

## Our View: Land claims shouldn't lead to casino deals - Auburn Citizen

Written by Administrator  
Sunday, 13 February 2011 02:44 -

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Former Gov. David Paterson's settlement agreement that gave an out-of-state Native American nation the state's blessing to open a casino in the Castkills was flawed in many ways, and fortunately, it looks as if federal regulators are realizing that.

In a demonstration of why the governor's office has too much power involving matters

of negotiations with tribes over land claim and sovereignty issues, Paterson cut a deal that basically eliminated local decision-making and had the potential to set a dangerous precedent. He agreed to settle a land claim case with the Wisconsin-based Stockbridge-Munsee Band of Mohican Indians by awarding that tribe a Castkills casino contract.

Paterson reasoned that the deal would provide an economic boost to a struggling region, but the deal ignored some key federal decisions in recent years. First, the land claims that various tribes have brought against the state through the years have largely been deemed invalid by the U.S. Supreme Court, so the state should stop attempting to "settle" such cases.

Second, the federal Department of the Interior has been clear that it will not sign off on casinos being built by tribes thousands of miles away from their established reservations.

That was a key reason why a land-into-trust application from the Seneca-Cayuga Tribe of Oklahoma that involved opening gambling facilities in Cayuga County was rejected a few years ago.

For some reason, though, Paterson and the Stockbridge-Munsee tribe insisted that this deal should get federal approval.

Last week, the Associated Press reported that such a blessing was highly unlikely.

This wasn't the first time a sitting governor tried to push through a casino deal that ignored the law and bypassed the public. We hope, though, it was the last.

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We urge Gov. Andrew Cuomo to reject the practice of secretly negotiating casino deals, and instead work more cooperatively with the local governments that are on the front lines of these battles.

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