaurants into a focal point for guests to come into our grand entrance and say, 'Wow!'" said Patrick Murphy, president of the Pechanga Development Corporation, in a press release issued by the resort.

That's precisely the reaction that White Eyes had. "It's beautiful, really classy. When I first walked in, I thought, 'Wow! It's fantastic!' I have never seen a casino like this." Specifically, the Native blackjack dealer appreciates all the tribal touches. "There are great oak trees all over the casino, and they have eagle-feather lights—and lights made out of baskets! ... It's very oriented to the Pechanga tribe, and the other casinos in the area don't look as tribal as this."

Pechanga Resort & Casino is owned and operated by the Pechanga Band of Luiseño Indians. It officially opened in June of 2002, and according to its website, has been the primary source of funding for many high-cost improvements and social services on the reservation.

White Eyes, who grew up on the Pine Ridge Indian reservation in South Dakota, believes that the Pechanga renovation has really hit its mark. "The hotel is full every night, especially on the weekends." And he believes it's his job to keep these guests coming back. "The people who come to play on my table, even though they lose, they are there to be entertained,




Officials cut the ribbon to unveil the new lobby replete with responsibly sourced marble.

so I make it fun for them."

Entertaining is in White Eyes' blood. He said his great-great-grandfather, Jacob White Eyes, was the Native interpreter for Buffalo Bill's Wild West Show and traveled all over the United States, Great Britain and Europe with the production. 📍

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Apache Sky is slated for the southwestern portion of the reservation, about a 45-mile drive from Apache Gold Casino Resort (pictured above).

Reach for the Apache Sky

San Carlos Apache Nation plans for \$10 million renovation and a second casino

BY LEE ALLEN

It's no wonder that a primary economic focus for the San Carlos Apache Nation is recreation and wildlife. The tribe's Arizona-based, 3,000-square-mile reservation, which encompasses seven biotic regions ranging from desert to forest, teems with some of the largest antler-bearing elk in the world, as well as deer, big horn sheep, javelina, antelope, black bear, mountain lion, wild turkey and more,

making it a big and small game hunting destination.

The tribe's unspoiled lakes and streams, offering Native species like Apache Trout, attract anglers, and the tribe's waters also allow for year-round recreational pursuits like whitewater rafting, kayaking and canoeing.

Twenty years ago, the tribe expanded its business offerings with its first gaming enterprise, Apache Gold Casino Re-

sort, five minutes east of Globe in Gila County, Arizona. In addition to gaming, the casino offers a 146-room Best Western Hotel, an 18-hole championship golf course Apache Stronghold, a cabaret with live entertainment, and a 60-space RV park.

But the San Carlos Apache Tribe remains one of the poorest Native American communities in the country, according to the 2010 U.S. Census. For the estimated 10,000 reservation residents, the median household income is \$26,915 (compared to \$51,310 for the rest of the State of Arizona). Forty percent of all households have incomes of less than \$20,000, and less than half

COURTESY APACHE GOLD CASINO RESORT



of the youth population was categorized as being employed. A sound economic base is important for any locale, but especially so within this tribal community dominated by young people—nearly 40 percent of the current population is under age 18.

The tribe hopes its next endeavor will change their economic climate. The tribe is gearing up to open its second gaming facility, Apache Sky Casino. Plans call for it to be built some 50 miles away from the first site, along a sparsely populated stretch of Highway 77 (Milepost 127). The roadway is known as the Copper Corridor because it runs through small mining communities. While travelers can spot the glowing casino signs from the highway, it will be reachable via a half-mile-long access road.

On the drawing boards since 2007, the concept of a second casino was shelved some five to six years ago when the country's economy began to tank. A recent feasibility study indicated the current outlook is more promising.

"It's time," says Gary Murrey, CEO and general manager of Apache Gold and the planned Apache Sky. "We need to generate dollars to pay for infrastructure, social programs, and health efforts on the reservation. The sooner we can bring long-term economic stability to

the tribe, the better."

Even as a \$10 million renovation is underway at the Apache Gold property, phase one construction on the 230-acre Apache Sky location just outside the village of Dudleyville should be completed by April of 2015. The gaming facility will open its doors with some 500 slot machines, about a dozen table games, six poker tables, a restaurant, and a lounge. This part of an overall ambitious development project is anticipated to cost between \$25-\$30 million. It's anticipated there will be a couple hundred construction jobs to put the pieces together and ultimately as many as 500-600 living wage jobs to revitalize the community once the builders are done.

Depending on how well the casino performs, phase two could include a 150-room hotel and possible additional features such as a conference center, multiple restaurants and entertainment options, like a bowling alley or a theater. "Phase two might be five years down the road," Murrey says.

Currently hotel rooms in the area are minimal to non-existent, and it's hard to keep visitors overnight. Tim Kanavel of the Pinal County Economic Development says the casino (with hotel) development plans could change all that and

draw more visitors from the Tucson and Phoenix metropolitan areas who might extend their stay. Although the casino itself will be on sovereign land, Pinal County will also reap ancillary benefits because of its presence.

"We've not yet done an economic study because everything is currently a moving target and it would only be a guesstimate at this point, but we know the County will end up generating money from this ambitious project," said Kanavel.

"We see this as an economic benefit to the tribe and the community of Dudleyville," says Pinal County Supervisor Pete Rios, a long-time supporter of gaming on Indian lands.

"Under our compact with the state, our tribe is allocated two such gaming facilities and we're pleased the Board of Supervisors has given their enthusiastic support of our second location," says Terry Rambler, chairman of the San Carlos Apache Tribe.

While hiring preference will be given to tribal members—including temporary construction work to permanent staff positions, "we anticipate a good number of hires will come from off-reservation, perhaps half the new employees or more, because of the home-to-work travel distance involved for many Apaches currently living in San Carlos," Kanavel says.

As time passes, the trip to work may be shortened. "I can't speak for the tribe," says Murrey, "but I believe they intend to ultimately build a community in the area to help support those tribal members who might want to work at Apache Sky." 📍



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Viejas Bingo incorporates many of the features, amenities and conveniences that guests requested, Kelley said.

The Bingo Mall

Viejas Tribe brings gaming to a shopping center

BY DIANA SAENGER

The Viejas Band of Kumeyaay Indians selected a highly trafficked area for its new bingo hall—the Viejas Outlets. It is believed to be California's first bingo hall in a shopping center.

Bingo has a long history at Viejas. Starting in 1977 it's been moved several times to provide room for the growing number of players. It was during refurbishing the casino after completing the first hotel and prepping for the second, that the new plan for bingo was derived.

"We wanted the best use for the casino floor space and to add more slots—

key revenue for casinos," said Robert Scheid, vice president of community and public relations. "We relocated Anna's Linens in the Outlets to a better location and their spot became the new dedicated bingo hall."

The hall has a 6,000-square-foot bingo floor with 400 seats, dedicated smoking and non-smoking areas, a snack bar and valet parking. Players can use traditional paper sheets and daubers, or portable handheld electronic bingo tablets and flat-screen monitors that allow them to play up to 500 bingo games at a time.

The new hall will accommodate 400 players three times a day to the Outlets which will also spur more business for the shops, eateries and other entertainment venues in the Outlets which is directly across the street from the Casino and hotel. A long line of players—many who arrived half a day before the ribbon cutting—was energizing for the Viejas Tribal Council Members who supported this idea.

"It was an honor to see friends, supporters and business partners from the county of San Diego, Imperial Valley and other counties as well," Scheid said. "The tentacles that come out from an enterprise like this have benefits that go both ways in the community financially and otherwise."

Viejas Bingo will award \$45,000 in April and a chance to win one of two new FIAT 500s. However, the tribal decision to relocate was also about satisfying the players.

"We responded to guests' request: more room, a snack bar, and no smoke to walk through before getting to their seats," said Viejas Tribal Chairman Anthony Pico. "In aboriginal times quests services were very important to us, and my elders told us when other tribes would come through we would make sure they had a place to stay, rest and get provisions before moving on. That's why we continue those traditions; it's part of our genetics. We're grateful for all who keep coming back, because in our hearts we really enjoy being of service."

Chris Kelley, General Manager of the Viejas Casino & Resort, added, "We are committed to bringing the best casino resort experience to San Diego today, tomorrow and for years to come."

COURTESY VIEJAS OUTLETS

Tee for Two—or Four

Turning Stone golf courses honored as some of the best

The Turning Stone Casino Resort in Central New York is home to three world-class golf courses—Atunyote, Kaluhyat and Shenendoah—and each of them was recently awarded one of *Golfweek* magazine's most prestigious awards.

The courses were listed in *Golfweek*'s Best Casino Courses of 2013, and the Association of Golf Merchandisers (AGM) selected Turning Stone's Shenendoah Golf Club as one of the nation's top golf shops.

This is the seventh consecutive year Turning Stone's three courses made *Golfweek*'s exclusive list. "We are thrilled that our courses and shop have received these recognitions for excellence," said CEO of Oneida Nation Enterprises Ray Halbritter in a press release. "As anyone who has played our courses can tell you, the quality of the golf at Turning Stone is truly second to none and we will continue to make Turning Stone a top destination for golfers from across the country and around the world."

The Shenendoah Golf Club received an additional honor, the 2014 AGM Platinum Award. The club was recognized as one of the "best of the best." AGM honorees are judged on new ideas, creativity, adaptability and best practices.

Shenendoah and the other honorees will be feted on the main stage at the PGA Merchandise Show in Orlando, Florida, on January 22, 2014.

Turning Stone's courses have held several major, pro-golf events, including the PGA Tour's B.C. Open and Turning

Stone Resort Championship, and PGA Professional National Championship, and have hosted some of the sport's biggest names, including Tiger Woods, Dustin Johnson and Rickie Fowler. And each year, the Nation's Atunyote Golf Club hosts the annual Notah Begay III Foundation Challenge charity event, which Woods won in 2009.

If you're not a golfer, there are plenty of other ways to enjoy Turning Stone's 3,400-acre complex, which offers world-class dining, accommodations and entertainment options. Turning Stone recently expanded with a new \$25 million, multi-venue entertainment complex called Exit 33.

Last month, the resort's TS Steakhouse was honored in OpenTable's top 10 Best Ambiance Restaurants in the New



The Tom Fazio-designed Atunyote golf course at Turning Stone Resort

York Area.

Turning Stone's Skaná Spa was recently named to the Best Casino Hotel Spas and Best Spas for Golf in SpaFinder Wellness Readers' Choice Awards.

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The beautiful exterior of Graton Resort & Casino, located in Rohnert Park among the rolling hills of Northern California's wine country.

Dressed to Impress

The Graton Resort & Casino opens big

BY LYNN ARMITAGE

I'm so excited!" shouted Eileen Braden of Napa, fast-walking from the parking lot to the entrance of the Graton Resort & Casino in Rohnert Park, California, last November. "This is so close to home—now I don't have to go to Tahoe or Reno anymore."

Like Braden, they came from all over Northern California and from as far away as Asia—skilled gamblers, amateur fortune seekers and regular folks hoping to get lucky at the new \$800 million casino they had heard so

much about after nearly a year and a half of construction.

"I heard we broke all major casino records as far as openings and intake," said Greg Sarris, tribal chairman of the 1,300-member Federated Indians of Graton Rancheria who won federal recognition for his tribe in 2000.

Record crowds were good news for Graton tribal members, who, Sarris said, will start receiving per capita payments after the first quarter. "But they are not going to be significant," he said.

"We have nearly a billion-dollar debt to pay off."

Inside the casino, once you looked past the serpentine lines of people waiting for bathrooms, food, alcohol and their reward cards, it could be the Happiest Place on Earth—for adults—with 3,000 slot machines, 144 table games, an 18-table poker room, three fully-stocked bars and 13 restaurants. Visually, the designers hit the jackpot. The casino literally glitters from 361 chandeliers and decorative accents in glass, marble, mother-of-pearl and stainless steel.

Graton is surely dressed to impress, hoping to capture a piece of an already



Let the games begin: Spin the wheel, roll the dice or play your hand at 3,000 slots, 144 table games, and limit and no-limit live poker games.

dense gaming market of more than 60 Native-owned casinos in California. Sarris is particularly interested in wooing the Bay Area and wine country crowds with award-winning chefs and top local wines.

"There is plenty, plenty of money to go around," said Sarris when asked about elbowing aside the competition. The Press Democrat reports that the casino will generate about \$533 million within two years in a Northern California market shared by 20 casinos.

Surrounding communities are poised to benefit from gaming profits, too. According to The Los Angeles Times, the tribe will pay about \$9 million a year to Sonoma County for 20 years, and \$251 million to Rohnert Park over 20 years for public safety, education and other services.

But the tribal chairman insists it's not

about getting a new color TV. "Our job as Indian people in this tribe is not to repeat the paradigm of greed in business that has put the world in the condition

ment benefits. "We will be the largest employer in Sonoma County with a \$60 million a year payroll," he said.


A 300-room "elegant" hotel and spa with a sun atrium are also in the works, Sarris shared. But what he is most proud of is a project that will give back—an organic farm that will be built on some remaining acres next to the casino. "We will employ undocumented folks and low-risk prisoners and pay them living wages, then sell the vegetables at cost to low-income families so they can enjoy the kinds of vegetables that rich folks get to eat from Whole Foods."



Sky, the casino's center bar positioned beneath a magnificent skylight

that it is in today, but to use this opportunity to build a home, a safe home for all of us, once again."

Sarris has ensured that every one of his 2,000 employees, including part-timers, receive full medical, dental and retire-

Graton Resort & Casino is managed by Station Casinos of Las Vegas. The 1,300-member tribe of Federated Indians of Graton Rancheria is made up of Coastal Miwok and Southern Pomo Indians. 



Chairman Darrell Mike, City of Twentynine Palms Mayor Dan Mintz and Courtney Andrade-Gonzalez cut the ribbon at the grand opening.

Tortoise Rock Ready to Roll

Tortoise Rock Casino in Twentynine Palms celebrates its grand opening

After 10 months of construction, the eagerly awaited 30,000-square-foot Tortoise Rock Casino, owned and operated by the Twenty-Nine Palms Band of Mission Indians, debuted on March 31. Following a private reception and ribbon cutting, a capacity crowd of 1,201 people at one time tried their luck on the 490 slot machines, seven table games and live poker.

“Let’s toast the future of this community and what lies ahead,” said Twenty-Nine Palms Band of Mission Indians Chairman Darrell Mike, reported the *Hi-Desert Star*.

The boutique casino is located in the quaint Mojave Desert enclave of Twentynine Palms, California, just outside Palm Springs and nestled between Joshua Tree National Park and one of the country’s largest military training facilities, the United States

Marine Corps Air Ground Combat Center.

The kick-off event featured musicians Bobby Furgo and Rojer Arnold, while sporting events were broadcast on several televisions.

Mike said the new gaming establish-

The casino features beautiful and eco-friendly designs, such as drought-tolerant landscaping with high-tech recycling and water-reclamation features.



Tortoise Rock Casino is open to anyone 18 and older and aims to attract people from the nearby Marine Corps Air Ground Combat Center.

ment is significant for many reasons. “Tortoise Rock Casino is not only a significant milestone for our Tribe, but we are also very happy to bring jobs and add excitement to entire high desert community,” he said.

Tortoise Rock Casino features beautiful and eco-friendly designs, such as drought-tolerant landscaping with high-tech recycling and water-reclamation features. Tortoise Rock Casino will offer quick bites at an affordable price at Oasis Grille, along with live music, sports viewing events and beverages at Shelly’s Lounge.

An estimated \$1.4 million went to construction wages alone, with local contractors and crews given preference. Tortoise Rock Casino will employ more than 100 full and part-time employees.

The tribe also owns Spotlight 29 Casino in nearby Coachella. 🎰



Most of Tortoise Rock’s 160 full- and part-time employees received training at Spotlight 29.

Highway 69 Revisited

A flash new casino resort is coming to Arizona

BY LEE ALLEN

The worst-kept gaming secret among Arizona's tiny Yavapai-Prescott Indian Tribe has been confirmed: There's a new resort-style destination casino on the drawing boards.

The 1,400-acre reservation in central Yavapai County, Arizona, is adjacent to Prescott, which is already home to two facilities: Bucky's Casino and Yavapai Casino. The former adjoins the 160-guest-room Prescott Resort and Conference Center situated on "Top of the Rock" of Prescott, Arizona's "Mile High City." The resort offers stunning views of the town and the nation's largest continuous forest of Ponderosa pines. Free "Gold Rush" express shuttle buses run daily from Phoenix, located less than 100 miles southeast of Prescott. Other tribal enterprises include a 250-acre shopping center, Frontier Village, featuring a large collection of national brands, and Sundog Business Park, located just two minutes from Prescott and housing more than a dozen industrial office businesses. Of the approximately 150 enrolled members of the Yavapai-Prescott tribe, 115 live on the reservation.

The tribe's newest endeavor is slated for a 12-acre site along the main highway, Arizona 69, at the intersection of the Yavapai Connector. The tribe anticipates a late 2016 opening.

A formal press conference made the rumors official on Saturday, April 5. Tribal General Manager Rich Marcum has confirmed the basics with Indian Country Today Media Network: the as-yet-unnamed lodging and gaming

site will offer 50,000 square feet of casino space and up to 80 hotel rooms.

"At this point, we don't know what we'll call it or what the design will look like," he said. "We're planning a strategic focus group for tribal member input and we have the summer to determine those details. The next milestone will be an architect's rendering expected in late June. The tribe has long wanted a more modern hotel destination to replace the aging Bucky's and Yavapai casinos; and with other tribes building "resort-style" properties, they felt the time for them to build was now."

According to a Yavapai College Regional Economic Development Center study, the new casino will be an economic boon for the growing Prescott Valley. "For this project, it worked out to an \$80 million impact to the region over the next 18-24 months," said Marcum. That figure reflects direct and indirect benefits of the project cost as well as related increased spending in the local economy.

The 99-year-old Leo A. Daly architecture, engineering and interior design firm will lead construction and development of the project.

The destination hotel and gaming facility is intended to attract new customers from outside the region, in addition to local gamers. The new casino will feature several restaurants serving a variety of cuisines, a central bar, and flexible event space to accommodate a variety of entertainment events.

According to the Arizona Department of Gaming, the state's gaming compact with the Yavapai-Prescott



Richard Marcum



Bucky's Casino in Prescott, Arizona

tribe allows for 566 slot machines and 90 card tables. The existing Bucky's Casino has 309 slots, 11 poker tables and half a dozen blackjack tables, while Yavapai Casino offers 244 slots. Early information indicates the operations of the two, current facilities will be consolidated in some fashion, temporarily, and Marcum has been quoted as saying that once the new hotel is open sometime in 2016, the two older casinos will close.

"Jobwise, there will be an offset," said Marcum. "There will be some downsizing through attrition during the consolidation phase with job increases expected on the hotel-side of the new casino. Overall we expect little or no job loss and only small employment gains, perhaps 20 to 30 employees."

The modernization of the resort is expected to generate more revenue. "We estimate, conservatively, that casino revenues will increase between 10-15 percent over current volume," Marcum said. 🎰



Rendering of Omak Casino Resort, which would serve as a conference center and cater to the Canadian clientele

Play and Stay

Colville Tribes plan first hotel with casino

BY JACK MCNEEL

This will be our first hotel," says Mike Finley, chairman of the Colville Business Council. The Confederated Colville Tribes own three small casinos but no hotels. Surface preparation and some excavation for the site of the new Omak Casino Resort will begin about April 15, so cars can reach the location and people can attend the groundbreaking, which is projected for early May. The anticipated opening is about 12 months later.

Randy Williams is Director of Corporate Gaming for the tribes and he outlined details of the complex. "It's a \$43 million project. It includes a 57,000-square-foot casino and an 80-room hotel. The hotel will be between a three- and four-star hotel, so it's upscale and will be nice. We'll have 500 machines in this casino plus table games,

two lounges and two restaurants. It will create about 200 jobs in both the casino and hotel."

The casino/hotel will be located on reservation property south of Omak, Washington. The population is quite low there, but the location is only about

"We expect some will stay longer and spend more of their disposable income as we'll have a hotel."

45 miles from the Canadian border. "We're expecting to get a large pool from Canada, as we do now," Finley says. "We expect some will stay longer and spend more of their disposable income as we'll have a hotel."

Omak Casino Resort will also be the first destination resort in Okanogan County and is expected to be an economic boon to the region as it will attract conferences.

The casino portion will be twice the size of the tribes' Mill Bay Casino located on a trust parcel near Lake Chelan. It will also replace the tribes' Okanogan Bingo Casino. The new casino is expected to

largely employ tribal members, Finley adds.

Taylor-Woodstone Construction will oversee development; the Bloomington, Minnesota-based company has worked with a number of tribes on other casino projects, plus the huge Palazzo Casino Resort in Las Vegas, among others.

The Colville Tribal Federal Corporation is fully financing the project. "They're the sole signer on the loan, and it's the first loan the Colville Tribe has not had to guarantee. The tribes' commitment to business development certainly has exhibited itself over the past few years."

This area is rich in cultural history. Five years ago, ground was being broken for a \$24 million casino near Omak, but when artifacts and human remains were discovered, the project was immediately shut down. "We ordered a full archeological excavation be done in that area," Finley says. "It turned out to be the oldest recorded archeological site on the reservation." That location will remain undeveloped; this new hotel/casino complex is a larger version of the derailed plan. 🗺️

A Second Chance At a First Chance

Kaw Nation Gets 21 Acres in Trust for Gaming

BY GALE COUREY TOENSING

The Interior Department has approved an application to take 21 acres of land into trust for gaming purposes for the Kaw Nation of Oklahoma. The Kaw are known as the People of the South Wind.

Assistant Secretary-Indian Affairs Kevin Washburn announced the decision in a media release March 10. "The Kaw Project will provide significant opportunities for economic development for the Kaw Nation, and will provide a means for the Tribe to improve the governmental services it provides to its members," Washburn said. "The acquisition of the site in trust is necessary to support these efforts."

The 21-acre parcel is located in Kay County, an area that includes the Nation's headquarters. The Nation plans to construct and operate a small casino facility on the site, which also hosts the Tribe's travel plaza that provides refueling to interstate traffic and will continue to operate on the site. Kaw owns and operates the South Wind Casino in Newkirk, Oklahoma, and another South Wind Casino in Kaw City, Oklahoma.

The Interior Department took the land into trust under the 1934 Indian Reorganization Act, which authorizes the Secretary to acquire trust land for Indian tribes and individuals. Last year, Washburn approved the Nation's proposed gaming facility plan under the Indian Gaming Regulatory Act, finding that the gaming facility would be in the best interest of the Kaw Nation and its members and would not be detrimental to the surrounding community. On May 23, 2013, Governor Mary Fallin of Oklahoma concurred in this determina-

tion and both the local town and Kay County strongly supported the acquisition of the site into trust status.

The Kaw, or Kansa, people's territory originally covered around 20 million acres of the northern half of what became known as Kansas. The Nation ceded more than 18 million acres in a treaty with the federal government in 1825 following the admission of Missouri to statehood in 1821, the opening of the Santa Fe Trail that same year, and especially the need to establish reservations for the emigrant Shawnee, Delaware and Kickapoo nations. In exchange, the Kaws were awarded a \$3,500 annuity for 20 years, a quantity of cattle, hogs and domestic fowl, a government blacksmith and agricultural instructor, and schools to be funded from earlier Kaw land sales in the Kansas City area, according to the Nation's website.

The 1825 treaty worked no better than the other 500-plus treaties the federal government made with American Indian tribes that were broken, changed or nullified when it served the government's interests. For the Kaw, the next several decades were marked by more pressure to give up land for white settlers and the building of the railroad during the push west. Decimated by poverty, smallpox and other diseases, the Nation entered another treaty that forced the sale of its remaining 2 million-acre reservation to the government for just over 10 cents an acre. The Nation got some money and a 256,000-acre reservation in exchange, but by 1859 another shady treaty reduced the Nation's land holdings to 80,000 acres of the poorest land broken into 40-acre family allotments. The federal government held the re-




Washburn: Site acquisition to boost economy

maining 176,000 in trust for sale to the highest bidder. By then the government was already talking about removing the Kaw from Kansas altogether.

That happened in 1872, when the federal government passed an act removing the Kaw Nation to Oklahoma, where it bought land for a reservation that was carved out of the existing Osage reservation. But in the 1970s, the Kaw reservation was flooded by the Army Corps of Engineers for the creation of the Kaw Dam and Reservoir on the Arkansas River. As a result, the Kaw Nation no longer has land on its former reservation. This fact distinguishes the Kaw Nation from other tribes in Oklahoma, Washburn said.

The Kaw Nation's home is now in Kay County. The gaming site is only 21 miles from the boundaries of the Nation's former reservation and is near the Nation's key governmental sites and population center at Newkirk. "The Kaw Nation has strong ties to the region," Washburn said. "The Nation seeks to restore a tribal land base in a region it has historically inhabited."

Guy Monroe, the chair of the Kaw Nation, said in a press release dated March 11 that Washburn's decision "has been the result of a long and arduous collaborative process between the citizens of Braman and Kay County, the State of Oklahoma and Kaw Nation. We anticipate that the Kaw Nation's Braman Casino project will provide a solid economic boost to Kay County and the Kaw Nation which will result in long term economic expansion in northern Kay County." 



Casino del Sol is the only resort in Arizona to receive four stars from the 2014 Forbes Travel Guide.

CEO Roulette

Casino Del Sol had some turnover at the top, but seems to settling into a winning formula

BY LEE ALLEN

The game of musical chairs at Casino Del Sol has slowed down since fall 2013, when Chief Financial Officer Jim Burns accepted the added responsibility of interim chief executive officer of the gaming resort, including its spa, conference center and amphitheater.

In Fall 2011, under the aegis of then-CEO Wendell Long, a \$130-million resort/casino expansion project was completed. Long subsequently accepted a casino CEO position in Michigan, paving the way for Pascua Yaqui tribal member Alex Amador to assume the command position, though the Tribal council suspended him within 100 days.

"When the decision to go in a differ-

ent direction was made, council asked if I would wear two hats and be an interim decision-maker in the absence of a CEO," says Burns. "We'll see which direction they want to go from here. I've

always been one who asked only for an opportunity to prove myself."

Burns has previous tribal experience as former CFO for the Salt River Pima-Maricopa Indian Community and their Casino Arizona, and as general business manager for the San Carlos Apache Tribe.

"A good base was built under the leadership of

Wendell Long and his team before we hit some bumps in the road. Now it's up to me to improve a property with already great credentials [Forbes Four-Star Resort and AAA Four-Diamond



James Burns, interim CEO

destination]. You can never rest on your laurels, but I come in with a firm foundation: a product that's fantastic, and a staff that's enthusiastic. Now I get an opportunity to re-focus on the Tucson marketplace, where we want to be the entertainment venue."

In addition to generating tribal revenue, the Pascua Yaqui enterprises are major players in Southern Arizona's economy. Figures for 2012, according to Casino City's Indian Gaming Industry Report by Alan Meister, show Indian casino revenue exceeded \$28.1 billion dollars, while Arizona's 22 casinos brought in \$1.8 billion, about a 3 percent increase from 2011.

"We're a critical component in the health of the state's gaming industry, one of the top six multiple-facility metro tribal organizations," says Burns, listing the other tribes as Gila River, Fort McDowell, Salt River, Ak-Chin, and Tohono O'odham. "The Big Boys in Phoenix get the largest chunk, the lion's share of the gaming market in the state, but with more than 1,300 employees [60 to 65 percent of which are tribal hires], we have a large and positive impact on the local community and are a major player in the economic impact of Indian gaming in Arizona."

There are a lot of moving parts to this well-oiled machine, lots of enterprises that live loosely under that resort's gleaming copper dome—the resort, spa and conference center; Sol Casinos and Casino of the Sun; an entertainment amphitheater, and a brand-new Sewailo golf course—with Burns moving to tie them all together to maximize synergy.

Many of his accomplishments over recent months have centered around the new golf course, which is now home to the University of Arizona men's and women's golf teams, as well as launching a new marketing theme: "More Fun Under the Sun."

It's anticipated the tribal council may consider removing the 'interim CEO' designation for Burns in favor of a more permanent title. "If council is interested in the direction I'd like to take the organization," he says. "I'd be honored, humbled, and excited to take on that task." 🌟



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