

Bad precedent for tribal casinos - Detroit Free Press

Written by Administrator
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In a move that stretches the idea of tribal landholdings beyond recognition, the Bay Mills Indian Community has put 38 slot machines in a building in Vanderbilt. The tribe intends to double the number of machines to 76 next month at the new casino, which is about 50 miles south of the Mackinac Bridge along I-75.

Michiganders have tended to be agreeable to Native American casinos on reservations, but the Vanderbilt site doesn't fit the bill. And the longer the State of Michigan turns a blind eye, the more entrenched the casino -- and the tribe's bold attempt to set precedent -- will become. Bay Mills officials could not be reached for comment, but the tribe's logic seems to be that money from a settlement made with the U.S. government is being used, as the language of the settlement provides, for "consolidation and enhancement of tribal landholdings" -- in a place more than a hundred miles from the tribe's primary reservation near Sault Ste. Marie.

The next "enhancement" presumably would be in Port Huron, a location where Bay Mills has long had an interest and also owns land. The Sault Ste. Marie Tribe of Chippewa Indians has a share of the same settlement and might employ the same reasoning in New Boston, just south of Romulus, where it recently bought land.

In fact, any piece of property up for sale in the state could become a casino site run by either tribe under this line of thought. Ultimately, the Vanderbilt casino precedent unbalances the seeming stability of all casino operations in Michigan.

Detroit's three casinos, the only non-Native American casinos in the state and the only operations to have approval from state voters, could face uninvited competition. Other tribes that operate casinos on their reservations -- including those that have recently gone through the painstaking process to get federal recognition -- deserve better than facing the possibility that another tribe could pre-empt them by buying a building just a few miles away.

And as Bay Mills goes rogue, tribes that have signed the most recent compacts with the state to pay casino fees become loath to forward the money because the competition alters the playing field on which they based the agreements. So the state could lose money, as well as ceding precedent, while it dawdles.

The Vanderbilt operation opened on Nov. 3, the day after election. If the goal was to take advantage of a distracted lame-duck governor and attorney general, the tribe has succeeded. Admittedly, top officials also are handicapped by an extraordinarily bad settlement of an old claim that then-Gov. John Engler signed on his way out the door in 2002, giving the two tribes options for casinos in the Lower Peninsula. That settlement, by the way, gave the Sault Ste. Marie tribe, not Bay Mills, a casino option in Vanderbilt.

The state needs to call Bay Mills' bluff and shut down the new casino. And Gov.-elect Rick Snyder needs to add serious negotiations with both tribes to his already long to-do list.

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