

December 2010 Charlestown Casino Alert

The Issue

The Narragansett Tribe wants to have the 30-acres outlined in red, below, taken into Federal Trust. This is the designation that creates a sovereign nation and in many cases has exempted tribes from local and state jurisdiction. This is the route many tribes have taken to build casinos.

The History

The state of Rhode Island, the Town of Charlestown and Attorneys General from many other states have fought the process, making the argument that the tribe and the land are not eligible for Federal Trust. The case - *Carcieri vs. Salazar* - went all the way to the US Supreme Court, where in late winter of 2009 it was ruled in favor of the state.

The State position is that the Narragansetts are not eligible because 1) they were not a federally-recognized tribe in 1934, when the Indian Settlement Act was passed. That act specifies that a tribe must have been recognized at the time the bill was passed to be eligible for Federal Trust status. 2) The land they want to take into trust has not been an ongoing reservation or long owned by the tribe.

It was purchased in 1991. Furthermore, the tribe signed a settlement agreement with the state in 1978 agreeing to abide by state laws and drop future land claims. In return, they were given several million dollars to buy 1,800 acres east of Kings Factory Road for a reservation.

Many states fear that this case could set precedence, whereby tribes are allowed to buy land and take it into trust at will. This could create a patchwork of sovereign nations within many states that do not pay tax or fall under the jurisdiction of local law or regulatory agencies.

The Recent Development

Senator Byron Dorgan of North Dakota is sympathetic to the Indian argument and has introduced a legislative "fix" for the Supreme Court decision dubbed the "Carcieri Fix." The Senator is Chairman of the Committee on Indian Affairs, serves on the Commerce Committee and is Chairman of the Democratic Policy Committee. He has used his influence to attach the bill to the huge pending Continuing Resolution, which will keep the government financed after this month.

The Continuing Resolution passed

the House on December 3rd and is being debated in the Senate. If the Senate passes this resolution with the proposed language, we could soon have a casino in Charlestown, or many other places in RI for that matter.

If you are concerned about this issue, call or email your senator today and urge them to reject the appropriations bill until the so-called "Carcieri fix" is removed!

Salt Ponds Coalition Position

Salt Ponds Coalition is very concerned about a casino in the immediate vicinity of the salt ponds. The ponds are already stressed by residential housing and traffic. A huge operation such as a casino would be a terrible burden on the ponds and would undermine expensive pollution management initiatives, which the town, state and local property owners are facing.

The ponds are critical habitat and support tourism and fishing, which are the two largest economic forces in southern Rhode Island. We can not risk their vitality. For this reason we oppose any bill that could open the door to casino construction in the salt pond region.

What You Can Do

- Call or email your Senators office asap.
- Ask them to reject the "Carcieri fix."

Call the switchboard and ask for your senator

1 (866) 338 - 1015



The red line shows approximate location of the 30 acres at issue. The blue outline indicates a 200+ acre parcel that is for sale and could be combined with the Indian land. The dark blue line indicates a stream that drains the area and flows into Ninigret Pond.

To Learn More:

Read back issues of our newsletter posted on our website. (Spring 2007; Fall 2007; Spring 2008; Fall 2008; Spring 2009)

Read the Following News Articles

http://www.projo.com/news/content/CARCIERI_COURT_07-24-10_83JAFE7_v7.3a65b8e.html

<http://newsblog.projo.com/2010/07/ready-25.html>

Follow updates from Rhode Island Statewide Coalition (RISC) and Charlestown Citizen's Alliance. www.statewidecoalition.com; www.charlestowncitizens.org



**Salt Ponds
Coalition**

www.saltpondscoalition.org