



Ponca have right on their side

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The Ponca Tribe faces an array of powerful forces as it tries to develop a casino in Carter Lake, Iowa.

Gov. Dave Heineman opposes it. So does Attorney General Jon Bruning. The list goes on to include the Omaha City Council and the state of Iowa. Gambling with the Good Life, the anti-gambling advocacy group, has blasted the plan.

The tribe has a few allies. Carter Lake Mayor Russ Kramer supports the proposed casino, but perhaps the tribe's most important ally is the federal Department of Justice.

And there's this: The tribe has right on its side.

The Ponca have jumped through hoops and battled through a thicket of rules.

Last year they won a ruling from the National Indian Gaming Commission that authorizes a casino on the tribe's five-acre site in Carter Lake.

That ought to be the end of the story.

The Journal Star editorial page, although generally looking on gambling with disfavor, long has supported the right of tribes to develop casinos on reservation land as a matter of tribal sovereignty and the right of Natives to determine their own destiny.

The same philosophy applies here, although, admittedly, the Ponca's situation is complicated.

The Ponca Tribe, once led by the legendary Chief Standing Bear, was terminated by Congress in 1962, and restored to tribal status by Congress in 1990. The Ponca acquired the Carter Lake property in 1999, saying they intended to build a health clinic.

Ponca Tribal Chairman Larry Wright Jr. says the tribe has a right to change its mind. Now it wants to build a luxury resort that will create 1,800 jobs, draw 2.9 million visitors and generate nearly \$130 million in economic activity.

Nebraska officials are up in arms because Carter Lake, Iowa, actually is on the Nebraska side of the Missouri River. Nebraska voters on several occasions have rejected casino proposals.

Nonetheless, the law and a sense of justice say the Ponca should get their casino. So does the Justice Department, which last week argued in court that Bruning had no standing to stop the tribe.

In addition, the Justice Department said the NIGC's approval of the Ponca casino was "consistent with prior decisions of both the NIGC and Interior and with existing case law."

Exactly.

Carter Lake's Mayor Kramer makes a lot of sense, too, when he talks about the social ills attributed to casinos.

"For crying out loud, we're 10 minutes away from the casinos in Council Bluffs,"

Kramer told reporters last month. "I don't know what 10 minutes is gonna make it worse."

Enough already. Nebraska officials should bow out. Iowa should negotiate a compact with the tribe.

Let the Ponca build their casino.

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