

Pelosi to Grant Vote on Indian Gaming Bill Benefiting Rep. Dingell's District

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By Susan Crabtree

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House Speaker Nancy Pelosi (D-Calif.) is giving Rep. John Dingell (D-Mich.) a full House vote Wednesday on a nettlesome Indian gaming bill he's been pushing for years as a surefire way to help out his cash-strapped district.

Dingell and his allies tried — albeit unsuccessfully — to insert it into various legislative vehicles despite an onslaught of complaints from high-profile opponents and others, such as convicted lobbyist Jack Abramoff, who were stalwartly against congressional intervention in the issue.

Sen. John McCain (R-Ariz.), then the chairman of the Senate Indian Affairs panel investigating Abramoff's Indian gambling lobbying scandal, was infuriated by an effort to parachute the language into an early version of the 2005 highway bill. Rep. Don Young (R-Alaska), at Dingell's urging, had placed the language deep within the massive transportation measure as early as 2003.

Rep. Richard Pombo (R-Calif.), the House Natural Resources chairman, also objected. Both he, and especially McCain, were incensed that Dingell and Young were bypassing their committees of jurisdiction, as well as what they regarded as the normal Department of the Interior approval of Indian issues involving casino interests.

In fact, to make the Indian land settlement claim language even less noticeable, Young and Dingell collaborated on language that would make it appear transportation-related.

According to draft language offered by Dingell, the provisions would appropriate \$100,000 for two traffic studies to be conducted in Port Huron and Romulus, Mich., in connection with "economic development" that may result from the resolution of two tribes' land-settlement claims. Language embedded in the provision approved them and directed the secretary of the Interior to take the land into trust.

Critics, including powerful Detroit Democratic Reps. John Conyers Jr. and Carolyn Kilpatrick, sniffed out the language, and drove their point home by arguing that the deals the bills cut for the Bay Mills and Sault Ste. Marie tribes would side-step the careful federal consideration that is usually required and set a dangerous Congressional precedent for other tribes around the country. Conyers and Kilpatrick are concerned that the new nearby casinos would draw customers and revenue away from Detroit while generating no tax revenue for the state because Indian gaming operations aren't taxed.

Casino developers negotiated with the tribes and lawmakers, and the cities of Romulus, in Dingell's district, and Port Huron, in Rep. Candice Miller's (R-Mich.), which were selected because they were close enough to Detroit to attract tourists and visitors.

The lawmakers welcomed the economic lift the gaming business would bring to the sagging rust-belt economies of their districts and went to work to get congressional approval. That was nearly a decade ago.

Pombo was the first to object publicly, and McCain stepped in when he heard a return to the earlier shenanigans could take place during the closed-door conference on the 2005 transportation bill.

"I have been informed that other conferees may seek to include in the conference report a provision relating to Indian gaming in Michigan," McCain wrote in a 2005 letter to Sen. James Inhofe (R-Okla.), chairman of the Committee on Environment and Public Works, which was overseeing the highway bill. "I have been informed that other conferees may seek to include in the conference report a provision relating to Indian gaming in Michigan. Such inclusion would not only circumvent the normal administrative process by which Indian gaming operations are assessed, but also circumvent the regular legislative process for considering exceptions to this process."

"I appreciate your assistance in keeping such a non-germane issue out of the highway bill," he continued.

Even though it's three years later and Democrats now control the majorities in both chambers of Congress, Young — now the ranking member of the Natural Resources Committee — and Dingell are continuing to work together to push the measure over a final finish line. Mike Malik, a casino developer, recently hired Rick Alcalde, one of Young's "A-List" lobbyists whom interns were told to put through to aides whenever he called, according to a memo crafted by interns.

Even if it passes, however, Senate Majority Leader Harry Reid (D-Nev.), whose district is home to MGM and other Vegas money, strongly opposes the measure and could prevent it from ever making it to the floor.

MGM owns the largest casino in Detroit and its lobbying against the legislation has been fierce.

The Sault Ste. Marie tribe owns six casinos, one of which — Greektown — pulled in more than \$341 million in 2007. The Bay Mills tribe also owns a casino, but it pulls in far less than the Sault Ste. Marie.

Earlier this week, House Natural Resources Chairman Nick Rahall (D-W.Va.) and Young, its ranking member, sent out a "Dear Colleague" letter promoting the measure and trying to poke holes in their critics' arguments. Two governors specifically chose these sites to settle tribal claims that are more than a hundred years old, they wrote, and both Michigan senators also support it.

It's difficult to figure out whether Pelosi's allowance of a more transparent vote on the House floor will make a difference in whether the legislation passes. Both sides are whipping hard, although Pelosi and the rest of the Democratic leaders are staying out of the hunt. The leadership also offered Conyers an amendment, which he could fashion as a poison bill to the underlying bill.

The issue is even dividing the usually solid Congressional Black Caucus (CBC). Twenty-two CBC members had signed a previous letter Conyers had circulated opposing the legislation, while 11 members lent their names to a Dingell letter supporting it.

"We didn't want there to be a perception that the CBC was of one mind on this," said one Democratic aide.