

## Montana tribe upbeat about new casino, despite slow start

BROWNING, Mont. (AP)—On an icy December day, Carol Vielle bathes in the warm, pulsating lights of a video bingo machine.

"Wish me luck, eh," says Vielle, 54, as she makes penny bets with the push of a glowing plastic button.

Vielle picked the "Mr. Cashman" game from a sea of 500 electronic bingo machines at the Blackfeet Tribe's new Glacier Peaks Casino. This machine tempts with a payout of some \$30,000. While payouts at off-reservation casinos in Montana are capped at \$800, jackpots for video bingo—available only on Indian reservations—can reach into the hundreds of thousands of dollars.

"I'm trying to win the big one," Vielle said. She is part of a much larger gamble on the Blackfeet Reservation.

Her tribe invested more than \$7 million to open the 33,000-square-foot, Vegas-style casino in Browning. Mired in poverty and joblessness, the Blackfeet want a piece of the booming \$22.6 billion Indian gaming industry that is bringing wealth to tribes across the United States.

"Casinos have a good history of helping tribes get out of poverty," said Rodney Gervais, a tribal councilman and member of Siyeh Corp., the tribe's economic development arm that built Glacier Peaks. "We have really high hopes for the casino."

The Blackfeet's entry into the world of big-time casinos saw a few hitches.

The tribe hoped to open Glacier Peaks in late spring 2006, but construction delays pushed that back, forcing the casino into the long winter without reserves from the summer tourist season.

Then tragedy. At the casino's glitzy grand opening in late September, a skydiver dressed as Elvis suffered fatal injuries in a hard landing.

Now financial issues—including layoffs, an across-the-board pay cut, and a recent cash flow shortage that required a \$50,000 loan from the tribe—have raised questions about Glacier Peaks' viability. Patience, urges Siyeh board

member Virgil Edwards. The troubles are the same ones experienced by many startup businesses, he says. The original staff of roughly 270 was cut back to roughly 128 to adjust for the winter season. That and other adjustments are expected to keep the casino on solid ground until tourists return this spring, he said.

"If we staff properly, it's going to make a lot of money for the tribe," Edwards said.

Rags-to-riches stories like that of Michigan's Saginaw Chippewa, whose Soaring Eagle Casino and Resort pulled the tribe out of deep poverty to become one of the nation's wealthiest reservations, have made headlines in recent years. Adult members of the Michigan tribe receive annual payments topping \$50,000 from casino earnings. Nationwide, Indian gaming directly created 171,000 jobs in 2005, according to a new report from the Washington, D.C.-based National Indian Gaming Association.

But not everyone's cashing in. A 2003 analysis of Indian casino revenues by the Fedgazette looked at 42 reservations in the Ninth Federal Reserve District. The area covers Minnesota, Montana, North Dakota, South Dakota and parts of Wisconsin and Michigan.

The study found that the wealthiest five tribes accounted for 54 percent of casino revenue, but less than 6 percent of the population.

Some of the most successful casinos are near metropolitan areas.

Casinos won't make rural tribes like the Blackfeet rich, said NIGA Executive Director Mark Van Norman.

"It's maybe one stick out of a bundle of sticks that you really need," Van Norman said. "But it can be the one that creates capital that you need as a catalyst to get other economic development going."

A lack of entertainment options in rural communities makes Indian casinos popular, even on relatively remote reservations, said Van Norman, a member of the Cheyenne River Sioux Tribe in South Dakota, where several

rural casinos are thriving.

The Rosebud Sioux built a successful casino on the South Dakota-Nebraska border hours from the nearest big cities of Sioux Falls and Omaha.

With roughly 250 machines, it's about half the size of Glacier Peaks. The tribe uses casino earnings to buy school clothes for children.

In North Dakota, the Standing Rock Sioux are drawing crowds to their Prairie Knights Casino and Lodge in Fort Yates, roughly 50 miles south of Bismarck.

Country acts, dining and access to golf and a marina on the Missouri River draw patrons from a great distance, Van Norman said.

"I think (the Blackfeet) will be very successful based on the experience of other rural areas," he said. "People want other entertainment venues."

Glacier Peaks plans to build a hotel this spring, and has expanded the plan from 60 rooms to more than 100.

The tribe also plans to bring more horse racing events to its track next to the casino to draw interest.

And unlike other rural casinos, Glacier Peaks has the advantage of neighboring Glacier National Park, which can draw more than 2 million visitors a year.

During the summer, Green plans to station casino buses at strategic points across the park. An advertising blitz is planned this spring.

In the off season, Green is betting on business from Montanans and Albertans.

A thirst for something different will draw patrons from across the region, Green said.

"When you walk in here it's not what you expect in a Montana casino," he said. "I've got an Elvis impersonator who walks around. I've got show girls."

Kole Larson, 25, sings "All Shook Up" as he roams the casino floor in a late-model Elvis getup. The Elvis gig—40 hours a week at \$10 an hour—is a vast improvement from his \$6.50-an-hour job as a custodian at the tribe's old bingo hall.

"I always wanted to be an actor," says Larson, his voice

still in a deep Elvis bass.

But the cuts took Glacier Peak employees—Larson wasn't among them—started talk of financial trouble at the casino. Late payments to vendors and pay cuts only added to worries.

The tribe made a \$50,000, 30-day loan to Glacier Peaks to help it bridge a gap in cash-on-hand available for jackpot payouts.

Green said the measures are balancing the budget.

"We've got to realize it's not an overnight success," said Roger Running Crane, a tribal councilman and longtime advocate of the Blackfeet's gaming enterprises. "We're experiencing growing pains as we go along."

When tourists return this spring, Edwards estimates the casino will rake in \$2 million a month on machine play alone.

Tribal Treasurer Joe Gervais lauded Green's cost-cutting measures, saying they're a sign the casino is well managed.

He also supported the short-term loan.

"Right now there's a learning curve that went on there the first few months and they had to make the adjustments," Gervais said. "I think everybody, especially the (tribal council), is committed to see the thing be a success."

Though the layoffs sparked rumors and left former employees and their families disgruntled, the casino appears to have broad community support.

If there is concern on moral grounds about bringing a large-scale gambling operation to the reservation, it has been quiet in recent months.

"Gambling has always been in the Native American culture, like playing stick games and all those forms of gambling and cards and stuff like that," said Herman Whitegrass, a state-licensed addictions counselor at the Crystal Creek Lodge, the tribe's chemical dependency center.

Though people should be mindful that gambling can become a problem, the casino won't make a significant difference in addiction levels, he said.

"Addictions are addictions and they will always be here in our society," on the reservation and off, Whitegrass said

## Family of man killed by park police files lawsuit

NEWARK, N.J. (AP)—The family of a Ramapough Lenape Indian fatally shot by a state park police officer last year plan to file a civil rights lawsuit Thursday against the officer, the state and others, claiming they used excessive force against an unarmed man.

The family of Emil Mann plans to hold a news conference outside the Bergen County Courthouse Thursday afternoon after its lawyers file the suit in state Superior Court. It will name Park Police Officer Chad Walder, other officers at the scene, the state Department of Environmental Protection and the state of New Jersey as defendants, said attorney Eric Hecker.

"This was excessive force," Hecker said. "He was unarmed. They were not in any physical altercation, much less struggle."

He declined to discuss details about the lawsuit.

Mann, 45, of Monroe, N.Y., was shot to death on

April 1, 2006 on the mountaintop near the New York border after a confrontation with Walder under circumstances that remain in dispute.

Tribe members say Mann was trying to break up a fight between a cousin and a different park police officer who was issuing tickets to people for illegally riding all-terrain vehicles in a prohibited area.

The Bergen County Prosecutor's Office is still investigating the shooting. The Department of Environmental Protection, which oversees the park police, had no comment Wednesday.

Shortly after the shooting, Gov. Jon S. Corzine met with Ramapough leaders and promised an investigation into the killing. He also appointed a commission to study American Indian communities in New Jersey regarding civil rights, access to education, fair housing, infrastructure, employment and health care.

## Documentary focuses on Navajo water rights

COYOTE CANYON, N.M. (AP)—Mark Tsosie rises each morning at dawn and travels six miles to haul water for his family and livestock.

The 77-year-old is among 70,000 people who live without running water on the Navajo Nation, the country's largest Indian reservation.

"He continues to do this everyday because there's no other way," said his daughter, Sharon William. "There's not another alternative. I believe the government forgot us down here."

Tsosie's story is featured in "The Water Haulers," a documentary that premieres Friday on PBS television station KNME.

The program was funded in part by the Navajo Nation Water Rights Commission, the Healy Foundation, the state engineer's office and the Interstate Stream Commission. It explores the challenges facing a culture when a basic human right, such as access to water, is unobtainable.

Navajo families interviewed for the documentary said they have been promised for years that a series of pipelines would be built to provide water. They now are looking to Congress to make that a reality.

"We're 30 years behind the times, 30 years behind the main-

stream," Navajo President Joe Shirley Jr. said.

In towns that border the sprawling reservation, homes have three or four bathrooms, Shirley said.

"Then you come out here to Navajoland and you find grandmas and grandpas in this one-room house and no running water," he said.

In addition to Navajos without running water, the documentary features interviews with water rights experts and policymakers. Sen. Jeff Bingaman, D-N.M., talks about legislation that would settle the tribe's water rights claims in the San Juan River Basin.

The state of New Mexico and the tribe have signed a settlement agreement that resolves the tribe's water claims in the basin. But before it can be officially settled, Congress must enact legislation.

The legislation introduced Bingaman would recognize that about 600,000 acre-feet per year would go to the Navajos for agriculture, industrial, municipal, domestic and stock watering purposes. The measure also authorizes federal funding for the Navajo-Gallup pipeline project.

A similar measure has been introduced in the House by Rep. Tom Udall, D-N.M.

## Cigarette wholesalers, tribes claim victory with court ruling

BUFFALO, N.Y. (AP)—A state law intended to make non-Indians pay tax on cigarettes they buy from Indian retailers is not in effect because New York has yet to come up with a way to implement it, a judge ruled.

State Supreme Court Justice Rose Sconiers issued a preliminary injunction barring New York from enforcing the law that has been a source of confusion since it went on the books last March.

The Jan. 2 trial court decision was a victory for cigarette wholesalers and Indian retailers, who have argued that the state has not given them the tools to comply with the law. For example, the statute exempts Indian customers from

paying the state tax through special coupons, but no coupons have been issued.

"While the intent of the statute is to require that non-Indians who purchase cigarettes on Indian reservations pay the New York state stamp tax, the statute can only function if it properly exempts Indians purchasing cigarettes under circumstances where they are not lawfully required to pay such taxes," the decision said.

Lawyers for the state had argued that if Indian customers paid taxes in error, they could apply for a refund. However, the judge countered that there is no system in place to process those refunds.

## Gary Gruner

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