A case study on the Oneida Nation of Wisconsin: using gambling revenues as a tool for community and economic development

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A case study on the Oneida Nation of Wisconsin:
Using gambling revenues as a tool for community and economic development

by

Kathleen Ellen Fox

A Thesis Submitted to the
Graduate Faculty in Partial Fulfillment of the
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I wish close with these two quotations that have been both guiding words of wisdom and a source of motivation throughout my graduate studies:

Everything is hard until it is easy. Saad

That which does not kill us makes us stronger. Author Unknown
CHAPTER I: INTRODUCTION

A. Statement of the Problem

1. The Oneida Tribe of Wisconsin

This thesis will bring to light the ways in which one Native American tribe, the Oneida Nation of Wisconsin, is addressing its community and economic needs by utilizing casino gaming revenues for development. Oneida Tribal dependence on gambling is seen by some as the solution to its problems, and by others as a cultural and economic holocaust. An attempt will be made to decide whether casino gambling can be applied as a panacea for economic and community development to assist tribes out of centuries of economic deprivation and cultural stagnation. This case study is meant to present only one model, by showing how the Oneida Nation is using casino revenues as a tool for economic and community development.

The methodology of this thesis examines the policies and Tribal governmental decisions that have led the Oneida toward self-sustaining economic and community growth according to the Seventh Generation Planning Process. The Seventh Generation Planning Process involves traditional Native American Iroquoian values, and combines them with community development planning methods as a model for self-sufficiency.

The Oneida Tribal reservation itself is located just outside Green Bay, Wisconsin, between the communities of Hobard and Oneida. In 1969, a study entitled, *Attitudes and Characteristics of Selected Wisconsin Indians*, was conducted by two researchers at the University of Minnesota. They found that although the 2,058 acre Oneida Reservation was located in a predominantly dairy farming region, few Tribal members actually farmed. Local employment was seasonal in nature, forcing Tribal members to leave the Reservation and seek employment in the nearby City of Green Bay. The following is a short description of the Oneida Reservation community in 1966:

In 1966 the Village of Oneida boasted two stores, a filling station and post office, an Episcopal Mission, and a tavern. The homes on the reservation, aside from a few built since World War II, typically lacked central heating, insulation, and space. Approximately half of these homes did not have indoor plumbing, and 51 percent had no well. There was a total absence of doctors, dentists, and pharmacists in the Oneida area. There was no special contract doctor arrangement or public health nursing service provided. There was no public recreational facility for young people, no community center for Tribal government or social events, and no outdoor athletic field (Harkins and Woods 1969, p. 1).
After compiling all their data, the researchers came to six conclusions about Oneida Reservation conditions and its problems. First of all, they found that Wisconsin Indian communities, to include the Oneida, were populated by "poor, rural people who were inadequately educated, employed, and housed" (Harkins and Woods 1969, p. 47). Over half the families consisted of four or more children, with families tending to live in pockets of total isolation or in small communities (Harkins and Woods 1969, p. 10). Resources were not available on the Reservation to provide adequate economic, social, medical, and recreational activities. Second, they found that those Tribal members that had even a slightly higher level of education tended to have smaller families, better jobs, and greater mobility. Third, the researchers found that Wisconsin Indians expressed strong loyalty and attachment to their home communities on the reservation. Employment opportunities in Green Bay and other cities were "not as strong a pull as the kinship and friendship ties on the Reservation." Indians who did live in the city, or away from the Reservation expressed the strong desire to return to their communities. Fourth, the researchers found a need for increased economic development. Fifth, if a sustainable economic base could be established, it was believed the community life of the reservation tribal members would also be revitalized and expanded. On their sixth point, Harkins and Woods concluded that if the local economy on and near the Reservation were improved by locating industry and other businesses to the Reservation, economic development would take place. It was recognized at the time that reservation Indians of Wisconsin tended to think economic development and industrialization as a "sell out" to the white man's way of life (Harkins and Woods 1969, pp. 47-48).

Tribal members themselves identified other polarizing effects on the Oneida Reservations, such as intense interpersonal criticism, pressures to conform, lax family responsibility, excessive dropping out of school, hypocritical church members, youth problems, low wages, deficient local leadership, and the flight of educated Tribal members from the Reservation. This study was conducted during the volatile Civil Rights Period of the 1960s, and just before the emergence of the American Indian Movement. This movement stressed the return to traditional Native American values and traditions as a way to rejuvenate Indian tribes. The conservative members of the Oneida Tribe found it difficult at the time to "strike a bargain" between adopting some aspects of the larger society, while retaining some characteristics of Indian life (Harkins and Woods 1969, pp. 47-48). Contrast that bleak picture of the Oneida Reservation in the early 1990s.

From the Washington Monthly:
The Oneida watched their unemployment rate fall from 40 percent in 1976 to 17 percent in 1991, thanks to their gaming facility—which is run with no outside management help. With proceeds from their bingo hall, they have built a $10.5 million hotel and convention center and an environmental testing lab that has won state and federal contracts. They've subsidized their own Head Start program and built their own K-8 grade school. A high school is now in the works. While most reservations have been losing members, the Oneida have seen their numbers swell by a third in the past 15 years (Segal 1992, p. 30).

And from Governing magazine:

The Oneida Tribal budget, once funded almost exclusively by federal and state assistance programs, now relies on those sources for just 15 percent of its total. The Oneida casino and other Tribal enterprises have created 1,800 jobs, a $25 million payroll and an estimated $650 million impact on the economy of the Fox Valley in the Green Bay area of Wisconsin (Sylvester 1993, p. 31).

Since the late 1980s the Oneida Tribe has expanded, introduced, or built new housing units, a comprehensive health center (which includes optical, dental and out-patient clinics), a Tribal school, public transit, and a Tribal library. Construction activities include a cannery, four convenience stores, a Radisson Inn, the Oneida Research and Technology Center and other public and private enterprises (Oneida Tribe Information Packet). The economic fuel for the creation of Oneida community and business enterprises has come from casino and bingo revenues.

Tribal casino net proceeds from October 1991 to September 1992 totaled $600 million in wagers. Customers collected winnings totaling 93 percent or $560 million. Of the $40 million left, $6 million went to employees, and $6 million to purchase goods and services from local vendors. The remaining $28 million went to the Oneida Tribal government who in turn distributed to various programs on the Reservation (Murray p. x-5, 1992).

This tremendous flow of revenues coming into the Tribe has increased the activities involved in economic and community development on the Oneida Reservation. The 1994, the Oneida Government budget stood at $94 million dollars. The number of jobs supplied by the Oneida Tribe numbered around 3,400 as of November of 1994, with the Reservation unemployment rate declining from 17 to just 12 percent. The average annual base salary for a Oneida employee in 1994 was $22,381. Annual salaries are expected to increase to $22,547 in 1995. This bright picture of Oneida economic prosperity on its Reservation, however,
cannot be applied to the majority of other Native American tribes, as the next section will demonstrate.

2. National Economic Picture for Native Americans in the United States

Native Americans are the poorest racial minority in the United States. They suffer from highest rates of unemployment and per capita income as compared to other ethnic groupings. According to the 1990 United States census, of the approximately 1.9 million Indians in this country, 38 percent to 50 percent of those tribal members that reside on reservations suffer from unemployment depending on the tribe and its location (Ainsworth 1989, p. 9). Native Americans are still struggling today to attain a degree of economic parity with the dominant society, while trying to avoid complete cultural assimilation in the process. Five conclusions were reached in a study conducted by the National Commission for Employment Policy on the labor market problems of Native American who reside on or near reservations.

1. There is a critical shortage of jobs on reservations.
2. Native Americans lack of necessary education and skills to compete in the labor market.
3. There is Indian reluctance or inability to leave the reservation lands that are often unable to support agriculture, and lack natural resources to support economic development.
4. Indian cultures are not job oriented.
5. Indians suffer from high rate of poor health, and possess inadequate transportation to travel to jobs (Ainsworth 1989, p. 12).

Figure 1 compares the per capita and household income of Native Americans, African Americans and Caucasians. Figure 2 examines the compares the unemployment and poverty rates of the same groupings. In all instances, Native Americans are economically the worst off among the three groupings in 1990. Unemployment rates in Figure 2 on the next page, include only those persons that are currently looking for work and do not include workers that are currently under-employed or those who have given up searching. Figure 2 shows that Native American lag behind Caucasians and African Americans in terms of per capita and household income due to their labor market problems.
Figure 1: Per Capita and Household Income from the 1990 United States Census

Source: The 1990 United States Census, Table 6, 7, 8 and Tables 87, 88, 89.

Figure 2: According to Race: Percent Unemployed and Below the Poverty Rate

Source: The 1990 United States Census, Table 6, 7, 8 and Tables 87, 88, 89.
By analyzing the Oneida planning model for development, conclusions can be drawn to see if their efforts can be applied to other tribes and communities to achieving community and economic development.

**B. Purpose of the Study**

Oneida Tribal casino gaming enterprises is seemingly enhancing the Tribe's ability to achieve economic self-sufficiency. This paper will examine the economic and social impact of gambling on the Oneida Nation of Wisconsin. Analysis will include the effects of job creation, economic growth, economic base growth, and the social effects of gambling as it relates to attaining self-sufficiency.

The number of tribes that have implemented gaming activities on their Reservations since the late 1980s has been staggering: "Since 1979, 200 of the nation's 544 tribes have introduced gaming of some sort, and about 90 reservations feature the kind of casinos that bring in the big bucks. Reservations grossed about $5 billion in 1993 (Annin 1994, p. 44). With gaming revenues, Native Americans have been able to increase their economic and community development while at the same time achieve greater self-determination. Tribes in the past received funding almost exclusively through government programs to initiate economic development. Federal programs usually failed to bring economic development to reservations due to a steady stream of funding or because these enterprises simply lacked the ability to sustain themselves in the face of open market competition and efficiencies.

Gaming by comparison, seems to be sustaining or growing on the reservations. This thesis will present the reasons why bringing gaming to the Oneida Reservation has succeeded in attaining economic and community growth, whereas in the past other programs had failed to meet set expectations.

Change in United States Indian laws, which has continued to stress Indian self-determination, has contributed to some of the changes occurring on the Oneida Reservation. Efforts have been directed since the early 1960s to promote greater economic development and self-sufficiency for tribes. The 1975 Indian Self-Determination and Education Assistance Act, or Public Law 93-638 is an example of United States government efforts to promote increased tribal sovereignty. According to the Indian Self-Determination and Education Assistance Act of 1975:
Authority was given to the Secretary of Interior and HUD to enter into contracts with tribes and other Indian organizations for the delivery of federal services. The responsibility for planning and administering the programs was assigned to the tribal governments that had entered into the contracts (Legters and Lyden 1994, p. 7).

This act provided the opportunity for more tribal self-governance, after more than a century of federal control by the Bureau of Indian Affairs. Budgetary cuts, under the Reagan Administration, prompted further legislation, culminating in the creation of the Tribal Self-Governance Demonstration Project Act of 1987.

The Project is intended to formalize government to government relations between the United States government and Indian Governments. It enables Indian Tribes to redesign programs, activities, functions or services and to reallocate funds for such programs, activities, functions, or services according to tribal governments' decisions. Furthermore, the Demonstration Project is intended to enable Indian Tribes to plan and delivers services appropriate to the needs of their members, to enhance the ability of tribal governments, and to reduce the Federal-Indian Bureaucracy (Jamestown Band, Lummi Tribe and Quinault Tribes 1989, p. 2).

Tribal council governments are now able to make decisions on how to disburse funds received from the federal government as they see fit. Implementation of tribal programs is handled by the tribal council instead having the Bureau of Indian Affairs act as a trust agent in its behalf. Although these two acts have granted self-governance, they have not supplied funds to initiate an economic rebirth in the face of federal budget cutbacks. Things began to change when the Seminole Tribe of Florida and other tribes, to include the Oneida, began to introduce bingo to its reservations as means of economic support.

The opening of the Oneida bingo casino occurred in 1974, although little attention was paid to this event nationally by other tribes. In 1979, the Seminole Indians in Florida opened up its own bingo parlor to bring in badly needed income its Reservation. The Seminole found that bingo halls required little cash investment while reaping quick economic returns. Other tribes quickly followed the Seminole remedy in order to bring in needed revenues. Gaming was seen as a cure for five needs within Indian Country.

1. Finance economic development ventures
2. Create jobs for tribal members.
3. Supplement and enhance funding of existing tribal programs.
4. Create new tribal programs to meet the needs of members.
Florida and other states tried to halt the proliferation of bingo parlors on tribal reservations. In 1981, the 5th Circuit Court held that the State of Florida could not interfere with tribal gambling "because the federal government had never transferred jurisdiction to the state allowing it to impose civil laws on Indian lands." In 1987, the case of the *Cabazon Mission Indians v. California* was brought before the United States Supreme Court. In the case, the Supreme Court "finalized the distinction in which the court applied a criminal/prohibitory vs. civil/regulatory distinction" (National Indian Gaming Association 1994, p. 11). This test said that if a law was civil, it could not be applied or be enforced by the states on federally recognized tribes because they are domestic sovereign nations. The Supreme Court held that California civil laws and regulations "pertaining to bingo and certain card games could not be applied to such activities on Indian reservations" (Greenberg and Zello 1992, p. 2).

In response to the decision of the Cabazon case, tribes across the country began opening up state unregulated gambling casinos on its reservations. The proliferation of casino and bingo operations was also an economic response to the decrease of funding coming to tribes due to Reagan Administrations budgetary cutbacks. In 1988, United States Congress passed the Indian Gaming Regulatory Act in curb and control the proliferation of unregulated gaming casinos on Indian lands.

The principal goal of Federal Indian policy is to promote tribal economic development, tribal self-sufficiency, and strong tribal government and to provide a statutory basis for the operation of gaming by Indian tribes as a means of promoting tribal economic development, self-sufficiency, and strong tribal governments. Indian tribes have the exclusive right to regulate gaming activity on Indian lands if the gaming activity is not specifically prohibited by Federal law and is conducted with a State which does not, as a matter of criminal law and public policy prohibit such gaming activity (Public Law 100-497).

Conflict has arisen between the issue of State and tribal sovereignty during the compact process. Compacts are agreements between a state and a tribal sovereign government on how a tribal gaming facility will be regulated and administered. Compacts are seen as illegal by tribes since treaties can only be make between tribal nations and the United States government. This whole issue on Indian sovereignty has legal experts and tribes themselves questioning the very legality of the Indian Gaming Regulatory Act.
In addition, state governors and the commercial gaming industry still look on with disfavor at the Indian Gaming Regulatory Act of 1988. States see the act as an infringement on their rights as sovereign states. States express the concern that gambling promotes crime, and expose the notion that Indian casinos fail to contribute revenue to its coffers since federally recognized Indian tribes do not have to pay taxes on their earnings to the state (Greenberg and Zello 1992, p. 1). Tribal casinos are also seen as competitors against state sponsored gambling activities such as lotteries. Some religious leaders and non-Indians also see gambling as immoral and discriminatory, since Indians do not have to obey state civil laws or pay state taxes on earnings. Finally, concern is coming from local governments because they are losing their land to tribes who are putting in an effort to get back original tribal lands. Tribal trust land is exempt from property tax. A decrease in property tax hinders a local governments ability to supply service and infrastructure needs to its populace.

Despite the continuing arguments over sovereignty, to over half the 522 nationally recognized tribes, gaming has provided economic sustenance for their impoverished economies. "Gaming has replaced the buffalo as the mechanism used by American Indian people for survival. Today, proceeds from gaming are used by Indian Nations for subsistence, cultural preservation, and to replenish impoverished economies" (Indians Gaming Association 1994, p. 9). This paper will analyze if gaming is really the panacea for the Oneida Tribe to attain and sustain community and economic development with its revenues.

C. Research Parameters and Methodology

Located in two counties just outside Green Bay, Wisconsin, the Oneida Reservation is the subject of this thesis case study. Supporting and opposing views will be presented by Oneida Tribal members and outsiders on their impressions in utilizing gambling for: job creation, as an economic jumping stone, and as a way to revitalize the Tribe culturally. Outside views have been obtained almost exclusively through literature review. Tribal information and viewpoints were collected by interview, Tribal documentation, and Wisconsin and United States Census data.

The focus of this study includes: a) the Oneida Reservation and the two counties it is contained within; b) the services, facilities, infrastructure, and economic base that serves the Oneida Reservation and surrounding communities.

Analysis includes:
a) The preexisting and existing economic base of the Oneida Reservation.
b) The economic and community impact of the gaming revenues.
c) The positive and negative social impacts on the Tribe and surrounding community.

Analysis and discussion examines the impact of gambling on the Tribe since the casino was opened up in 1991. Demographic analysis focuses on federal social service payments, per capita income, employment statistics, and the economic base activity of the Oneida Tribe, before and after the casino to determine the impact of casino gaming.

Primary source documents came from the Wisconsin Department of Industry, Labor and Human Relations, the National Indian Gaming Commission, the United States Bureau of the Census and the Wisconsin Gaming Commission, and other documentation for use in this study. Within the past year extensive phone interviews and one visitation were conducted on the Oneida Indian Reservation in Wisconsin. Research collected will document the Oneida Nations economic status before and after the gambling act was made into law. Research obtained through discussions with Tribal Council leaders, was used for analysis to determine the future of gambling as an economic resource and alternative means of economic development. Finally, personal commentary from tribal leaders has been an essential element in understanding the effects of gaming on the Oneida Nation. For this reason, two interviews have been included in the appendix for reference and greater understanding.

State and federal government payments, per capita income, and employment rates have been compiled and analyzed to see the effects on the Reservation and in the Green Bay area, before and after casino gambling.

Once again, this thesis will bring to light the ways in which one Native American tribe, the Oneida Nation of Wisconsin is addressing ways to improve its community and economic development needs by using its casino gaming revenues.
CHAPTER II. LITERATURE REVIEW

A. Community and Economic Development on Indian Reservations

Defining and understanding the terms economic and community development is crucial to be able to measure the success or failure of the Oneida gaming as a tool for development. The term development implies improvement, growth, and change (Christenson and Robinson 1989, p. ix). Since the focus of development is on improvement, growth, and change, what then does it mean to have community development defining it in broad and narrow terms? Broadly, "Community Development is a group of people working together in a community setting on a shared decision to initiate a process to change their economic, social, cultural, or environmental setting" (Christenson and Robinson 1980, p. 12). A more narrow definition focuses on a set of criteria to focus when defining community development.

Community Development refers to purposive efforts of a group of people in a community to improve its social, economic, or cultural situation. Three important components are included in this definition. First, community development has to do with the process devoted to local improvement. Even if efforts fall short of their specific goals, community development will have occurred. Second, community development is public oriented in the sense that a group must be involved rather than single individual, and potential beneficiaries must include individuals not participating in the process and must be directed toward improvements that can be classified as collective or public goods. The third condition is that participants in the process are residents of the community in question (Ryan 1988, p. 360).

Economic development is distinct and separate from community development and refers to improving the economic base of a community. Improvement focuses on the communities attempt to increase the capacity of an area to generate income and employment. Development includes projects that would expand or maintain infrastructure such as roads, buildings, and sewers for sustained economic growth (Ryan 1988, p. 361). Ryan points in his book, Rural Economic Development in the 1980s: Prospects for the Future, that community development can be instrumental to the success of economic development because it can serve as a guide for economic development activities (Ryan 1988, p. 361).

Pommersheim points out in an article entitled, "Economic Development in Indian Country: What are the Questions?" that economic and community development on Native American lands in the past, meant massive leasing of tribal natural resources, capital intensive
manufacturing, or large scale agribusiness ventures (Pommersheim 1984, p. 195). Federal and state government solutions failed to take into account the cultural intricacies of the various Native American tribes. Tribal resources, including human and financial assets, are often left out of the context of the development that is occurring on reservations. Pommersheim stresses that community and economic development must start within the Tribal leadership itself. Failure to achieve economic development in the past, was a result of the tribal leaderships inability to decide on a course of action in developing its economies (Pommersheim 1984, p. 199). The lack of United States government funding is not mentioned as a reason for the inability to sustain government sponsored tribal programs. Initiatives must originate through the tribes own revenue sources.

Economic development must focus on the Tribe because the Tribe, despite its penurious state, is the primary and perhaps the sole entity capable of generating substantial income producing activity on the reservation. The Tribe controls so many of the development variables that it must be the principal agent or catalyst in the development process. It also greatly shapes the institutional settings and structural prerequisites that are necessary for development to take root (Pommersheim 1984, p. 202).

Under tremendous pressure to create jobs, tribes often chose unsustainable and unprofitable enterprises in which to focus its resources. Tribal focus should be directed to what they are capable of, and to not fall under the sway of the so-called experts of economic and community development (Pommersheim 1984, p. 204).

Another writer suggests that Indians today suffer from what is called the "identity-poverty dilemma" which proposes that a community rejects economic development in order to retain their cultural identity. In the book, Indian SIA: The Social Impact Assessment of Rapid Resource Development of Native Peoples, three scholars support the notion that the resistance and the inability for tribal nations to achieve sustained economic development is mainly psychological. "It is an adaptive, tension reducing response to the prolonged conditions of poverty, deprivation and external exploitation, which in turn, stimulates greater attachment to traditionalism, which blocks economic development to escape poverty and deprivation. (Geisler, Usner, Green and West 1982, p. 81-82).

Helen W. Johnson, in 1970 suggested that Native Americans suffer from a kind of identity crisis which leads to their inertia. Johnson said, "it is not enough to raise the level of living of a deprived people; it is also necessary to give them identity and purpose" (Johnson
This book contains case studies, statistics, and reports on economic development issues that Native Americans have affected them in the past and present. The theme of the book continually brings up the point that Native Americans have perpetually suffered from the lack of an economic base, transportation system, and an under-trained, uneducated work force.

The majority of Native American economic and community development occurring on reservations has only happened during the past five years, after more than a century of economic stagnation. Congress granted Tribes its legal blessing to work on their own economic fortunes in 1988 by passing the Federal Indian Gaming Regulatory Act. Besides promoting economic development, the Act was also devised to control the unregulated proliferation of Indian gaming casinos that were opening up.

Changes in United States government policy and law concerning Native Americans cannot be fully appreciated, until past policy decisions are fully examined. United States Indian laws must be looked at because its decisions have often had a profound, if not negative effect in the cultural and economic fortunes of the Native Americans.

**B. The History of United States Government Indian Policy**

"From 1607, the date of the first permanent English settlement in North America, to the Revolutionary War more than a century and a half later, the American colonies, and the British imperial government established procedures that formed the basis for the Indian policy of the United States" (Prucha 1985, p. 1). The basis of United States government policy in the past had been an effort on the part of a dominant culture to assimilate a culture that is still seen today as alien, and at times inferior to its own. Government policy reflected a paternalistic view of the Indian. "Christian statesmen and missionaries looked upon Indians as children toward which they had a parental or paternal responsibility" (Prucha 1985, p. 10). Native Americans conversely struggled to keep their cultural traditions separate from their conquerors. "American Indian communities today are societies formed by their resistance to colonialism." (Prucha 1985, p. 3). Deloria and Lytle reflect in their book, *American Indian, American Justice*, on the mindset of the colonizers of the New World by stating, "Those who discovered and conquered other lands were entitled to them, their riches, and their spoils. The conquered people could be treated as slaves, banished to other lands, or assimilated into the society and institutions of the conquering people" (Deloria and Lytle 1983, p. 2).
In addition to paternalism and assimilation, United States government laws and treaties supported the wishes of a voting public who demanded more land access. White settlers wanted to move into the vast and relatively under populated expanses of this continent to obtain land and wealth. Whites looked upon the indigenous peoples, who already inhabited this land, as savages and sometimes as less than human. "Within the perspective of Indian-white conflict there is no question that the major thrust has been one of dispossession of the natives by those colonizing the continent" (Deloria 1985, p.4). The past ambitions of United States government Indian policy had been an attempt to obtain as much land as possible from a defeated people. From 1778 to 1878, the United States made six hundred treaties and agreements with the tribes and nations of North America (Deloria Jr. and Lytle 1983, p. 4). The effect of treaty making on the Native American land base can be seen fully understood by calculating the size of Indian Country today. Indian lands today constitute "a mere four percent of the land area of this country (about the size of Oregon), which belongs to Native Americans, or will, once the final distribution of land is made to Alaska Natives" (Sutton 1985, p. 4).

Before land acquisition became a driving ambition for the new settlers, Colonizers were initially concerned with establishing trade with the Native Peoples. The Northwest Ordinance of 1787 established a framework for settlement beyond the Alleghenies by asserting that Indian land and property shall not be taken from them without their consent (Ainsworth 1989, p. 3). United States established its power and authority through laws and treaties like these with tribes.

The initial formation of the asymmetrical power relationship between the United States government and Indian tribes was rooted in the Constitution and built upon through other legislative acts such as the Trade and Intercourse acts and the Northwest Ordinance of 1787 (Esber 1992, p.213).

The Oneida Tribe, which was part of the Iroquois Confederacy, were changed socially and culturally when the fur trade was introduced as a means of commerce into its society by whites. "The Oneida were soon faced with rapid changes in their social and political organizations, settlement patterns, and subsistence practices. The fur trade transformed a formerly self-sufficient people, into employees in a European dominated global economy" (Campisi and Hauptman 1988, p. 5).

Founded around 1450, the Iroquois League, or Haudenosaunee (People of the Longhouse), consisted of the Mohawk, Onondaga, Cuyaga, Seneca, and the Oneida Tribes.
The Tuscarora joined the League later on in 1712 (Johansen 1982, p.22). The Iroquois Nation or Confederacy was located in what is now Upper New York State. Confederacy power and influence stretched into Pennsylvania and into several Southern states. The Iroquoian language family, at its height, numbered around 40,000 people. At the peak of its power, the population of the Five Nations numbered between 10,000 to 17,000 people. Iroquois people resided in palisaded villages and depended on hunting, fishing, and farming for their livelihood. Each communal village could sustain approximately 3,000 people (Crowell 1989, p. 298). The Iroquois culture centered around the Long House and was matrilineal in nature. Women had the power to vote for and impeach chiefs (Grinde 1977, p. 1). The entire Iroquois Confederacy was based on law, called the Great Law of Peace, which gave order, cohesion, and purpose to the Iroquois and which was the keystone of its unity and strong government.

The Iroquois remained virtually undefeated in battle until the French and Indian War of 1763. This was the first time that the Six Nations began to fragment and fight on opposing sides in war in over two hundred years. This occurred yet again during the American Revolution when the Oneida and half the Tuscarora tribe sided with the Americans, against the British and against the rest of the Iroquois Confederacy. The Oneida Tribe fed and clothed General Washington and his troops during the winter at Valley Forge and fought in several battles, including the Battle of Saratoga (Campisi and Hauptman 1982, p. 7). Oneida American loyalties did not prevent the Tribe from losing its homeland. A description of the Iroquois territories during the seventeenth century: "Despite their desire to retain their tribal lands, the Iroquois, through treaties in 1784 and 1794 and the subsequent sales, treaty violations, and fraud lost most of their lands" (Gould 1992, p.471). Table 1 shows the adverse effects of disease and war on the Oneida population up until its dispersal in the early to middle 1820s.

Table 1- Population Estimates of the Oneida Tribe from 1600 to 1792

<table>
<thead>
<tr>
<th>Year</th>
<th>Population</th>
</tr>
</thead>
<tbody>
<tr>
<td>1650</td>
<td>3,000</td>
</tr>
<tr>
<td>1683</td>
<td>1,500</td>
</tr>
<tr>
<td>1774</td>
<td>1,500</td>
</tr>
<tr>
<td>1792</td>
<td>630</td>
</tr>
<tr>
<td>1794</td>
<td>1,088 (628 US; 460 Canada)</td>
</tr>
</tbody>
</table>

Small pox, chicken pox, measles, influenza and other diseases inflicted a 55 to 95 percent mortality rate among the Tribes. The estimated pre-epidemic population of the Oneida was between 3,700 to 4,200 people. The rest of the population decreases came about through wars and conflict. In 1794, a little over 1,000 Tribal members remained divided between two countries (Campisi and Hauptman 1988, p. 16-17).

Figure 3 shows Native American populations from the mid 1800s until 1990. The lowest point in population for Native Americans occurred in 1870. This period coincides with the near extinction of the buffalo herds and the implementation of the United States government policy of placing Native American tribes on reservations.

![Figure 3: Native American Populations from 1860 to 1990](image)


Figure 3 is the most complete United States Census Bureau data available on Native Americans. Population estimates before 1860 cannot be verified by the United States Census. Some scholars suggest that only in the last decade have Native American populations begun to approach pre-European contact numbers. The 1960 Decennial Census was the most
accurate since the 1930 census. In 1940 and 1950, census takers did not ask questions about race and used their own judgment to decide ethnic background (Langone, American Indians: Fact and Future 1970, p.3-4).

Radical changes in the traditional Oneida way of life occurred as the Tribe gradually lost its 6 million acre land base through a barrage of treaties. From 1785 to 1842, New York State entered into over thirty land "treaties" with the Oneida, resulting in dispossession and the loss of its original Tribal lands. The Oneida were defrauded in less than six decades of a vast estate covering between five and six million acres. In 1974, the Oneida won two United States Supreme Court cases over illegally made land treaties, however, they have not yet received any land as compensation (Campisi and Hauptman 1988, p. 45). The loss of Oneida native lands came about by three reasons:

2. The United States failed to honor and uphold its treaties and laws.
3. The factionalism within the tribe that created the inability to take action (Campisi and Hauptman 1988, p. 45).

Before the implementation of the Indian Removal Act of 1830 occurred, the majority of the Tribe had already left New York State for Wisconsin in the early 1820s. The Oneida exodus from New York to Wisconsin was prompted by the Ogden Land Company, the State of New York, the United States government, and a missionary (Campisi and Hauptman 1988, p.46). The Oneida were led out of New York by a preacher named Eleazer Williams, who according to the Tribe was paid by land companies to move them out of New York (Oneida Nation). Williams had converted the majority of Tribal members to Christianity by the 1820s, and in short order moved his flock of 654 converts to Wisconsin. The State of New York, in compensation for the millions of acres it had taken sometimes illegally from the Tribe, gave it enough money to buy a land base of just over 65,000 acres just outside of Green Bay, Wisconsin in 1823. The remaining fragment of the Oneida in New York either stayed or moved up into Canada. In 1932, the Oneida Nation in New York retained in its possession 32 acres out of an original land base of six million acres (Campisi and Hauptman 1988, p. 46-47).

During this period, Chief Justice Marshall defined the legal status of the tribes in the Supreme Court case of Cherokee Nation vs. Georgia of 1831, when he described the tribes as, "domestic dependent nations". With this court ruling, the United States was given the status of legal guardians of Native Americans (Bee 1982, p. 24). In 1832, the Supreme Court declared that tribes were also sovereign and independent nations in Worcester v. Georgia.
The Indian nations had always been considered as distinct, independent, political communities... and the settled doctrine of the law of nations is, that a weaker power does not surrender its independence-its right of self-government-by associating with a stronger, and taking its protection (Jamestown Band of Klallam, Lummi Indian Tribe and Quinault Indian Nation 1989, p. 2).

The Indian Removal Policy was eventually replaced by the General Allotment Act, or Dawes Severalty Act of 1887. This law was developed in response to white expansion as settlers moved westward and encroached on Indian lands. Confrontations between white settlers and Indians resulted in more tribal land loss and displacement. The United States government decided that the policy of allotment and assimilation would solve the "nagging Indian problem" once and for all (Deloria and Lytle 1983, p. 8). "The intent of the Act was to break up tribal land holdings and allot plots up to 160 acres to Indian families and individuals" (Ainsworth 1989, p. 4). President Theodore Roosevelt called it a "mighty pulverizing engine to break up the tribal mass" (White 1990, p. 3). Politicians assumed that Native Americans across America would become farmers, ignoring the fact that Indians were often capital poor and culturally disinclined toward agriculture as a sole means of livelihood. Without capital, Native American allotment holders were unable to buy seeds or equipment to farm their property. The Dawes Act was seen as illegal because:

Not only did the allotment act breach numerous treaty provisions but also Indian agents, under orders from Washington, refused to issue rations and other annuities to Indians unwilling to work their allotments, making the policy exceptionally onerous to the Plains tribes, who viewed farming with distaste (Deloria and Lytle 1983, p.10).

Lacking provisions and capital, and often viewing farming as woman's work, Indian land holdings were reduced from 138 million acres in 1887 to 48 million in 1934. Tribal members across the United States lost their land because they had no capital to pay on the property tax for their allotments. The allotment process also ignored the cultural lifestyles of the vast majority of Indian nations, which was more communal in nature. Community unity was seen as a more important value for Native Americans, rather than accumulating physical and material wealth on an individual basis. This ideological conflict put tribes at a disadvantage when dealing with a more populous and alien culture.

Of the 48 million acres that remained in Tribal member hands, 20 million acres was considered desert or unarable land. There were also allottees who chose not to farm the land, and then had their land taken away by the Secretary of the Interior. The Secretary of the
Interior leased these lands to whites who were willing to farm Indian land. The provision in the act which granted the allottee a tax free grace period of twenty five years was often ignored, contributing to the acceleration of land depletion (Deloria and Lytle 1983, p. 10).

The result of the fee patent process to the Oneida Nation of Wisconsin:

Fee patents were also given to Oneida with less than one-half Indian blood in order to quicken the pace of assimilation. The allotment policy proved a total disaster to the Oneida. In August of 1937, Commissioner Collier described the tragedy that befell the Oneida: 'They lost more than 95 percent of all their land under the fee patenting operation. They are one of the extreme examples of the disastrous operation of the old type of allotment such as we had under the 1887 act.' After the issuance of fee patents by the federal "competency" commission or at the end of the trust period, Oneida land became subject to taxation, resulting in new and impossible tax burdens, foreclosures, and subsequent tax sales of property. Moreover, land speculators, in collusion with the corrupt Indian agents, and, on occasion, Oneida leaders themselves, immediately set out separating the Indian allotee from his allotment (Hauptman 1986, p. 33).

From 1892 to 1934, the Oneida Tribal land base in Wisconsin consisted of less than 90 acres (Campisi and Hauptman 1988, p. 46-47). Surplus land which was not allotted to individual Indian farmers was then sold off to white settlers, further reducing the tribal land base (Ainsworth 1989, p. 4). The condition of the Oneida Reservation in 1930: "By the time of the New Deal, the Oneida had less than 90 acres of Tribal lands and approximately 700 acres of land held in individual allotments out of 65,425 acres they started with (Hauptman 1986, p. 33).

In 1882, the United States government passed 22 Statute 181, which removed Indian children from their parents and homeland, to be sent away to be schooled and acculturated into white society. Oneida children were sent to Tama, Iowa, South Dakota and other Indian boarding house schools (Jordan 1994). Missionaries taught at the off-reservation boarding schools and were assigned by a lottery process to operate them. The idea behind the boarding house school was it would offer the way to assimilate, acculturate and turn the Indian children into Christians if separated from their homes. Separating Indian children from their homelands was seen as a way to weaken the cultural traditions of the tribes. Children were often punished if they spoke their tribal language or practiced their traditional ways. Sometimes separation resulted in children not seeing their parents for years at a time while at these schools (Deloria and Lytle 1983, p. 11-12).
Imre Sutton commented on the plight of the Native American in his book, *Irredeemable America*. In the book Sutton states, "the fact will remain that no other people in the history of Westernization have ever had to reestablish and reaffirm their identity as many times as the American Indian" (Sutton 1985, p. xv).

The United States government abandoned the Dawes Act in 1934 and replaced it with the Indian Reorganization Act or the Wheeler-Howard Act. It was also called the Indian New Deal. This Act halted the policy of allotments to individual Indians, and instead granted land to the Tribe itself. The Wheeler-Howard Act was meant to organize Tribes so they could provide for its general welfare, increase the economic resources of the tribe, establish Tribal Councils to deal with different levels of government, and to give Tribes more individual power to Tribes from government agencies (Deloria and Lytle 1983, p. 14). The Indian New Deal attempted to strengthen tribes and its government structures by encouraging the following:

The New Deal era at Oneida was marked by establishment of an elected Tribal system of government out of the political disorder of the past; the repurchase and reclamation of Tribal lands; the building of the so-called "New Deal homes" to replace dilapidated log cabins; the drilling of wells for each new home to end the need haul water from springs; relief employment sponsored by the Civilian Conservation Corps and the Works Progress Administration; and finally, the WPA Oneida Language and Folklore Project, one of the earliest language and oral history programs among the Indians in the United States (Hauptman 1986, p. 34).

The Depression, however, failed to halt the exodus of the best and brightest from the reservations. Commission of Indian Affairs John Collier was disappointed that the Indian New Deal had not done much to improve the economic conditions of the tribes. The Bureau of Indian Affairs was attacked by both sides of the political spectrum for "fostering guardianship, paternalism and segregation" (Hauptman 1986, p. 34). Political leaders at this time began to call for Native American emancipation and independence from government control and began to support the policy of Termination.

United States laws were changed in the 1950s through a series of debates and studies which examined and critiqued the Native American standard of living. Liberals and conservatives alike arrived at the same conclusion: to terminate the government relationship with federally recognized tribes. Republicans thought that Indian programs were expensive and wasteful. They also expressed the notion that these programs did not promote Indian assimilation into the greater society. Republicans postulated that if the Indians were freed
from reservations, they would experience a "profound reawakening." Democrats and liberals saw past United States government policy as racist and segregating. Reservations were seen as discriminatory, and where perceived along the same vein as Japanese-American Internment camps (Deloria and Lytle 1983, p.17). Termination, meaning the unilateral termination of federal assistance and recognition, became policy in 1953 with the passage of 67 Statute B132.

The Oneida, by the early 1950s had recovered more than 2,000 acres of Tribal land through the Indian New Deal. "They remained divided by religion, geography and history, and struggled on a land base which was in checkerboard pattern and individually owned as a result of the Dawes Act" (Hauptman 1986, pgs. 36-37). The Tribe lobbied long and hard not to be terminated and was granted status as a federally recognized tribe by the Indian Affairs Commission during hearings held in Des Moines, Iowa, in the fall of 1956 (Hauptman 1986, p.42). The consequences of a tribe being terminated included:

1. Ending the trust relationship with the federal government
2. Canceling tribal sovereignty status.
3. Imposing civil jurisdiction on the tribe.
4. Taxing of tribal lands
5. Cutting off all federal programs and funding (Deloria and Lytle 1983, p. 20).

According to Deloria and Lytle, termination policy "encroached substantially on Indian attempts to remain Indian" (Deloria and Lytle 1983, p. 20). Termination, like the Dawes Act encouraged assimilation as opposed to encouraging diversity because:

As a philosophy, the movement encouraged assimilation of Indians as individuals into the mainstream of American society and advocated the end of the federal government's responsibility for Indian affairs. To accomplish these objectives, termination legislation fell into four general categories: (1) the end of federal treaty relationships and trust responsibilities with certain specified Indian nations; (2) the repeal of federal laws that set Indians apart from other American citizens; (3) the removal of restrictions of federal guardianship and supervision over certain individual Indians; (4) and the transfer of services provided by the Bureau of Indians Affairs to other federal, state, or local government agencies or Indian nations themselves (Hauptman 1986, p. 30).

Other tribes discovered they too were not ready to operate without federal support systems (Prucha 1985, p. 71). Tribes rejected termination because they desired to remain separate and independent political entities from the federal government (Ainsworth 1989, p.
6). Termination procedures ended in 1958, and the policy was formally dismantled in 1970 by the Nixon Administration. Nixon began to implement major changes during his Administration that actively supported Indian self-determination. The next section looks at United States government policy from the early 1960s to the present.

**C. Recent Changes in United States Government Indian Policy and the Introduction of the Indian Gaming Regulatory Act of 1988**

The United States government policy of Indian Self-Determination emerged in 1961. Under a barrage of legislation which included the Area Redevelopment Act of 1961, the Indian Civil Rights Act of 1968, the Great Society Programs, the Economic Opportunity Act of 1964, the Indian Education Act of 1972, and the Indian Self-Determination and Education Assistance Act of 1975, Native Americans were again included under an umbrella of federal programs (Deloria and Lytle 1983, p. 21). These programs and laws enabled tribes to flex some degree of sovereignty since contact with European settlers. The Tribal Self-Governance Demonstration Project of 1987 formalized government to government relations between the United States government and Indian governments. The Project selected twenty tribes to participate in the Demonstration Project with the following objective:

It further enables Indian tribes to redesign programs, activities, functions or services and to reallocate funds for such programs, activities, functions, or services according to tribal government decisions. Furthermore, the Demonstration Project is intended to enable Indian tribes to plan and deliver services appropriate to the needs of their members, to enhance the ability of tribal governments to determine priorities, to enhance the success of long-term financial stability of tribal governments, and to reduce the Federal-Indian bureaucracy (Jamestown Band of Klallam, Lummi, and Quinault Tribes 1989, p. 2).

The down side to these new Indian laws is that mandates that went along with these laws were programs woefully underfunded, slowing or halting tribal efforts to reach greater self-determination and economic development. Tribes like the Oneida and Seminole opened up bingo parlors to address pressing revenue shortages on their reservations. The Courts considered these Indian self-determination laws when suits started to be brought before it by states arguing against the legality of bingo and later gambling casinos.

Before the Indian Gaming Regulatory Act of 1988 was made into law, there were several court decisions that defined the sovereign status (self-determination) of Tribes as it
concerns gaming. The first case was *California v. Cabazon Band of Mission Indians* in 1987. The Cabazon Band of Mission Indians brought suit against the state when it tried to "assert jurisdiction over tribal bingo games" (Report 100-446 1988, p. 1). The Supreme Court carefully considered the interests of all parties, while at the same time examining the ideas behind United States government Indian policy, which stressed self-determination and stronger tribal government. The Supreme Court decided that, "using a balancing test between federal, state, and tribal interests, found that tribes, in States that otherwise allow gaming, held that state gaming laws have no force in Indian country if it does not violate state public policy (Report 100-446 1988, p. 1).

The Cabazon case introduced the Civil Regulatory/Criminal Prohibitory Rule, which meant that if State law generally permits and regulates gambling, and denies Indian tribes the same privilege, then that law must be classified as "civil and regulatory." If a law is civil and regulatory in nature, then this law is cannot be enforced by the States on Indian lands (Greenberg and Zello 1992, p. 5). This case reaffirmed yet again the status of tribes as domestic sovereign nations. The Court in the Cabazon case supported and reaffirmed the Indian Self-Determination and Education Assistance Act of 1975, thus reinforcing the United States policy wishes to promote greater economic self-sufficiency and self-determination among Native American nations. This Cabazon case gave the green light for Native American leaders across the nation to venture first into bingo and later into casino style gambling halls.

Setting up bingo parlors by tribes was seen as an implementable action because tribes possessed few if any other valuable resources to provide revenues and jobs to reservations (Wilson 1989, p.380). The Oneida and other tribes liked bingo because the start up costs were low compared to other enterprises. Tribes had difficulty raising capital for investment because its lands could not be used as collateral to generate revenues for investment and job creation. The Oneida, at this time, had its tribal lands dispersed over a ten by twelve mile area and possessed few large parcels of acreage to engage in development.

Entrepreneurial tribes began soon began to venture and expand its gaming enterprises to include casino gambling. States, religious leaders, and private commercial gaming interests complained to Congress to curtail, if not halt the expansion of Indian gaming.

The 100th Congress responded by passing the Federal Indian Gaming Regulatory Act on October 17, 1988, which provided regulation for tribes as to how they could contract and organize their casinos. The Federal Indian Gaming Regulatory Act did not grant Native American tribes the right to open up gambling casinos but instead curtailed its expansion by forcing them to compact with their States. Compacts are legal agreements and contracts
between the State and a tribe that must be decided upon before a casino can be opened. Compacts set up the rules by which the Indian casino will abide by and follow in that State. According to Congress, the purpose of the Indian Gaming Regulatory Act is:

(1) To provide a statutory basis for the operation of gaming by Indian tribes as a means of promoting tribal economic development, self-sufficiency, and strong tribal governments;

(2) To provide a statutory basis for the regulation of gaming by an Indian tribe adequate to shield it from organized crime and other corrupting influences, to ensure that the Indian tribe is the primary beneficiary of the gaming operation, and to assure that gaming is conducted fairly and honestly by both the operator and the players; and

(3) To declare that the establishment of independent Federal regulatory authority for gaming on Indian lands, the establishment of Federal standards for gaming on Indians lands, and the establishment of a National Indian Gaming Commission are necessary to meet congressional concerns regarding gaming and to protect such gaming as a means of generating tribal revenue (Indian Gaming Regulatory Act, SEC. 3, 1988).

The Act is divided up into sections to describe the function of the law and how to carry regulations within it. Section Two of the Federal Indian Gaming Regulatory Act recognizes that tribes are using casino gaming to generate tribal government revenue. This section clarifies the standards to approve compacts with the States that the Tribe reside in and requires Secretarial review of management contracts. This section reiterates that the principal goal of Federal Indian policy is to promote tribal economic development, tribal self-sufficiency, and strong tribal governments. It supports Indian tribes to have the exclusive right to regulate gaming activity on its lands if the gaming activity is not specifically prohibited by Federal law and is conducted within a State which does not, as a matter of criminal law and public policy, prohibit such gaming activity. Section Five through Section Eight provides for the establishment of the National Indian Gaming Commission to act as an independent federal regulatory authority. Section Eleven describes the ways in which the tribe is allowed to use profits earned from gaming profits. Specifically profits can only be used to promote economic development, fund tribal governments, provide for tribes welfare, or for charity. Section Twelve explains how tribes can negotiate management contracts between a tribe, and a non-tribal management contractor. Because of the status of tribes as sovereign nations, tribes are not restricted by State civil codes in which a reservation resides. Details, to include profit sharing, and specific time limits to how long the management companies can interact with a
tribe are spelled out. For example, if an outside financier comes to a reservation and provides the financing for the casino, they would receive 30 percent of the profits, with 70 percent going to the tribe over a seven year period. However, if non-financing is involved, and only a management contract is desired, the company would receive 40 percent of the profits over a five year period, with the rest going to the tribe. Both the financier, and the management contractor are given a specific time frame with which to work with, before both are released from their contractual obligations.

The Act also defines three classifications of gaming, and provides a process in which the tribes can negotiate compacts within their states that already allow gambling. For simplicity sakes, Class I is defined as traditional Indian cultural games which only members participate. Class II is defined as bingo. Class III includes high stakes gaming such as slot machines, jai-lai, poker, lotteries, and black jack.

A tribe has a competitive advantage over commercial interests since they are exempt from paying state taxes and are excluded from state civil laws that would regulate the type of casino tribes could operate because of its sovereignty status.

In *Lac du Flambeau Band of Lake Superior Chippewa Indians and the Sokaogon Chippewa Community v. State of Wisconsin* in 1990, the United States District Court extended the "civil regulatory/criminal prohibitory rule" to Class III gaming. Although Wisconsin allowed lotteries and pari-mutuel betting, it did not permit black jack or slot machine casino gambling. The United States District Court said that "the state expressed its view that gambling in and of itself is not a threat to health and safety of its citizens, but is activity to be permitted subject to regulation; thus, enforcement of gambling laws on reservations of federally acknowledged Indians tribes now falls into civil-regulatory category over which the state has no jurisdiction" (Greenberg and Zello, p. 5). Simply said, this ruling held that since State lotteries and others Class III type gaming was allowed in the State, the Tribes of Wisconsin could also participate in these activities.

The Oneida Nation sued Wisconsin and was allowed to open a gambling casino in 1991. The revenues from the Oneida gaming enterprises have proven crucial in attaining long term economic sustainability, and the cultural rejuvenation to the Tribe. "Gaming has replaced the buffalo as the mechanism used by American Indian people for survival. Today, proceeds from gaming are used by Indian Nations for subsistence, cultural preservation, and to replenish impoverished economies" (Indians Gaming Association 1994, p.9). Indian gaming has not suffered from a lack of critics, however, as the next section will show.
D. Gambling as It Concerns Society

With the passage of the Indian Gaming Regulatory Act, the controversy and arguments surrounding tribal gaming has not abated. Concern continues to be voiced by politicians and religious leaders alike about the increase of crime, prostitution, and compulsive gambling behaviors that gambling activities would bring to their States. Critics of gaming ignore a 1992 statistic that stated that Americans spent more on legal games of chance than on films, books, amusement attractions, and recorded music combined. In addition, Wall Street is forecasting spending on gambling will double within the decade (Magnuson 1994, p. 169).

The public perceptions on the immorality of gaming has also gone through a reversal in the last decade. Where once gambling was seen as an illicit activity, the public now perceives casino gambling as a form of family entertainment. Las Vegas has reacted to this changing view by building theme hotels that exude a Disneyesque atmosphere. There is little doubt that gaming has the potential to generate winnings for both the gambler and the casino owner. On the other hand there is also the specter of the social and moral fabric of a community being altered in a negative fashion because of gaming (Eadington 1984, p. 24).

The expert testimony was collected during a Senate Select Committee on Indian Affairs on the Indian Gaming Regulatory Act in 1992, on the negative social effects of gambling. Opinions presented to the Senate Committee included testimony on the adverse effects on the general populace and on Native Americans. A witness named Dr. Valerie Lorenz, from the National Center for Pathological Gambling, cited a 1975 study by Congress in which it was found that .77 percent of the adult population could be labeled as compulsive gamblers (United States Congress 1992, p. 241) Furthermore Lorenz stated:

Gambling has always been part of Native American tribal customs and traditions. Additionally, the incidence of alcoholism is higher among Native American than among other groups. With the close proximity to gambling, these addicts, or children of alcoholic families, are at considerably greater risk of developing a co- or cross addiction to gambling (United States Congress 1992, p. 242)

There is a direct correlation between gambling and crime when examining the cities of Las Vegas and Atlantic City. Eadington, a leading scholar in the field gambling found out that the Las Vegas area ranked third in the country in total reported crimes per capita-behind Atlantic City and Miami-and ranked second out of 305 areas in both violent crimes and murders per capita-behind Miami in 1981 (Eadington 1985, p. 32) Eadington postulates that
community values and priorities can be influenced the display and emphasis on luck, wealth, and hedonism at casinos (Eadington 1984, p. 32). He points out that the goal of urban revitalization, the major justification given for the legalization of gambling in Atlantic City, remained unaccomplished goals. Non-development was caused by a lack of visitor spending on non-casino related enterprises. The residents also lacked the social skills and work experience to succeed in the city (Eadington 1984, p. 35). Atlantic City still suffers from urban stagnation and decay outside immediate gambling area of the city.

Tribes, while well aware of the pitfalls of gaming are also driven to enhance their revenues by increasing the volume of the wagers made at their facilities. The examples of Las Vegas and Atlantic City are held up as negative scenarios in which to apply directly to tribally owned casinos. Critics ignore several relevant issues when looking at Indian tribal casinos versus state or commercial gambling enterprises. First of all, Indian gaming represents just 5 percent of all gaming revenues in the United States. State lotteries account for 38 percent, non-tribal casinos for 34 percent, and pari-mutuels for 12 percent of the gambling pie (Historical Review of Gaming 1994, Exhibit A). Although, Minnesota, with its Native American gambling halls, currently has more casinos than Atlantic City and employs over 10,000 people (Magnuson 1994, p. 169-170).

A study entitled, "Legalized Gambling and the Public Interest" concludes that organized crime at Indian gaming casinos was not a major problem or issue because:

The incidence of criminal activity related to gaming is not a major factor due to the remote nature of facilities, and control provided for in the federal legislation. Efforts of organized crime elements to infiltrate the gaming have been discovered, but existing tribal governmental controls have thus far negated the success of any of the efforts (Thompson 1992, p. 10).

While it is easy to bring up the pitfalls of crime and moral dissolution of Indian casinos, the facts that exist do not support negative outcomes or scenarios concerning gaming. Figure 4 is a cartoon from the Spokesman Review, and illustrates some of the controversy and criticisms surrounding the Native American casinos.
To Tribal governments across the United States, gaming is seen as one of the few forms of economic development that has contributed to achieving greater self-determination. Most tribes see gaming as a steppingstone toward to achieve a broader based economy. Ada Deer, from the Menominee Tribe in Wisconsin, and head the Bureau of Indian Affairs said, "a number of tribes now are trying to diversify, and we encourage that. The revenues from gaming have allowed this to proceed. With more States wanting to get into gambling, I think the market eventually is going to be saturated" (Beedler 1994, p. 8).

The following chapters will present the results of bringing casino gambling to the Oneida Reservation in Wisconsin. Analysis will answer the question: Is casino gaming is a way to improve tribal economies to sustain community development for future the Oneida Tribe? The following two chapters will present evidence to support the statement that gaming revenues are in fact being used to promote greater community and economic development for the Oneida Nation of Wisconsin.
CHAPTER III. HISTORY OF GAMING ON THE ONEIDA RESERVATION

A. History

Gaming had its first impact on the Oneida Tribe beginning in the early 1970s. It was during this time that the Oneida, as well as other federally recognized tribes begin to receive greater autonomy over its affairs from the Bureau of Indian Affairs. Funding received by the Oneida came almost exclusively from the Bureau of Indian Affairs for the function of its tribal government during this time (Sylvester 1993, p. 31). For example, in 1967 the Oneida government had a $25,000 budget to work with to supply services to its members (Doxtator 1994, p. 4). Federal funding amounted to just 15 percent of the Oneida Tribal government budget in 1993 (Sylvester 1993, p. 31). In 1994, the Oneida Tribal Government budget stood at $94 million (Doxtator 1994, Appendix).

Oneida Business Committee member, Gary Jordan, explained in an interview conducted for this thesis, that in the past, for every ten tribal reservation Indians, there was one Bureau of Indian Affairs employee in place to oversee its activities. This heavy layering of bureaucracy resulted in having less funding going to tribes because large amounts of revenue were being used to administer tribes. Bureau of Indian Affairs officials, who directed Oneida activities up until the mid 1970s, attended every Tribal Council meeting to instruct the Tribe on what programs it could fund, despite the fact that there was little funding available to carry out programs. Funding that did trickle down to tribal governments was insufficient to carry out social programs or to invest in economic development.

In the early and mid 1970s, the Indian Education Act of 1972, and the Indian Self­Determination and Education Assistance Act of 1975, was made into law, allowing the Oneida and other tribes to determine the direction of its affairs without the Bureau of Indian Affairs intervening. Although the Oneida Nation was now able to make its own decisions, there was still a lack of revenue to carry out any new visions the Tribe might have. In early 1970s, funding was not only in short supply but desperately needed for maintenance and utilities to run a Tribal housing and urban development facility. During this time, the Tribe was extremely poor and had less than five employees on its Tribal government payroll (Doxtator 1995). A solution was desperately needed in order to bring in funds so the government could supply needed services to Oneida Tribal members.
Deborah Doxtator, the Oneida Business Committee Chairwoman explained how three Oneida housewives brainstormed one day and came up with the idea to open up an Oneida Bingo Hall in order to bring in the needed revenue, so the Tribal government could support itself. The three women who were the key in starting the idea of gaming on the Oneida Reservation include Tribal members: Sandra Ninham, Audrey Doxtator, and Elma Webster. They noticed that the local church charities ran its own charity bingo nights to fund its organization and thought the Oneida could do the same. The women presented their bingo proposal to the Oneida Business Committee. Lawyers from the Oneida Legal Counsel, with a directive from the Business Committee, researched the bingo proposal to see if it would be a viable option for the Tribe to undertake. Tribal lawyers reported back to the Business Committee that due to the sovereign status of the Oneida Nation, which excluded it from civil jurisdiction by the State of Wisconsin, that the Tribe could indeed open up its own bingo hall. Tribal lawyers agreed that undertaking this action would not violate any criminal laws in Wisconsin. The Oneida Business Committee, with the legal opinion from its own lawyers, directed the women to then open up and operate the bingo hall in behalf of the Oneida Tribe.

The women were given just enough money to purchase tables, chairs, and some bingo cards. In 1974 the women opened the Oneida Bingo Hall and immediately started hiring Oneida Tribal members to manage the facility. By the early 1980s, because of the success of the bingo hall, it was decided that the hall should be moved to another Tribal facility called the Irene Moore Activity Center, to accommodate the large crowds of bingo enthusiasts. Expansion on this Center occurred two more times after the initial construction of the hall (Doxtator 1995).

Negotiations immediately began between the Oneida Tribe and the governor of Wisconsin to open up its own casino when the Federal Indian Gaming Regulatory Act was made into law in 1988. The State of Wisconsin said it did not have to enter into a compact with the Oneida because it did not allow casino gaming in the state. The Oneida tried for over two years to arrange a compact with Wisconsin, without success. Then in 1990, the United States District court, in the *Lac du Flambeau Band of Lake Superior Chippewa Indians and the Sokaogon Chippewa Community v. State of Wisconsin*, extended the "civil regulatory/criminal prohibitory rule" that had only allowed bingo on Indian lands, to also include Class III gaming, which includes casinos and lotteries in 1990. This meant that if a state conducted Class III gaming activities, such as lotteries, casinos, or pari-mutuel betting, then tribes could also venture into gambling activities because legal restrictions imposed the state are civil regulatory, rather than a criminal prohibition of the activity. The United States District Court
said that since Wisconsin allowed lotteries and pari-mutuel betting, which was Class III gaming, then tribes could establish their own casinos, which was also under this classification.

The Oneida Nation happened to be better prepared than the other ten tribes in Wisconsin to manage and control its own casino operation because it already had six years of management experience from running its bingo hall. Back in 1974, the new Oneida bingo management team was sent for training to Las Vegas and to other tribal bingo halls across the so they could operate a bingo hall competently. Tribal management experience was non-existent in the other Wisconsin tribes when the Indian Gaming Regulatory Act was made into law in 1988. This left the other tribes unprepared to take on the larger responsibility of running a casino. The Oneida were the only Tribe in Wisconsin that did not have a management contract to run its casino in 1991.

The Oneida Tribe had gone to court in 1974 to be able to operate its bingo hall in the case, Oneida Tribe of Indians v. State of Wisconsin. In 1974, the Oneida strengthened its sovereignty position in the eyes of the Court by stating that Tribal members would be the sole employees working at Oneida Bingo Hall. This demonstrated to the Court that Oneida members would be the sole beneficiaries from the revenues collected from the bingo hall, fulfilling the United States government policy of self-determination and economic development on its Reservation (Doxtator 1995, Appendix).

It was this earlier history that allowed the Oneida to take on the larger responsibility and challenge of managing its own Class III gambling casino when it opened up its casino in 1991. It was also during this first stage, during Oneida bingo gaming operations, that Tribal attorneys recommended that revenues be given directly to the Tribal government to increase services to its membership.

Tribes across the country have traditionally given out per capita payments to its members when revenues are received into the tribe. Per capita payments to individual tribal members has resulted in the siphoning of money away from tribal governments needed to fuel increased community and economic development. The Oneida legal counsel in 1972 said that the Oneida General Council was responsible for providing services to its Tribal members and without substantial funding, it would be unable to carry out its duties (Doxtator 1995, Appendix).

The decision to not give out per capita payments is proving to be crucial in improving the cultural and economic fortunes of the Oneida Nation of Wisconsin. The Oneida Tribe is distributing its revenues, according to the Seventh Generation Planning Process, to encourage development and provide for the cultural rejuvenation of its membership. The next section
describes the development and process of the Oneida Seventh Generation Planning Process developed in 1993.

B. The Seventh Generation Planning Process of the Oneida Nation

Before the Seventh Generation Planning Process was developed in 1993, the Oneida government was following a comprehensive plan developed in 1987. The 1987 plan was followed as a planning process for future development, but it did not address or include traditional Oneida cultural values as part of its planning process.

The newly elected Oneida Business Council and other Tribal leaders, in 1993, developed the Seventh Generation Planning Process as a way to reinforce and define Oneida cultural values when considering any future planning or development. The Oneida leadership feels that by following the directives set forth in the Seventh Generation Planning Process, they will better able to direct the large revenues coming into the Tribal government to assist their people.

Tribal leaders named the new process the Seventh Generation Planning Process because it is based on the Great Law of Peace of the Iroquois. The Great Law of Peace was created over four hundred years ago by the Iroquois as a moral, cultural, and legal guide for the Iroquois Nations. The Seventh Generation is considered a part of the traditional cultural identity of the Oneida, to which Tribal leadership must consider before making any decisions for the future. Statements on the mission, vision, and national priorities are included in the Seventh Generation Planning Process as a way for the Oneida Nation to plan its future.

The Mission according to the Seventh Generation Planning Process is to sustain a strong Oneida Nation by preserving the Oneida heritage through the Seventh Generation. The Oneida Family will be strengthened through the values of our Oneida Identity by providing housing, promoting education, protecting the land, and preserving the environment. The Oneida Nation will provide for the quality of life where the people come together for the common good.

The Vision of the Seventh Generation Process will strengthen the Oneida Community. We will develop a provision that fits our "family"/community values. We set our own member standards to ensure the Seventh Generation. We strengthen the family. We will establish a stable Oneida economy. We will develop a uniform code for all that is Oneida. We will provide for our elders who are keepers of our ways. We will revitalize the Oneida History, Culture, and Heritage. We protect the land and
preserve the environment. We will establish a national value of holistic education for our own.

Oneida national priorities and leadership will honor Oneida cultural values, which include citizenship responsibilities, strengthening of the extended family, a stable Oneida economy, a solid foundation of education, protecting the environment, revitalizing Oneida history, culture and heritage, and the encouragement of self-improvement consistent with Oneida values (The Oneida General Tribal Council).

The Oneida Seventh Generation Planning Process considers all development activities 150 years, or seven generations into the future in deciding whether a planning alternative is beneficial to the Tribe. Tribal planning objectives not only consider the land use needs of the Oneida but stress: improving the quality of life for its people, supplying affordable housing, providing education that includes Oneida cultural values, strengthening Oneida families, preserving the Reservation environment, protecting the land, taking care of its elders and children, and other priorities that define the direction for gaming and other enterprise revenues received.

It is this Seventh Generation Planning Process which is being used to guide the Oneida people to achieve greater self-determination. Gambling revenues are only seen as a means to an end to achieve self-sufficiency. The Oneida see gaming as one way to rejuvenate Oneida culture, flex its dominion over its Reservation lands, and empower its Tribe to be self-sufficient. The next section will define tribal sovereignty and how it relates attaining Oneida Tribal self-sufficiency.

C. The Origins of Tribal Sovereignty and How this Effects the Oneida Nations Ability to Conduct Business

Oneida sovereignty stems from the United States government formally acknowledging the status of the aboriginal peoples as the first inhabitants of this continent and thus the original sovereigns of its land, through laws and treaties. The sovereignty status which the Oneida Nation continues to enjoy today. Numerous laws and court cases uphold and define the sovereignty of tribes to include *Worcester v. Georgia, 31 U.S., 1832*, in which Chief Justice Marshall articulated that Indian tribes are "distinct, independent, political communities having territorial boundaries, within which their authority is exclusive" (Bee 1982, p. 23).
Oneida Tribal members are able to hold dual Oneida-United States citizenship and are immune from state or local property taxes if they live on the Reservation. Tribes are subject only to their own civil and to some extent, criminal laws while on Reservation lands. This idea was supported in *Williams v. Lee*, 358 U.S. 217, 1958, in which the Court stated, "in the absence of Congressional legislation, states may not extend their laws or exercise jurisdiction on a reservation if this would infringe upon the right of Indians to govern themselves" (Deloria and Lytle 1983, p. 205). Tribes can also sue in federal court when its sovereignty (self-determination) is threatened (Bee 1982, p. 209). Bee continues:

But in a crunch, what matters is that the Indians are protected by a binding set of obligations far more specific than those set forth in the Bill of Rights or the Civil Rights Act. Their special relationship could also give them an edge over other poverty-stricken groups in the nation, but so far it has not done so (Bee 1982, p. 209).

Tribal land is held in trust by the United States government, meaning liens cannot be placed on reservation land. A paradox sometimes exists which leaves some tribes land rich but capital poor because they cannot borrow money against tribal land assets. This situation leaves tribes in a difficult position to initiate seed capital for development. Private businesses are not allowed to purchase tribal lands because its trust status. An advantage for companies that do build on leased tribal lands comes from a state tax exemption status they receive, as long as its business endeavors contributes to the general welfare of a tribe (Jordan 1994, Appendix).

Besides lacking capital for development, tribes continue to suffer from a variety of problems, including the lack of infrastructure, the isolated reservations, poor education, and weak tribal leadership (Ainsworth 1989, p. 12). Weak tribal leadership was partially a result of the long history of federal governmental control by the Bureau of Indian Affairs up until the mid 1970s. The Bureau of Indian Affairs is under the Department of the Interior. The Department of the Interior can lease Indian lands and mineral resources in behalf of tribes. Criticism continues to be directed at the Department of the Interior for leasing tribal trust lands, often for pennies on the dollar.

Fraud, environmental destruction of trust land, and the lack of revenue accountability are some of the allegations that have been presented against the Department of the Interior by tribal lawyers (Deloria and Lytle 1983, pp. 106-107). With tribes now flexing a greater degree of control and sovereignty over its lands, Native Americans are slowly overcoming the labor market problems that have hampered their efforts in attaining self-sufficiency on
reservations. Casino gaming revenues have provided the needed fuel to fulfill delayed hopes and visions for many American Tribes.

This flexing of Oneida sovereignty over its Tribal lands is a crucial component in achieving self-sustaining activities and development on its Reservation. The next chapter is on the demographics of the Oneida Reservation and its relationship to Brown and Outagamie Counties. The second chapter will discuss community and economic development programs which have been improved or developed with casino gaming revenues. Both chapters demonstrate that with the introduction of the Tribal casino, the Oneida government can offer jobs, good wages, affordable housing, and other services in which it was not in a position to provide its membership before 1991.
CHAPTER IV: ECONOMIC AND DEMOGRAPHIC TRENDS ON THE ONEIDA RESERVATION AND IN BROWN AND OUTAGAMIE COUNTY

A. The Current Overall Economic Conditions of the Region

The Oneida Reservation is located in both Brown and Outagamie County. The Oneida Reservation is included as part of the Green Bay Statistical Area, and is not considered a part of the five Fox Cities, which are geographically located in Outagamie County and part of the Appleton-Oshkosh-Neenah Metropolitan Statistical Area. Greater emphasis will be given to the Brown County data, rather than Outagamie County because the Oneida Reservation is economically aligned with Green Bay, which is located in Brown.

Brown County is the only county in the Lake Michigan and Northeastern Wisconsin Region (part of an eight county area) to have its population grow faster in the 1980s than during the 1970s (Bargender 1993, p. 14). Table 2 gives the population figures for Brown and Outagamie County.

Table 2: Brown and Outagamie Population Figures and Projections from 1950 to 2020

<table>
<thead>
<tr>
<th>Year</th>
<th>Brown County</th>
<th>Outagamie County</th>
</tr>
</thead>
<tbody>
<tr>
<td>1950</td>
<td>98,314</td>
<td>81,722</td>
</tr>
<tr>
<td>1960</td>
<td>125,082</td>
<td>101,794</td>
</tr>
<tr>
<td>1970</td>
<td>158,244</td>
<td>119,356</td>
</tr>
<tr>
<td>1980</td>
<td>172,280</td>
<td>128,799</td>
</tr>
<tr>
<td>1990</td>
<td>194,594</td>
<td>140,510</td>
</tr>
<tr>
<td>1994</td>
<td>206,418</td>
<td>147,612</td>
</tr>
<tr>
<td>1995</td>
<td>206,672</td>
<td>149,583</td>
</tr>
<tr>
<td>2000</td>
<td>215,040</td>
<td>155,634</td>
</tr>
<tr>
<td>2005</td>
<td>220,828</td>
<td>159,912</td>
</tr>
<tr>
<td>2010</td>
<td>225,491</td>
<td>163,505</td>
</tr>
<tr>
<td>2015</td>
<td>229,490</td>
<td>166,750</td>
</tr>
<tr>
<td>2020</td>
<td>232,894</td>
<td>169,321</td>
</tr>
</tbody>
</table>


The population of Brown County grew by 8.8 percent from 1970 to 1980, while Outagamie grew by only 7.3 percent. From 1980 to 1990, Brown County increased its population by 13 percent, while Outagamie only increased by 9.1 percent. During the period
of 1990 to 1995, Brown had a population increase of 6 percent, while Outagamie had an increase of 6.5 percent. Populations for both counties are expected to grow another 4 percent to the year 2000. "Growth in population for the region was due to 45 percent net migration, and 55 percent from natural increases" (Bargender 1993, p. 15).

The economic base of the Green Bay Metropolitan Statistical Area in the 1990s has been dominated by service producing industries, which exceeded goods producing industries (Bargender 1993, p. 3). Table 3 shows the labor force from 1990 to 1995 for Brown and Outagamie County. Early in the 1990s, both counties were continued to suffer from the effects of a national recession, causing sluggish growth in the economy. For the purpose of this study, total number of workers employed, will start in the 1990s, which is when casino gaming was brought to the Oneida Reservation.

<table>
<thead>
<tr>
<th>Year</th>
<th>Brown County</th>
<th>Outagamie County</th>
</tr>
</thead>
<tbody>
<tr>
<td>1995</td>
<td>115,600</td>
<td>90,200</td>
</tr>
<tr>
<td>1994</td>
<td>115,700</td>
<td>90,400</td>
</tr>
<tr>
<td>1993</td>
<td>111,600</td>
<td>87,800</td>
</tr>
<tr>
<td>1992</td>
<td>108,400</td>
<td>85,600</td>
</tr>
<tr>
<td>1991</td>
<td>108,100</td>
<td>74,100</td>
</tr>
<tr>
<td>1990</td>
<td>106,700</td>
<td>70,600</td>
</tr>
<tr>
<td>1989</td>
<td>106,700</td>
<td>76,700</td>
</tr>
<tr>
<td>1988</td>
<td>103,000</td>
<td>75,200</td>
</tr>
<tr>
<td>1987</td>
<td>98,500</td>
<td>70,500</td>
</tr>
<tr>
<td>1986</td>
<td>100,800</td>
<td>68,200</td>
</tr>
<tr>
<td>1985</td>
<td>97,600</td>
<td>66,500</td>
</tr>
<tr>
<td>1984</td>
<td>97,200</td>
<td>67,600</td>
</tr>
</tbody>
</table>


The entire State of Wisconsin, is expected to enjoy a strong and growing economy which includes plenty of job creation through the year 2000. State Revenue Secretary Mark D. Bugher noted, "absent significant new growth in our population, due to in-migration, employment demand will continue to grow faster than Wisconsin's population" (Wisconsin Department of Revenue 1994, p.1). Per capita personal income, in the Lake Michigan and Northeastern Wisconsin Region, surpassed state and national averages in the 1990s (Bargender 1993, p. 65).
Number 79 of the Standard Industry Classification entitled, "Amusement and Recreation Services," which includes casino gaming, grew by 96.1 percent from 1988 to 1992. Actual jobs in this sector grew from 1,113 in 1988 to 2,182 in 1992 (Bargender 1993, p. 47). The Oneida Bingo and Casino facility contributed 946 jobs to this sector, or 88 percent of the growth in this classification. In 1992, a year after casino gaming was introduced to the Reservation, the Oneida Tribe became the eleventh largest employer in Brown County. Two years later, in 1994, the Tribe became the single largest employer in Brown County.

Against this robust economic picture of the Green Bay Metropolitan Statistical Area, analysis will be conducted on the Oneida Reservations economic impact on the area by contrasting Brown and Outagamie demographic data against Tribal data. At the end of this chapter, conclusions will be made on the economic effects of Oneida gaming facilities on the Tribal and regional economy.

B. Population, Employment, and Income Rates

This section will present the population figures, top employers in the area, employment in percents and numbers and the income rates of the Oneida Tribe. During the early to middle 1990s, the Oneida Tribe emerged as a major job creator and employer in the Green Bay Metropolitan Statistical area. The changes in Oneida demographics will demonstrate declining unemployment rates, more tribal in-migration, solid wages, and other positive economic indicators which supports the hypothesis that the Oneida casino is a tool for economic development.

While the general population of Brown and Outagamie County grew 13 and 9.1 percent respectively from 1980 to 1990, Native American populations in both counties were growing at a much faster rate. Figure 5 and Table 4 gives the populations for Native Americans for the two counties, and on the Oneida Reservation. In Brown County, the rate of increase for the Native American population in was 58 percent during this ten year period, while Outagamie grew by 21 percent. "During the 1980s, the regions nonwhite population grew at rates that were substantially faster than the rate of growth for the white population" (Bargender 1993, p. 13) The white population during period grew by 3.1 percent, while the non-white population grew by 63 percent (Bargender 1993, p. 17).
The availability of employment located in Brown County has acted as a magnet of employment for whites and minorities alike. The Reservation population itself grew by 21 percent during the 1980s. Native American populations in Brown County made up 2 percent of the general population, while in Outagamie, they only made up 1.4 percent of the population. The State of Wisconsin is home to eleven other tribes and as such there is a degree of movement among the tribes as they move around the state in search of employment opportunities. Table 4 separates general Native American populations in Brown and Outagamie County, and the Oneida living on or near the Reservation.

![Figure 5: Total Number of Oneida, both on the Reservation, and in Brown and Outagamie Counties from 1992 to 1995](source)

Source: Oneida Tribal Enrollment 1995.

Table 4: Native American Populations from 1980 to 1990 from Brown and Outagamie County

<table>
<thead>
<tr>
<th>Year</th>
<th>1980</th>
<th>1990</th>
</tr>
</thead>
<tbody>
<tr>
<td>Native Americans in Brown County</td>
<td>2,427</td>
<td>3,843</td>
</tr>
<tr>
<td>Native Americans in Outagamie County</td>
<td>1,608</td>
<td>1,942</td>
</tr>
<tr>
<td>Oneida Tribal Members on or near Reservation</td>
<td>2,018</td>
<td>2,447</td>
</tr>
</tbody>
</table>
Figure 5 on the previous page shows the total number of Oneida near or on the Reservation during the period from 1992 to 1995 (the first bar column). This figure is obtained by adding Oneida on the Reservation and living off the Reservation in both counties. More complete census figures from 1990, 1991, and 1994 from the Tribe could not be included due to an administrative problem at the Oneida Tribal Enrollment Department. The Bureau of Indian Affairs also had incomplete or contradictory census data on the Oneida. Oneida population data from 1989 was available to use as a pre-casino comparison figure.

During the period from 1992 to 1993, the Oneida population increased by 15 percent, in reaction to a second Oneida casino being built on the Reservation. During this same period, Oneida unemployment went down from 17 percent to 12.2 percent (Oneida Human Resources Department). Figure 5 also shows that in 1995, a little more than half of the Tribal members lived on the Reservation, with the rest living off the Reservation. Later on in this paper, discussion will include Oneida housing efforts, started in 1994, to supply more homes for its members because of the severe shortage of homes on the Reservation (Oneida Housing Plan 1994).

Table 5 shows the Oneida population, to include living on or near the Reservation one year after casino gaming, and three years after this event. From 1989 to 1995, Tribal populations increased by 38 percent, demonstrating that jobs being created at the Oneida Reservation were attracting tribal members back to the area. During this six year period, in-migration contributed to the majority of the Oneida population growth. After the second Oneida casino was built in 1993, the Oneida population grew by another 272 people from 1993 to 1994, and 188 from 1994 to 1995. The population increase from 1992 to 1995 was 31 percent, or 1,250 people in-migrating near or on the Reservation.

<table>
<thead>
<tr>
<th>Year</th>
<th>Number</th>
</tr>
</thead>
<tbody>
<tr>
<td>1995</td>
<td>4,472</td>
</tr>
<tr>
<td>1994</td>
<td>4,290</td>
</tr>
<tr>
<td>1993</td>
<td>4,017</td>
</tr>
<tr>
<td>1992</td>
<td>3,423</td>
</tr>
<tr>
<td>1989</td>
<td>3,229</td>
</tr>
</tbody>
</table>

Source: Oneida Tribal Enrollments 1995
Figure 6 shows the entire Oneida population living on or near the Reservation grew by 27 percent from 1989 to 1994. The total number of Oneida from 1993 to 1994 shows an increase of 1,554 tribal members, which is a 15 percent increase in population. These figures seem an extremely large for a one year increment, and for this reason, this indicator is considered suspect as a true indication of natural population increases.

To qualify as a Oneida, an individual must possess a minimum blood quantum of 25 percent to be registered as an official member of the Tribe. As of 1994, 34 percent of the Tribe was one quarter Oneida blood, 28 were one-half Oneida, and 15 percent a hundred percent Oneida. The remaining 23 percent of the Oneida membership possess blood quantums between 25 and 100 percent blood (Oneida Enrollment & Trust Department 1995).

Figure 7 and Table 7, on the next page, registers the effect of a nationwide recession from 1990 to 1991. It is seen in the dip in employment from 1990 to 1991. Brown County has an 18 percent increase in employment from 1990 to 1994. The Oneida Reservation during this same period was creating 1,558 jobs from its casino.
Figure 7: Civilian Labor Force Estimates from 1994 to 1974 for Green Bay Metropolitan Statistical Area and Outagamie County


Table 7: Total Labor Force in the Metropolitan Green Bay Statistical Area and in Outagamie from 1988 to 1994

<table>
<thead>
<tr>
<th>Year</th>
<th>Brown County</th>
<th>Outagamie County</th>
</tr>
</thead>
<tbody>
<tr>
<td>1994</td>
<td>120,720</td>
<td>92,174</td>
</tr>
<tr>
<td>1993</td>
<td>111,278</td>
<td>87,394</td>
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<tr>
<td>1992</td>
<td>108,157</td>
<td>85,442</td>
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<tr>
<td>1991</td>
<td>102,246</td>
<td>81,549</td>
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<td>1990</td>
<td>101,450</td>
<td>81,561</td>
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<tr>
<td>1989</td>
<td>106,700</td>
<td>73,800</td>
</tr>
<tr>
<td>1988</td>
<td>103,000</td>
<td>72,500</td>
</tr>
</tbody>
</table>

Figure 8: Number of Employees Working for the Oneida Nation from 1974 to 1995

Source: Oneida Human Resources and Development 1995.

Table 8: Oneida Tribal Employment Growth from 1986 to 1995

<table>
<thead>
<tr>
<th>Year 1991-1995</th>
<th>Number</th>
<th>Year 1990-1986</th>
<th>Number</th>
</tr>
</thead>
<tbody>
<tr>
<td>1995</td>
<td>3,356</td>
<td>1990</td>
<td>834</td>
</tr>
<tr>
<td>1994</td>
<td>3,392</td>
<td>1989</td>
<td>705</td>
</tr>
<tr>
<td>1993</td>
<td>2,849</td>
<td>1988</td>
<td>626</td>
</tr>
<tr>
<td>1992</td>
<td>1,572</td>
<td>1987</td>
<td>548</td>
</tr>
<tr>
<td>1991</td>
<td>1,044</td>
<td>1986</td>
<td>454</td>
</tr>
</tbody>
</table>

Source: Oneida Human Resources and Development January 1995.

The dramatic increase in jobs created is shown in Figure 8 and Table 8, from 1990 to 1995 on the Oneida Reservation. There is a 306 percent increase from 1990 to 1994 in the number of workers employed on the Reservation because of the two casinos. Unemployment rates for Tribal members plummeted from 17 percent in 1990 to 9 percent in 1995. An
additional casino was built in 1993, contributing additional jobs to the Reservation and the local economy. The Oneida have invested heavily into advertising and promotions tap into the customer market to bring more customers to its Tribal gaming facilities (Jordan 1994) To bring in more customers, advertising is conducted both locally and regionally, drawing a patron base as far away as Chicago.

![Graph showing percent unemployed on the Oneida Reservation, Brown and Outagamie County and the State of Wisconsin from 1972 to 1994.](image)

**Figure 9: Percent Unemployed on the Oneida Reservation, Brown and Outagamie County and the State of Wisconsin from 1972 to 1994**


Figure 9 shows several dramatic drops in the unemployment rate for the Oneida Tribe. The first large dip occurs in the early 1970s with the introduction of the bingo hall. The largest decrease in the unemployment rate occurs from the late 1980s to 1991 when unemployment was as high as 35 percent in the late 1980s and goes down to 12.2 percent in 1992. Casino jobs created on the Reservation not only benefit Tribal members, but non-Indians who work for the Tribe or workers supported by income spent by visitors and employees from the Reservation. Approximately 35 percent of the Oneida Reservation employees are non-Indian. Also due to casino gaming, Oneida unemployment is now at 9
percent as of January 1995. There are also almost 3,400 jobs on the Reservation that pay double the minimum wage. In the near future, the Oneida Tribe plan to introduce: an entertainment facility, another hotel, an upscale shopping center and a building in the Oneida Ashwaubenon technical park during the next several years. The Tribe plans on hiring an additional 2,000 employees to work in these for these future enterprises (Dougherty 1994, p 11).

Table 9: Rank of Largest Employers in Brown County from 1990 to 1995

<table>
<thead>
<tr>
<th></th>
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<th></th>
<th></th>
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</tr>
</thead>
<tbody>
<tr>
<td>Oneida Tribe of Indians</td>
<td>16</td>
<td>14</td>
<td>11</td>
<td>9</td>
<td>1</td>
<td>1</td>
</tr>
<tr>
<td>Fort Howard Corporation</td>
<td>1</td>
<td>1</td>
<td>1</td>
<td>1</td>
<td>2</td>
<td>2</td>
</tr>
<tr>
<td>Green Bay Public Schools</td>
<td>-</td>
<td>-</td>
<td>-</td>
<td>3</td>
<td>4</td>
<td>3</td>
</tr>
<tr>
<td>American Medical Security</td>
<td>-</td>
<td>23</td>
<td>19</td>
<td>15</td>
<td>6</td>
<td>4</td>
</tr>
<tr>
<td>Employers Health Insurance</td>
<td>3</td>
<td>3</td>
<td>2</td>
<td>2</td>
<td>3</td>
<td>5</td>
</tr>
<tr>
<td>Schneider National Inc.</td>
<td>8</td>
<td>6</td>
<td>7</td>
<td>5</td>
<td>5</td>
<td>6</td>
</tr>
<tr>
<td>St. Vincent Hospital</td>
<td>2</td>
<td>2</td>
<td>3</td>
<td>4</td>
<td>7</td>
<td>7</td>
</tr>
<tr>
<td>Procter and Gamble Paper Products</td>
<td>5</td>
<td>4</td>
<td>5</td>
<td>6</td>
<td>8</td>
<td>8</td>
</tr>
<tr>
<td>Packerland Packing Co.</td>
<td>15</td>
<td>15</td>
<td>13</td>
<td>12</td>
<td>10</td>
<td>9</td>
</tr>
<tr>
<td>ShopKo Stores Inc.</td>
<td>4</td>
<td>10</td>
<td>4</td>
<td>7</td>
<td>9</td>
<td>10</td>
</tr>
<tr>
<td>Bellin Memorial Hospital</td>
<td>8</td>
<td>5</td>
<td>6</td>
<td>8</td>
<td>12</td>
<td>12</td>
</tr>
<tr>
<td>James River Corp.</td>
<td>10</td>
<td>8</td>
<td>9</td>
<td>13</td>
<td>-</td>
<td>-</td>
</tr>
<tr>
<td>H.C. Prange Company</td>
<td>6</td>
<td>19</td>
<td>17</td>
<td>-</td>
<td>-</td>
<td>-</td>
</tr>
</tbody>
</table>


Table 9 shows the top employers in Brown County for the last six years. Since the Oneida Casino opened up in 1991, the Tribe has gradually moved into the number one employer position in the Green Bay area. In 1990, the top twenty employers in Brown County supplied 24,898 jobs. In 1995, the top twenty employers supplied 32,151 jobs, which is a 29 percent increase. This means that the employers that exist in 1995, grew substantially during this five year period.

Job creation is a key criterion in identifying economic development. "Less than 0.5 percent of all firms employ at least 500 workers, although they provide 22.5 percent of all jobs in the Green Bay area (Bargender 1993, p. 35). The ten companies listed provide 48.6 percent of the regions employment (Bargender 1993, p. 35).

The Oneida Tribe moved from sixteenth place to being the number one employer in the Green Bay Metropolitan Statistical Area from 1990 to 1994. The total number of workers
employed by the Tribe as of February 1995 was around 3,391. The jobs created by the Oneida pay double the minimum wage although the majority of the positions are low skilled entry level positions. This demonstrates that the Tribe is an extremely valuable employer for the area because its supplies low skilled/high wage jobs.

In-migrating Tribal members have been readily absorbed into the labor force as either Oneida employees or finding work in the Green Bay area. This ability to absorb new labor is important goal of the Tribe because it has experienced a 38 percent increase from its returning Reservation membership since 1990.

From the very beginning of its casino and bingo operations, the Oneida have been able to take advantage of its geographic location, across the street from the regional airport. The casino is also readily accessible from several interstate highways. Metropolitan Green Bay employment has also been positively affected by its geographic location in terms of the type of jobs created.

Green Bay is located next to Lake Michigan and is accessible to the other Great Lakes. The Green Bay metropolitan area specializes in several areas of employment to include: paper manufacturing (Fort Howard, Procter & Gamble Paper, James River Corporation), food processing (Packerland Packing Company), regional medical centers (Bellin Memorial and St. Vincent Hospitals), insurance corporate headquarters (Employers Medical Security, American Medical Security), and as retail and wholesale center for Wisconsin and the Upper Peninsula of Michigan. Schneider National Incorporated has also become a major employers and is a regional leader in trucking.

Twenty-three percent of Brown County is concentrated in trade, 25 percent is devoted to service industries, such as medical services, 22 percent of economy is concentrated in manufacturing, and the remainder is taken up by construction, finance, real estate, government, transportation and utilities. The entire Wisconsin Bay-Lake Region, consisting of eight counties, has a strong economic base in plastics, electrical components, printing, non-electrical machinery production, forestry, and agriculture.

The average Oneida employee wage rate is over $10 an hour and is double the wage offered for retail and fast food jobs (Oneida Human Resources and Development Department 1995). Table 10 shows the gradual increase in the wage rate. Forty hours is the average Oneida employee work week for a full time employee.
Table 10: Oneida Average Employee Wage Per Year from 1990 to 1995

<table>
<thead>
<tr>
<th>Year</th>
<th>Hourly</th>
<th>Annual</th>
</tr>
</thead>
<tbody>
<tr>
<td>1995</td>
<td>$10.84</td>
<td>$22,547</td>
</tr>
<tr>
<td>1994</td>
<td>$10.76</td>
<td>$22,281</td>
</tr>
<tr>
<td>1993</td>
<td>$9.74</td>
<td>$20,259</td>
</tr>
<tr>
<td>1992</td>
<td>$8.80</td>
<td>$18,304</td>
</tr>
<tr>
<td>1991</td>
<td>$8.61</td>
<td>$17,907</td>
</tr>
<tr>
<td>1990</td>
<td>$8.33</td>
<td>$17,326</td>
</tr>
</tbody>
</table>

Source: Oneida Human Resources and Development January 1995.

Table 11: Per Capita Income from Brown and Outagamie County

<table>
<thead>
<tr>
<th>Year</th>
<th>Brown County</th>
<th>Outagamie County</th>
</tr>
</thead>
<tbody>
<tr>
<td>1993</td>
<td>$19,845</td>
<td>$19,681</td>
</tr>
<tr>
<td>1992</td>
<td>$18,684</td>
<td>$18,473</td>
</tr>
<tr>
<td>1991</td>
<td>$18,037</td>
<td>$17,618</td>
</tr>
<tr>
<td>1990</td>
<td>$16,881</td>
<td>$16,544</td>
</tr>
<tr>
<td>1989</td>
<td>$15,715</td>
<td>$15,735</td>
</tr>
<tr>
<td>1988</td>
<td>$14,949</td>
<td>$15,064</td>
</tr>
</tbody>
</table>


Per capita income information was not available from the Oneida Tribe itself and instead the average employee wage rate was used. Per capita income figures have a lag time of two years, meaning, 1994 figures will not be released until sometime in May 1995.

Examining Table 10 and 11, it demonstrates that the income rate between the per capita of Brown and Outagamie County and the Oneida wage rate is close enough to show that the wages received at the Reservation are almost equal to the per capita county data. The average wage rate has steadily increased from $8.33 in 1990 to its present level, which works out to an annual salary of $22,547.

When hiring, the Oneida government practices Tribal member preference in the selection of all new employees. Tribal preference is allowed under an exception clause under the Civil Rights Act of 1964: Title VII. The Civil Rights Act of 1964 recognized the unique sovereign status of all Tribes under section 703(i), in which the Tribal Preference exemption is defined:
Known as the Indian Preference section of Title VII, it states that "nothing contained in this title shall apply to any business or enterprise on or near an Indian reservation with respect to any publicly announced employment practice of such business or enterprise under which a preferential treatment is given to any individual because he is an Indian living on or near a reservation (Letgers and Lyden 1994, p. 105).

If two people apply for the same position, and the Oneida Tribal member meets the minimum employment standards for the position, he/she will be hired over a non-tribal applicant. Despite the utilization of the Indian Preference exemption, the Tribe in 1995 employed over 1,400 non-Indians or 35 percent of total workforce. As of January 1995, 45 percent of the employees working for Oneida Tribal enterprises were Tribal members, with the other 20 percent being made up of other Native Americans from different tribes. (Marketplace 1995, p. 19). Table 12 shows the January 1995 Oneida labor force.

Table 12: Oneida Labor Force January 1995

<table>
<thead>
<tr>
<th>Regular Full Time</th>
<th>Male</th>
<th>Female</th>
<th>Total</th>
</tr>
</thead>
<tbody>
<tr>
<td>Tribal Members</td>
<td>739</td>
<td>1,023</td>
<td>1,762</td>
</tr>
<tr>
<td>Non-Tribal Members</td>
<td>627</td>
<td>682</td>
<td>1,309</td>
</tr>
<tr>
<td>Temporary</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Tribal Members</td>
<td>123</td>
<td>85</td>
<td>320</td>
</tr>
<tr>
<td>Non-Tribal Members</td>
<td>30</td>
<td>82</td>
<td></td>
</tr>
<tr>
<td><strong>Total</strong></td>
<td><strong>1,672</strong></td>
<td><strong>1,985</strong></td>
<td><strong>3,391</strong></td>
</tr>
</tbody>
</table>

Source: Oneida Human Resources and Development 1995.

One of the criticisms leveled repeatedly against Indian gaming is that it has no effect on the local economy and only benefits tribes. A study entitled, "Economic Impact of Michigan's Gaming Enterprises" written by Dr. Carol Bergquist found that over 44 percent of the customer base that visited Indian casinos came from fifty or so miles from the Indian gaming establishments, meaning new income was brought into the area. Out of all the customers who visited an Indian casino, over 88 percent spent their tourist dollars in local restaurants, 53 percent bought gasoline, and 27 percent purchased souvenirs and other retail goods. Taxes paid by the employees of Indian casinos grew by 5 percent since not all workers
employed are Native Americans (Bergquist 1993, p. 5). The payroll paid to employees also creates a multiplier effect into the local economy, providing more employment outside the Reservation to supply goods and services of the employees.

The Oneida Tribe used to have the highest unemployment rate for any racial group in both Brown and Outagamie Counties. Figure 9 shows the dramatic decrease in the unemployment rate for the Tribe because of gaming coming to the Reservation. By literally creating thousands of entry level jobs, the Oneida Tribe has drastically decreased its unemployment rate during the last five years. In the early 1990s, the employment rate stood at 17 percent. In 1995, Tribal unemployment was 9 percent because of casino gaming. Ignoring the percentages for just a moment, the table and figures above shows that the Tribe has been responsible for creating over 2,500 jobs in just five years and becoming the number one employer in the Green Bay area. Job creation is what economic development is all about, and the Oneida government has succeeded in accomplishing this task. The Tribe has also been able to generate jobs that are over double the minimum wage, enabling its members to participate fully in the local economy.

Finally, with Tribal employment opportunities now available, Oneida have been drawn back to the Reservation, fulfilling the 1968 study that if jobs were available, Tribal members would return. As stated previously, there was a 38 percent increase in the Tribal population from 1989 to 1995 who moved back. Once again, Oneida Business Committee Member Gary Jordan on the Oneida returning back to the Reservation, "the return migration has been incredible" (Jordan 1994). "The Oneida Tribe has welcomed back members from as far away as California. 'Some are coming from IBM and other large corporations, and they're a seasoned employee who is able to come back and provide guidance,' Skenandore said" (Dougherty 1994, p. 11).

Tribal members can come back to their homeland, knowing that a well paying, stable job will be available to them if they return. In the beginning, the Oneida Tribal leadership had a concern about the future per capita income that its Tribal members would be earning from Reservation employment. Oneida government leaders felt if new Tribal jobs were to be created, the wages supplied would have to be above the minimum wage to increase the quality of life for its people. Minimum wage jobs, it was thought, would only exacerbate the problem for the Tribe, since there would still be the question of attaining a level of income to reach the cost the cost of living for the area.

The Oneida government and its membership have been able to successfully supply enough income without supplying employees additional monetary assistance from the Tribe,
or by using federal assistance. The next section will examine three social services that are offered to Tribal members and analyze whether these indicators have been effected negatively or positively by casino employment.

C. AFDC Benefits, Medical Assistance and Food Stamps

Despite the large influx of Oneida coming back to the Reservation and into the Green Bay area, social service benefits such as food stamps, Aid to Families with Dependent Children, and medical assistance showed a decline in Brown County and a very slight increase in Outagamie County from 1989 to 1993. The following is the most current data from the Wisconsin Department of Health and Social Services, which supplied the federal assistance data. The data received for this study did not distinguish between the Tribal affiliation of the people receiving assistance. Tribal statistics on the people receiving government assistance could not be collected from Oneida, despite numerous inquiries. Additionally, it is important to note that Wisconsin is home to eleven other Tribes, with the Menominee Tribe being located next to Brown County. All these factors effect the reliability of the following data supplied for analysis.

Figures 10 and 11 shows the number Native Americans being supported by federal social services, such as AFDC and Food Stamps from 1989 to 1993. As stated in the beginning of this chapter, the majority of the Tribe lives and works in Brown County, with a slightly smaller number of living in Outagamie County.

Adding up the number of people leaving and receiving assistance in Brown County (Figure 10) shows there has been a decrease in demand for social services of approximately 90 Native American from 1989 to 1993. Brown County shows a flat demand for services from 1992 to 1993, while Outagamie County actually showed a decrease in 1993. There is no dramatic change in demand for these services although the number of Oneida Tribal members moving back to the area had increased by 600 people. This demonstrates that the Tribe was able to generate enough employment to meet the increasing demand for employment, while having its members stay off federal assistance. During this same time, the Tribe had enough surplus jobs to be able to offer jobs to offer non-Tribal members.
Figure 10: Number of Native Americans Receiving Federal Assistance in Brown County from 1989 to 1993

Figure 11: Number of Native Americans Receiving Federal Assistance in Outagamie County from 1989 to 1993
This section did not include welfare or unemployment benefits received by Tribal members due to the inability of the data. There is enough data collected on other social services to imply that the Oneida Tribe is offering enough job opportunities to decrease demand for federal services because its membership can now find employment on the Reservation.

The next section will describe some of the social problems occurring because of gaming. Analysis will include the steps the Tribe is taking to avoid as best as it can, the negative effects of gaming.

D. Crime and Compulsive Gambling

County crime rates in Wisconsin were compared from 1989 to 1992. It was found that overall crime increased by 12.2 percent in counties without Indian gambling, and just 4.8 percent in counties that had Indian casinos within its confines (Murray 1992, p. iii). Lower unemployment rates seemed to decrease the incidence of crime at the county level.

Actions have been undertaken by the Oneida Tribe to mitigate compulsive gambling behavior and criminal activities at its facilities. Oneida bingo and casino management conduct training programs for its employees to identify patrons who exhibit compulsive gambling behaviors. Patrons exhibiting compulsive gambling behaviors are politely made aware of the problem and if they persist in their activities they are asked to leave. To protect its workers, Oneida gaming employees themselves are not allowed to gamble at any Oneida gaming facility. The Oneida Employee Assistance Program offers help to employees who do feel they might have a problem with compulsive gambling. A chapter of Compulsive Gamblers Anonymous provides additional support in the area. Finally, alcohol is prohibited from being served in all Tribally owned gaming facilities to weaken the linkage between alcohol and compulsive gambling.

In 1984, the Oneida Tribe in 1984 established its own police force to combat any criminal behavior which could occur near its facilities, including prostitution, robbery, and
drugs. For the last five years, the Oneida Police Department has had a cross-deputization agreement with Brown County. The same agreement has been in effect with Outagamie County for the last two years. Cross-deputization has empowered the Oneida Police Department to write citations and make arrests for both counties. This action was implemented because the Oneida Reservation is still separated in a patch work pattern over two counties. The Oneida will have its own judiciary system in by 1997 so the Tribe can incorporate some of its traditional Iroquois practices from the Great Law of Peace (Doxtator 1995).

The Indian Gaming Regulatory Act of 1988 provides additional deterrents against crime because of the strict regulatory controls within the law. The Act was developed and made into law to control and regulate gaming so organized crime and other illegalities would not be introduced to the Reservations. The Oneida Tribe has invested $8.1 million dollars in surveillance and security equipment to ensure its gaming operations are honest and professionally run (Anquoe 1993, p. A1).

E. Conclusions

The Oneida Tribe of Wisconsin became a major source for employment in the Green Bay Metropolitan Statistical area in the 1990s. Economic power was demonstrated by the Tribe when it decreased its unemployment rate from 35 percent in the mid 1980s to 9 percent in 1995. Enough surplus jobs have been created to employ 55 percent of its labor force with non-Tribal members. Over 2,500 jobs were added to the local economy, paying double the minimum wage. This demonstrates economic development concretely. Tribal members are being drawn back to the area because of the jobs available. The Green Bay area has benefited because these 3,400 Oneida employees pay for goods and services with the wages they receive from casino. The casino has taken the position as the number one tourist attraction for the region, bringing in outside income into the metropolitan area. This contributes to a multiplier effect on the whole Green Bay Metropolitan Statistical Area. The Tribal government has benefited from the casino by receiving needed funding to provide for social services for its people.

The next chapter examines and analyzes Oneida programs and services, to analyze how the Tribe has invested its casino revenues according to the Seventh Generation Planning Process.
Community and economic development that occurred during the period from 1980 to 1991 on the Oneida Reservation, but on a much smaller scale that now takes place. The preexisting economic conditions of the Oneida Reservation leading up to casino gaming included a 40 percent unemployment for Tribal members living on or near the Reservation in the 1980s. This works out to be approximately 807 persons unemployed out of 2,018 membership on or near the Oneida Reservation in 1980. In 1990, approximately 978 people were unemployed out of a 2,447 Tribal membership. Brown and Outagamie unemployment at this same time hovered between 5 to 10 percent.

The Oneida government during the 1980s did not have enough revenue to build housing or a Tribal school. The Tribe lacked the ability to conduct job training, grant tuition assistance to its employees, build nursing care centers for its elders, increase the number of day care facilities for its children, or devote adequate funding for Oneida cultural programs. Zoning and land use planning existed on this smaller Reservation, but was not enforceable or implementable due to the lack of funding for staffing and oversight (Oneida Business Committee 1995). Funding from federal sources still made up the majority of the Tribal government budget. This chapter will describe the post-casino community and economic development programs which have been expanded or initiated since 1991.

Table 13 shows the breakdown of the 1995 Oneida government general fund. In 1995, 90 percent of Tribal government revenues came from the casino, 5 percent from other Tribal enterprises, with the remaining 5 percent comes from state and federal sources (Oneida Business Committee 1995).

Table 13: The 1995 Oneida Tribal Government General Fund, by Percent

<table>
<thead>
<tr>
<th>Category</th>
<th>1995</th>
<th>1994</th>
</tr>
</thead>
<tbody>
<tr>
<td>Land Acquisition</td>
<td>11</td>
<td>7.3</td>
</tr>
<tr>
<td>Human Services</td>
<td>27.5</td>
<td>17.7</td>
</tr>
<tr>
<td>Tribal Government</td>
<td>12.5</td>
<td>4.2</td>
</tr>
<tr>
<td>Infrastructure</td>
<td>9</td>
<td>7.6</td>
</tr>
<tr>
<td>Reserves</td>
<td>10</td>
<td>16.7</td>
</tr>
<tr>
<td>Community Development</td>
<td>5</td>
<td>39</td>
</tr>
<tr>
<td>Debt</td>
<td>25</td>
<td>7.5</td>
</tr>
</tbody>
</table>

Source: Oneida Development Division 1995
Since following the Seventh Generation Planning Process in 1994, the Tribe has been investing a larger percentage of its revenues to buy back its original Tribal land base of 65,000, under the Office of Land Acquisition. The land being purchased is being set aside for housing, land preservation, and potential new Tribal enterprises. During the period from 1994 to 1995, the Tribal government budget grew substantially because the Tribe is devoting more revenues from the casino on legal services, lobbying efforts, and implementing its own judicial system which is based on the Great Law of Peace. More casino revenues also went into debt financing and less into Community Development, since the Tribal school was completed in this year. More money is now being directed into the infrastructure as the Tribal land base grows and funds are needed for maintenance and improvements.

Table 14: Oneida Tribal Government Percentages Spent on Community and Economic Development Services in 1995

| Social Services | 20.4 |
| Economic Development | 4.7 |
| Community Development | 19.5 |
| Education | 20.5 |
| School | 23.4 |
| Health | 7.0 |
| Environmental | 4.4 |

Source: Oneida Development Division 1995.

Table 14 shows what percentage of the casino revenues are going into the Tribal social service and development efforts. Human services make up the bulk of program expenditures, to include: social services, education, school and health, and community development (which includes housing). The Community Development section describes the programs offered by the Tribe since casino gaming began in 1991.

A. Community Development

Community development for this thesis is defined as those activities that provide for the general health and welfare of Oneida Tribal members and employees. Housing, conservation and environmental concerns, training, social services and other programs receive the majority of funding from Oneida casino. Table 14 shows the breakdown of expenditures
devoted to social services, community development and economic development. All programs under community development use the Seventh Generation Planning Process criteria to set the agenda for all revenues received.

1. The Environment

Before the Oneida casino opened up in 1991 zoning and environmental regulations existed on the Reservation. Although regulations did exist before casino gaming, they were unenforced due to the lack of funding and staffing. Since casino gaming came to the Reservation the Oneida zoning and environmental protection laws have been funded to allow for enforcement and staffing. This began in 1994. Examples of environmental laws and zoning include a tree policy that forbids the cutting down of trees on all Reservation lands. Setbacks require a one hundred foot setback on development near all waterways. Duck Creek, which runs throughout the Reservation, has a three hundred foot setback from all development. Nothing can be built or destroyed within this setback. All Tribal wetlands have been placed under conservancy since 1994. Because the Green Bay area is a crucial migratory, the Tribe is trying to ensure the preservation and protection of these areas.

The Oneida Reservation is continually expanding its boundaries, and no longer occupies its traditional 2000 plus acre boundary. The Reservation now incorporates the entire Town of Hobart in Brown County, the Town of Oneida in Outagamie County, and controls part of the Village of Ashwaubenon (Bargender 1993). As the Oneida Tribe increases its land base, the Tribal government is working with local communities to enforce and change regulations to be more compatible with the Tribal environmental codes. Oneida leaders are working with the Department of Natural Resources and the State of Wisconsin to develop some of the strictest environmental legislation in the country. Protecting the land and the environment is an important component in the Mission and Vision statements of the Seventh Generation Planning Process.

2. Social Services and Charitable Contributions

Starting in 1991, funding is being directed to increase the number of social services programs offered to Tribal members and employees. The Tribe offers various social services to include alcohol and drug abuse counselors, employee assistance, family counselors, child
welfare, group homes, and mental disorder counselors which supply most of the social service needs for Tribal members. Two group homes were constructed in 1992 for the housing of troubled teens, and a senior center program, and an elderly busing program was started in 1992 (Oneida Finance Office 1995). The Oneida Community Health Center was built before the casino, in 1975, by the Indian Health Service to provide health care for the Tribal members. All full time employees who work on the Reservation receive full medical coverage, including non-Indian employees. The Tribe sponsors "extensive chemical dependency treatment and prevention programs available through various sources in the community" (Oneida Nation: Honoring the Past). Family Services provides domestic abuse, crisis respite, employee assistance, Indian child welfare, and counseling services. Some of previously mentioned programs did exist before 1991, but did not have the amount of staffing or funding that they now enjoy because of the casino gaming revenues.

The Oneida Tribe began contributing to charities in 1992. Before 1991, the Tribe did not have a surplus of revenue to contribute funds to charities. Charity is included in the Seventh Generation mission statement under citizen responsibilities. Charitable contributions, public relations and lobbying efforts are important efforts because it contributes to the quality of life of the Tribe. No actual figures were supplied on the amount of charitable contribution, but Gary Jordan said the Tribe gave a substantial amount to charities (Jordan 1994, Appendix)

The Oneida break down charitable contributions into six categories that include: education, social, environment, politics, health, and the arts. The following is the October to December 1993 breakdown of charitable contributions. Political contributions include Amnesty International, Consejo Maya Peninsular, and the League of Women Voters. Social donations include the Special Olympics, Oneida Sportsman Club, Our Lady of Charity, the Native American Center, the National Museum of American Indians, the Arthritis Foundation, and the American Diabetes Association. Other donations include the Leonard Peltier Fund, the Shrine Circus, the Green Bay Labor Management Council. Donations to local communities recently included a new fire engine to the nearby town of Oneida (Oneida Finance Office, 1995).

3. Development and Housing

The Oneida Development Division is now housed in a new building called the Little Bear Development Center built in 1994. In 1993, the Community and Economic Development Departments of the Oneida Tribe were combined into this one organization.
Development is defined by the Oneida leadership to include all programs and activities that deal with planning, and with the staffing of the Development Division. The Little Bear Development Center is charged with implementing all the directives from the Oneida Business Committee, working in behalf of the Oneida General Council when it is not in session.

The Department Division generates all the zoning, housing, and land use plans for the fulfillment of the Seventh Generation Planning Process. They have been active in the implementation of the current environmental regulations which has existed since 1994. All zoning is now enforced on the Reservation. As stated previous, before the casino, zoning was not enforced because of the lack of staffing and funding.

Development includes land use and development, staffing for land acquisition, staffing for planning and economic development, home improvements done on reservation housing, housing programs, and loans for housing. Housing has always been a major issue on the Reservation. The has always been a lack of Reservation housing to meet the demands of the Tribe. With its increasing membership in the 1990s, the Oneida Tribe decided to address the problem of housing shortages by implementing a Comprehensive Housing Plan according to the Seventh Generation Planning Process.

A Comprehensive Oneida Housing Plan was developed in 1994 to address the housing shortage on the Reservation. Before 1994, all housing was supplied through federal government housing programs. In 1990, the Oneida had a total of 452 units Tribal owner occupied and 259 Reservation rental occupied on the Reservation (United States Census Bureau 1990). This first Oneida Comprehensive Housing Plan was made to provide goals and objectives to provide more single family and apartment housing.

The mission of the Oneida Nation Housing Department is to identify and pursue all avenues to provide more affordable housing for Tribal members. Since Reservation lands are held in a trust status, individuals cannot own the land, but can own a house if it is bought through the Tribe. As of June 1994, there were 221 households waiting for rental units on the Reservation. In 1993, 25 percent of Tribal members or 250 household were homeless.

The Comprehensive Housing Plan calls for an additional 294 units to be constructed or bought up to code in 1996 to address housing shortages. Up until 1993, the only housing construction was done by the Department of Housing and Urban Development. Some of the Oneida housing stock that exists today is substandard, with some homes still containing running water. In 1994, an estimated 89 housing units were constructed. Property purchased in the nearby City of De Pere has provided land for the construction of additional housing. The Tribe has purchased land outside its original Reservation boundaries because to quick
property acquisition has proven to be costly within the Reservation boundaries. In 1995, Oneida Housing Department hopes to complete the construction of 221 housing units. The greatest push in 1995 will be for the construction of apartment units instead of single family homes. Replacement homes and elderly units will be also be part of this new housing offensive. Short term plans from 1996 to the year 2000 include a greater emphasis on medium density and single family homes. Plans are in the works for the construction of a men's housing facility, for men who are homeless, veterans, disabled, or wish to live in an alcohol/chemical free environment. Future projects include building environmentally friendly homes in an area called Standing Stone. Construction of medium density housing will soon begin that incorporates the use of solar energy into its design. Oneida construction crews have an approved schedule that will call for them to repair and improve existing Oneida homes in 1995 to 1996. The goal is to rehabilitate up to 80 homes during the construction season. The long term housing plan, to the year 2004, includes the construction, purchase or rehabilitation of over 1,600 housing units to include single family, multi-family, and apartments. This assumes an average of 161 units built per year (Oneida Comprehensive Housing Plan 1994).

Housing construction would not be possible without the expansion of the Oneida Reservation. As stated previously, the Oneida Reservation originally consisted of more than 65,000 acres which was lost through the inability to pay property taxes, fraud, confiscation by the Bureau of Indian Affairs, and through sales by Oneida allotees to non-Indians. The Department of Land Management from 1987 to 1994, which is part of the Development Division, has purchased back 4,513 acres of Tribal land. The Reservation makes up approximately 7,618 acres as of December 1994. The Tribal General Fund in 1994 devoted 7.3 percent of its revenues into land acquisition, or almost 7 million dollars. In 1995, the Tribe will be spending 11 percent of the general fund for the purchase of land.

The Oneida Development Division contains several other departments and offices. The Office of Public Works is responsible for sanitation facilities, site-work, wetland development, wildlife park development, and other large construction projects. The Office of Tribal Engineering protects the health, safety, and welfare by enforcing Tribal codes, to include design, construction, and safety considerations. They designed the Tribal school and plans are in the works for a health care facility and more day care facilities. The Office of Economic Development is also under the development division and will be discussed in Section B.
Non-Indians are wary of having the Oneida Tribal government repurchase back its original Reservation. Homeowner fear dropping property values and the decline of public services as the tax base shrinks. Local government are concerned that a shrinking tax base will mean raising taxes or cutting needed services, such as infrastructure maintenance.

What non-Indians fail to see is that the Oneida Tribes will not allow for deterioration of existing infrastructure since it would not preserve or strengthen the ability of the Tribe to improve its quality of life. With the Oneida move toward greater economic prosperity and spending for public services and infrastructure will have to be maintained.

4. Education

In 1994, the Oneida competed the construction on a new $12 million, kindergarten through eighth grade elementary school, called the Turtle Elementary School.

Figure 12: The Oneida Turtle School - 1994

Figure 12 is the Oneida Turtle Elementary School. Before 1994, Oneida children were sent to five different school districts in Brown and Outagamie County. It serves kindergarten through 8th grade Oneida children. It was not until the early 1990s, that the Oneida had enough money to start building its own school. The Oneida Turtle School
reached its full capacity during its first year. Total enrollment for the 1994 to 1995 school year is 442 students.

The Oneida Creation Story is included as part of the Tribal schools curriculum. Tribal elders are paid to teach the Oneida language at the school from 30 to 45 minutes a day. The school has added one extra Oneida Language teacher and two Oneida Language and Culture aides to reinforce Oneida tribal traditions and values. Besides having a language requirement, Oneida children are required to take the Oneida Heritage Cultural Program. The school has hired five cultural teachers to meet the demand. During the mid-winter break, and as part of their Cultural Program, Oneida school children participate in the Long House Ceremony. During this four day ceremony, each child is given an Oneida name.

Language is of vital importance to the Tribe. Only fifty members of the Tribe spoke the Oneida language fluently in 1994 (Oneida Nation Elementary School 1994). Gary Jordan, Oneida Business Committee Member said the Indian Education Act of 1974 was significant because Tribes were allowed for the first time since 1830 to speak and teach Native languages in the school. One of the factors that makes people of a different culture is its language. Languages and various cultural express different thoughts and world views. Mr. Gary Jordan, Oneida Business Committee Member expresses his view on why speaking their Native language is critical to the Oneida:

A lot of flack that the tribes often take is that they look just like us, they talk just like us, their situation is exactly like ours, so why should they (the tribes) be looked upon differently? The reality is Indian people have always tried to be Indian people, they have not always been allowed to be that. That the culture still exists in this community, that the language is still spoken in this community, and that the Longhouse still exists in this community, that all these things are still here is a testament to the people's commitment to continue to be Oneida (Jordan 1994).

Plans are currently in the works for the construction of an Oneida Nation High School. Tribal gaming revenues pay for school counselors, teachers, career counselors, college grant money, and high school liaisons professionals.

5. Training

Non-Indian hiring is a common practice on the Reservation to fill crucial positions within Tribal enterprises and government offices. Many of the professional non-tribal
members are hired on a contract basis so they can be replaced with a apprentice-trained Oneida once the contract is up. This program was implemented in 1991. This enables Oneida Tribal members to receive on the job training while working a contract employee. This emphasis on training Tribal member to move into more highly skilled positions puts the Oneida in a position to achieve its long range goal of self-sufficiency. The Oneida training program translates into a apprenticeship program, and presents a system to allow entry level employees an opportunity to move up to greater positions of responsibility and skill.

Tuition assistance grants are also given to employees and high school graduates to attend universities or community colleges to receive further education. Upon completing their education, Tribal members are guaranteed employment on the Reservation, anywhere from two to five years.

6. Elderly and Child Care

In 1994, the construction of a third child day care center was completed. Plans are currently in the works for a fourth day care center to meet the increasing demand from of the ever expanding Oneida labor force which now employs 3,400 people.

Other newly approved project include the Community Based Residential Facility which will be completed in October 1995. This facility is a comprehensive living center for Tribal elders. It will contain approximately 35,000 square feet of living space (Doxtator 1994, p.7). There are also plans to build a Comprehensive Health Center and Nursing Home with 60,000 feet and two additional Day Care Centers of 27,000 feet and 20,000 feet (Doxtator 1994, p.8)

Tribal casino employees as a benefit receive subsidized child care to encourage employment and provide a stable environment for their children while they are working. The Oneida Day Care centers teach the Iroquois language, and cultural traditions to children enrolled in the program. Day care centers will soon be operating three shifts per day, 24 hours a day, since the casino is opened during this period.

B. Economic Development

Seeking additional ways to diversify its economic base, the Oneida government and its strong leadership are examining ways to expand its economic base to secure it future. The two casinos, containing over 2,700 slot machines and 96 blackjack tables are contributing 90
percent of the Tribal revenues (Jordan 1995). Revenues were not available for all the years since the opening of the casino 1991, however in 1992, revenues totaled $26 million, and in 1994 revenues for use of the Tribal government came to $94 million. Economic development is shown by analyzing employment and the wage rates from 1990 (before casino gaming) to 1995. Employment went from 834 Oneida employees in 1990 to 3,391 in January of 1995. The percentage increase of jobs created from gaming is 307 percent. Wages supplied to its labor force were more than double the minimum wage for low skill jobs.

To be fully apprised of the current business conditions of the region, the Oneida Nation is an active member of both the Brown and Outagamie Chamber of Commerce. Besides owning the casino, the Oneida have built a 301 room Radisson Inn which includes two convention halls. The Iroquois Conference Center seats 1,000 people and the smaller Great Lakes Conference Center seats 500. The hotel is located across the street from the Austin Straubel International Airport. They also own the 32 acre Oneida Industrial Park, and four One-Stop convenience stores. There are currently 18 retail stores in the park to include a Sam's Wholesale Club and Wal-Mart located in the park. Other enterprises include Oneida Printing which receives 75 percent of its customer base from the commercial concerns, with the remainder of the demand coming from the Oneida Nation and other Tribes in the Midwest. The Tribe also owns Oneida Farms which provides beef and organic food products for Tribal members. The goal is to have the farm be productive enough to provide free food for the elders and children of the Tribe.

The Office of Economic Development, under the Development Division is in charge of achieving self-sufficiency through comprehensive economic development. Besides purchasing a Howard Johnson's hotel, the Office of Economic Development is involved in other enterprises, that are currently in the planning or implementation stage:

*The Oneida Nations Electronics Corporation* - this enterprise will assemble computers designed to support new and sophisticated operating systems

*Bay Bank Corporation* - the Tribe is the major shareholder, with one-third interest in this state-chartered FDIC approved community bank.

*Oneida Construction Corporation* - a joint venture between the former Tribal construction company and Mortenson, a nationally recognized firm.

*Airport Corridor Development* - 54 acres along the highway leading to the airport, that will include high-end retail outlets, restaurants, and recreational facilities.
neida Lumber and Supply - a joint venture with Menominee Tribal Enterprises and the Oneida Department of Economic Development. Wood is harvested on the Menominee Reservation, with its largest customer coming from the Oneida Tribe.

Casino gaming market saturation will eventually erode some of the Oneida revenues received from gaming. The Tribe is diversifying its economic base as a hedge for the future. The following three sections will explain the other diversification and investment programs that currently being used to increase Tribal self-sufficiency.

1. Program Endowment Fund

The Program Endowment Fund was started in 1992, one year after casino gaming was introduced to the Reservation. The Program Endowment Process is meant to sustain social services for the Oneida membership if gaming crumbled, and have a mechanism to put funds aside for investment. The principal of this fund will always stays intact, with the interest being put through a financial formula to allocate funds for social services for its membership if gaming revenues ever dwindled or stopped. Table 15 shows the allocating of Oneida casino revenue investment into various community programs. Training, education and other social services receive the bulk share of investment, demonstrating that human services are given more importance than economic development areas.

Table 15: The 1995 Oneida Program Endowment Fund for Investment by Percents

<table>
<thead>
<tr>
<th>Program</th>
<th>Percent</th>
</tr>
</thead>
<tbody>
<tr>
<td>Training</td>
<td>27.2</td>
</tr>
<tr>
<td>Education</td>
<td>25.0</td>
</tr>
<tr>
<td>Other Social Services</td>
<td>27.3</td>
</tr>
<tr>
<td>Development</td>
<td>12.5</td>
</tr>
<tr>
<td>Health</td>
<td>8.0</td>
</tr>
</tbody>
</table>

Source: Oneida Development Division 1995

2. Oneida Small Business Development Center

The Oneida Small Business Development Center was in existence before casino gaming came to the Reservation in 1991. At the time, it was only able to offer technical support to fledgling Tribal entrepreneurs. The ability to give out cash grants, loan guarantees,
and put up collateral was initiated in August of 1994. The Oneida Small Business Development Center assists enrolled Tribal members who wish to open up or expand a small business enterprise by reviewing their plans and acting as a loan entity. This center is sponsored one hundred percent by casino gaming revenues. The Oneida Small Business Development Center offers business classes in accounting, human resources, marketing, banking relations, and other classes to help start up entrepreneurship on the Reservation. Any business development must be in compliance with the Seventh Generation Planning Process, meaning the enterprise must preserve Oneida Tribal culture and history.

The Oneida Business Development Center acts as a liaison between the Tribe and potential Tribal entrepreneurs. Potential business plans are sent to a review board which is made up of Oneida Tribal members that review business plans. The review board decides whether these plans are highly leveraged or viable. If the plan is approved, it then goes on to the Advisory Committee, which is made up of three bankers from the Green Bay area. The bankers are experts at small business loans. The Oneida Tribe, with a go ahead from the banker, will then supply loans, grants, guarantees, and contracts to start up a business if the plan is viable. Real estate mortgages can be as high as $250,000 and as small as $2,000. This organization has provided the impetus for Tribal members to start up enterprises that bring business diversity to the Reservation economy.

Oneida Tribal loans solve two former problems. Tribal entrepreneurs do not have to receive loan money from the United States government. Loans are granted instead of denied to the Tribe because of its ability to come up with collateral. Tribal revenues from gaming put the Oneida in the position to secure loans and analyze viable and non-viable business plans. Right now there is a backlog of applicants since this program was just started up (Oneida Small Business Center, 1995). Small business development for the Oneida will enable the Tribe to retain more of its income within the Reservation because employees will be able to spend income more money on the Reservation instead of in Green Bay. Visitors to the casino, and those that stay at the Radisson Inn will also have more shopping options. This will further strengthen the Tribes economic position in the future. Gary Jordan, an Oneida Business Committee member said that in the future the Oneida government will tax Tribal member enterprises, further contributing revenues to Tribal coffers (Jordan 1994, Appendix)
3. Tribal Development and Diversification Fund

Starting in 1994, the Tribe has introduced the Tribal Development and Diversification Fund. The Tribal Development and Diversification Fund is a revolving fund that the Oneida Tribal government can use to invest as an individual entity to become involved in other business opportunities. This is separate from the Small Business Development Center which assists individual Tribal members. This fund is for the exclusive use of the Oneida government and can be used to invest money in other businesses, or it can be used by the Tribe to start up its own businesses.

The Tribe, as of winter of 1995, is actively negotiating with Brown County to lease 28 acres adjacent to the casino. Negotiations are being conducted between the Tribe and the City of Green Bay to develop an entertainment center. This center will include a supper club and business park at the site. The property is adjacent to the Austin Struebel Green Bay Airport.

Tribal enterprises include a wide variety of businesses as briefly discussed earlier in this section. These enterprises are demonstrating that the Oneida government is actively seeking ways to venture into new business opportunities so it can diversify its economy for the benefit of its Tribal members.

C. Conclusions

The Oneida is addressing its community and economic development needs by using its casino revenues as a tool for development. Without casino gaming revenues, the Oneida would not have a Tribal school, be able to provide and build new housing, pay teachers, educate its children on Iroquois language and culture, provide daycare and housing, protect its land base, enforce zoning, give counseling for the needy, and supply other critical programs for its membership. Through the Oneida Seventh Generation Planning Process, the Tribe is earmarking casino revenues in ways that reinforce Tribal values. This improves the quality of life of the Oneida Tribal membership.

The next chapter will summarize the findings of this thesis.
CHAPTER VI. CONCLUSIONS AND RECOMMENDATIONS

By utilizing rational, conscious choices, the Oneida Tribe is achieving community and economic development with its casino gaming revenues. The key reason for the tremendous success of the Oneida Tribe today, lies in its strong and visionary leadership of its people. Due to the foresight of the Oneida leadership, the Tribe decided to: venture into gaming, retain revenues for the collective good of its membership, devise its own long term planning process, and invest in the human capital of its people to achieve greater self-determination.

The Oneida planning model is an important finding because it can be used by other tribes and communities when planning for the introduction of casino gambling and to provide for the cultural revitalization of their communities. The following describes the policies and programs that the Tribe is undertaking for the benefit of its people.

Community development is a successful reality on the Oneida Reservation. There are several essential elements for the success of Oneida Tribe when examining community development on its Reservation. From the very beginning, the Tribe rejected per capita payments for its membership, thus retaining casino gaming profits for the collective benefit of its membership. By injecting its revenues back into the Tribe, the Oneida government is providing new and continually expanding community services, and providing for its long term planning objectives. Over ninety percent of the funding used for community and economic development of the Reservation, comes from the Oneida casino.

Community development includes, but is not limited to: housing, the new Tribal school, child day care and elderly care centers, various social service programs, and human capital development. These programs and activities are contributing to improving fortunes and the quality of life for the entire Tribe. Next, by building on the success of its bingo hall, the Oneida allowed its Tribal management to make the transition into casino gambling with relative ease and confidence. By picking up its business savvy early on from bingo, the Tribal management team were in an advantageous position to venture into casino gambling. The Oneida, unlike the rest of the tribes in Wisconsin, did not need to use an outside management team to run its casino gaming facilities. This experience continually allows the Tribe to expand its business knowledge and capabilities, enabling the Oneida to move closer to complete self-sufficiency.

The leadership of the Tribe is also using its own process, called the Seventh Generation Planning Process, to earmark revenues in ways that are culturally and traditionally
sensitive to the Oneida membership. The Seventh Generation Planning Process is a comprehensive and rational incremental planning process to achieve long range community and economic development planning objectives. The Seventh Generation Planning Process uses Iroquois traditions and values when formulating the planning objectives for the Tribe. By utilizing this Seventh Generation Planning Process, the Tribe is planning in ways that are culturally beneficial for the general health and welfare of Tribe.

Lastly, the Tribe is collectively reclaiming and rejuvenating its Tribal heritage though its efforts in community development. For example, by building its own school, Oneida teachers are now educating the children to speak their Tribal language and instructing them in their traditions and heritage. Before casino gaming came to the Reservation, the Tribe was not in a position to build its own school or teach its values institutionally because it had no revenues to implement these plans.

The Oneida government is also extremely successful in promoting economic development for its membership. It is accomplishing this objective by providing jobs, and a good income, not just for its membership, but for surrounding communities. Wages are double the minimum wage and almost equal to per capita income for the Green Bay Metropolitan Statistical Area. Fifty-eight percent of the employees who work for the Tribe are Oneida members, with the remaining 42 percent, or approximately 1,400 employees being non-Oneida. This demonstrates that the Tribe is contributing to the economic base for the Green Bay area.

The Tribe is successfully overcoming national Native American labor market problems by being job oriented, and providing jobs, education, training and economic development for its people. Almost any Oneida member who wants a job can now have one. Many other tribes are achieving economic development from casino gaming, but the Oneida is achieving community development due to the innovative planning and wise investments from its casino revenues. The Tribe is the number one employer and tourist attraction in the Green Bay Metropolitan Statistical Area because of casino gaming (Prestgard 1995, p. 13). Over 2,500 new jobs now exist on the Reservation because of the Oneida casino. Tribal unemployment is at a record low of 9 percent in 1995, down from 17 percent in 1990 (Oneida Human Resources 1995). The Reservation has nearly doubled in size because the Tribe is repurchasing back its original homeland from casino revenues. Finally, the Oneida leadership is aggressively venturing into new business opportunities so it can diversify its economy for the continuing benefit of its Tribal members.
All of these actions and programs allow the Tribe to expand its economic base to provide more services for the continued well-being of its people. These superlative results demonstrate that the Tribe is a successful model for other tribes and small communities to emulate in their planning process.

The Oneida leadership, by using its own incremental planning process, is successfully providing for present and future of its people. By developing its own capabilities since the early 1970s, the Oneida Tribe now possess the knowledge, and confidence to be self-sustaining. The Oneida leadership is flexing greater self-determination and sovereignty in providing for its present and future generations. As Tribal confidence and expertise continue to grow for in the Oneida leadership, unemployment and cultural stagnation have begun to disappear.

From the wise utilization and planning of its casino revenues, cultural rejuvenation and renewal is occurring for the Oneida Tribe. Revenues are being reinvested to promote and incorporate the Tribes traditions for its people according to the Seventh Generation Planning Process. The Tribe is moving away from assimilation and reintroducing Oneida cultural ways back the Tribe. This aspect of cultural renewal is an often overlooked in community development but is an extremely important finding of this study. Due to the opportunities that the Oneida Reservation now offers, Tribal members are migrating back home to participate in the cultural and economic renewal of their Tribe.

Last of all, the Oneida is investing in its most important resource, its people. By providing: job training, apprenticeships with experienced workers, and tuition assistance to promote higher education, the Oneida leadership is investing in the human capital of its people. These decisions once again provide for a strong community and economic base to sustain and revitalize the Oneida culture.

In closing, the Seventh Generation Planning Process provides a direction for the future change to the Tribe by directing casino revenues rationally and wisely for the benefit of the Oneida people.
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Deborah Doxtator - Chairwoman of the Oneida Business Committee - 13 January 1995

Question: Who were the people who lit the spark to start gaming?

Answer: There was a group of key people. There was a group of women that were not actually in the leadership of the Tribe at the time- Sandra Ninham, Elma Webster, and Audrey Doxtator. I believe it was nineteen years ago we have a HUD facility, the recreation center, at one of our housing sites, and it was used to provide recreational activities for the children. The government of the Tribe was also located in that facility at the time, which is the Oneida Business Committee. The Tribe was very poor. We probably had less than five employees at the time (1974-1975). They (the government) were having difficulty paying the bills to keep that facility heated and maintained. The Business Committee talked about it and was somewhat frustrated, but these women brainstormed one day. A lot of them had played at the local charitable bingo through the churches.

Question: Where these women housewives for the most part?

Answer: Yes. These women also had a strong influence on the Anna John Nursing Home, and that was Audrey Doxtator. Sandra Ninham, I think was the Activities Director. She helped coordinate some of the activities for the adults, craft classes, and that sort of thing. Elma Webster was the tribal secretary, so she was the connection to the Business Committee. They were noticing how the churches were able to raise funds to help with their school functions and other activities that the church provided. So, they went to the Business Committee and said why don't we operate our own bingo? So the Business Committee directed legal counsel to look into it to see if that was a viable option for us for the sovereign government to undertake. Legal counsel reported back that if we developed our own law to regulate it then we would be able to do that, and that we would be able to because of the sovereign status of the Oneida Nation. We would be able to create our own wagers and that sort of thing for the games. So, the Business Committee allocated, oh I forgot what it was. It wasn't a whole lot of money, but it was enough money to purchase tables, chairs and buy some bingo cards. They then gave the directive to these women to go out and get it going.

They went out and purchased the basics that they needed and they just started hiring individuals from the Oneida Community to work for them. They had two or three hour sessions and they started in that recreation center in the gym. Eventually it grew, and outgrew the gym facility and so in the early 1980s we built the Irene Moore Activity Center, which was a larger bingo center. We expanded that facility a couple of times.
Then, in 1988, the Indian Gaming Regulatory Act was passed, which allowed for tribes to compact with states for Class III type gaming, which is casino style games. So our Tribe started negotiating with the State of Wisconsin. Negotiations did not go well the first couple of years but in 1990 the Luc du Flambeau tribe went to federal court and won. The State of Wisconsin had been saying they did not have to negotiate because they did not allow Class III type gaming, but Judge Barbara Crabb ruled in the federal district court that because the state lottery, and state dog tracks, and the way it was worded in the State Constitution, that that was Class III gaming. Any game of prize, chance, or consideration is how it is written in the State Constitution. That allowed us to negotiate on the full gamut of casino style games. I chaired the negotiating team for the Tribe. I was on the Oneida Business Committee as Vice Chair at that time and we entered into our compact in 1991.

Question: Why did the Tribe decide to go into reinvestment instead of per capita payments and to run your own casino without a management contract?

Answer: When we started out our bingo operations of course the state did challenge us on our jurisdiction and authority to operate those bingo games, and so we went to court on that. In order for us to have a better stance in the court case, our attorney recommended that we provide employment to tribal members only because then we could show that we were benefiting our Tribal membership which is the charge of our Tribal government. So, when the bingo ordinance was created it required that only tribal members could work in that organization. We could not hire non-tribal members and that was upheld very strongly in the courts.

From that precedence, we were able to train our Tribal members to take on those management roles and responsibilities, and like I said before we grew over a number of years so people where able to be trained through that process during that time.

It was right from the scratch, so a lot of people were sent to Las Vegas where they have major bingo parlors. A few other tribes also had large bingo parlors, so we also sent people there to receive training. So it was a process of training our own individuals to manage at that time.

In the meantime, other tribes were entering into contracts, out of Wisconsin and in. All the other tribes in Wisconsin have management contracts, the Menominee have just recently gotten out of theirs though. We thought this would be the best way for us to get an agreement on bingo, which is a Class II game, but because we were a subject in the courts at the time to determine if we had the jurisdiction and authority to operate bingo halls.

Question: So you were the first Tribe to initiate gaming in the state?

Answer: Right. I hope I am not getting too wordy for you.
Response: No, this is great. I completely understand what you are saying.

Answer: Okay. The Business Committee at the time was advised by legal council that those funds should revolve back to the government so the government could fulfill its functions.

Question: And what were those functions of the government?

Answer: To provide services for the Tribal membership, which included health, education, social services type of services. So it was advised that be undertaken and the Business Committee at the time was in support of that type of action. They promoted that to our General Tribal Council, which is any enrolled member who is over the age of twenty-one, can vote in the General Tribal Council. They meet at least twice a year, and for other specially called meetings. They can review any decisions that the Oneida Business Committee makes and so the Business Committee usually recommends forms of action to them, and provided them with information for them to make those decisions. The General Tribal Council upheld the action of the Business Committee for those funds to revert back to the government to provide services for the community. So, it was really a community type decision and everyone agreed to that. Its worked out very well. That was a very historic decision that was made within our Nation (in 1974-1975)

Question: What would the Oneida Nation of Wisconsin do if their gaming compact expired and it was not renewed? Have you been reinvesting?

Answer: What we have done for the governmental side of our operation, see, tribal governments are a little different in that we provide governmental services, but we also operate businesses. So, on the governmental side we have set aside endowment funds for each of the service areas that we have. These were established the last budget cycle, and we have added more funds to them to be invested so that in the future the principal would always stay intact, and a formula has been developed so that a portion of the interest would be utilized back into the program and it will continue to grow over time. So, we have set that up for the future for the governmental services side. For the business side, we have set up a Small Business Development Center to provide grants and loans to individuals to get into business, and also to provide technical assistance for them. Its called the Small Business Development Center. Gary Jordan is the liaison to the enterprise portion of the tribe.

        And also tribally, we have set aside a Development Fund, which is going to become a revolving fund for the tribe to invest in other businesses and for those businesses to eventually pay those funds back so that the fund can continually grow and evolve. To keep building on the enterprise portion of the Tribe, we are calling it a diversification and its getting into other forms of businesses that can provide a stable income should our gaming revenues ever be discontinued.
Question: Do you think the compact will not be renewed in 1998?

Answer: I don't believe that it will. We have had such an economic impact. In fact we are the largest employer in Brown County. It will be really difficult for a governor or anyone in the government to not renew the compact. It will just be really difficult for them.

Question: What about the other side of the coin, that the State of Wisconsin does renew the compact but then they will sponsor state gaming activities like Class III type gaming facilities such as your own. Is this a threat?

Answer: Not in Wisconsin at the present moment. There was a lot of political upheaval with the tribes entering into these compacts with the state and as a result, the legislature passed and promoted language to the constituency of Wisconsin for a Constitutional Amendment and that went through. That Constitutional Amendment takes care of the language problem that the state had when they went through with Judge Barbara Crab's ruling on any game of prize, chance, or consideration. That amendment has limited it to the state lottery and pari-mutuel betting. It worked out to our advantage.

Question: Has the Chamber of Commerce of Brown and Outagamie counties become jealous of you? Have others outside your Tribe become jealous?

Answer: There is a lot of jealousy which we are aware of. It is never directed at us directly but we hear about it in a roundabout ways. I serve on our Chamber of Commerce Board of Directors and they have always been very inclusive of the Tribe even before our prosperity. They have always asked for our participation and worked to have us involved in that activity because they knew that the bingo operation, at first it only started with our bingo operation, did bring tourism into the area, so they knew we had an impact, but as things have grown over the years we have had a larger impact.

Question: I spoke with Ron Petersen, the General Manager of Casino Operations and he said that the casino gets more visitors than the Green Bay Packers. When did this happen?

Answer: Right. We passed them last year, so that was a very good feat as well. With Brown and Outagamie Counties we've always had a good working relationship with both counties. We are negotiating with Brown County at the present time on twenty-eight acres that is adjacent to the casino. We want to develop an entertainment center and business park type of development there. In the meantime there is also the Village of Ashwaubenon which is located in Brown County. We have also been negotiating with them on some service. In Wisconsin we have Public Law 280 which is a federal
law that the state accepted. This law says there is current jurisdiction between tribes and local governments because a lot of the tribes were destitute in the past and could not provide those types of services, police, fire, and so on, and so that required those local governments to provide those services on tribal reservations so they have always provided that for us.

Over time we have developed our own police department and we have taken over that role and that function. Our police department has been in place for probably ten years now. They started approximately in 1984.

Question: How many officers do you have in the Oneida Police Department?

Answer: We have eighteen officers. We also have a cross deputization agreement with Brown County for the last five years, and in the last two years with we entered into an agreement with Outagamie County. This empowers our police officers to write citations and then those cases go through the county court system. Our tribe does not have a full fledged court system yet, so it still goes to the county. We are working changing this.

Question: About having your own court system?

Answer: We are trying not to call it a court system but a judiciary system. We are trying to be very intentional about that because we want to incorporate some of the traditional Iroquoian practices with our system. We didn't want to use the term, court.

Question: What is the time schedule on implementing your own judiciary system?

Answer: We are aiming and have a very aggressive schedule to move that in within two years, in 1997.

Question: Who were the legal representatives of the legal council who advised the Oneida Business Committee?

Answer: It was the Oneida Legal Council. They went through law school and came back home to work for us. It was Francis Skenandore, Gerald L. Hill, and Sharon House.

Question: What kind of charitable contributions have been given to facilitate more goodwill to your neighbors?

Answer: We have a donation policy which is in place. We have allocated a large number of funds to do that. There are different categories of funding. There is a social donation line item, and education line, which we adopted last year because we were getting deluged with donation requests. We've done the walk for the March of
Dimes, the Special Olympics, Cerebral Palsy, the Salvation Army, and others I can't remember.

We also help the United Amer-Indian Center. They provide services to the Native American Indian population in Green Bay, and they also provide services through homeless shelters in the City of Green Bay. That's open to anyone that is homeless. We have so many requests and so many donations. Those are the type of donations we give. We do contribute to the Chamber of Commerce of Green Bay to Advance. It helps individuals get into business, so we have contributed to that. We provide a voluntary room tax to the Visitor and Convention Bureau through our hotel.

**Question:** Speaking of taxes, are there any taxes paid to the State of Wisconsin?

**Answer:** No. We do pay an assessment to them through the compact that was negotiated. The Indian Gaming Regulatory Act says that tribes cannot be taxed so its an assessment fee to pay for the administration of gaming. Its negotiated on a formula based on our revenues that is based on our compact. Its a formula that includes all eleven tribes within Wisconsin, and each of us pay a portion of it according to the revenue that we bring in.

In 1988, we will renegotiate the compact. I believe this formula will change and we will pay a larger assessment fee. They will justify it by saying they will need staff to come in and audit our facility to make sure that we are in compliance of the Indian Gaming Regulatory Act, and with the compact. So that's how the states are justifying it. They are claiming they have no other source of revenue to conduct those responsibilities. In the case of the Pequots, they have a very small tribal membership and they have a very lucrative gaming operation. Their agreement with the State of Connecticut, they've agreed to a very large sum. Unfortunately, a lot of governors have seen that and it has created a precedence for other tribes. And tribes like ours with twelve thousand members versus one hundred members, that creates a lot of difficulty. Also, we are self-managing and they are managed, so there are variations that will have to be considered in the negotiations process.

**Question:** What is the Vision, Mission, and Plan for the Oneida Nation of Wisconsin for the next Seven Generations? Could you explain this philosophy?

**Answer:** Planning hasn't always been the most important element of our Tribal organization in the past. In my last term as tribal Vice Chairperson I chaired the Economic Development and Planning Committee. And from that experience of chairing that committee and working with the planners of the tribe, it became very real to me how important planning was and how that the planning process really needed to start with the tribal government in setting the course and direction. There was always a degree of planning because our Nation wouldn't have gotten where it is without that, but it was more of a survival type mode of planning, getting from one day to the next.
day, or one year to the next year. So, I started asking the Business Committee if we could go into some retreat process.

Question: What do you mean by a retreat process?

Answer: I guess its a retreat setting in which we went into with just the Business Committee and then we used planning techniques with the retreat process to expand our vision. And I am not a planner so I was reading a lot of material, talking to our planners, and trying to get this mindset off with the Business Committee. I will be the first to admit I wasn't the most appropriate person to do it but I think it was a coincidence at the same time the compact negotiations become more real. And with the expansion of our gaming operations, the tribe just took off in 1991 when we started the casino type games. I think the Creator has had a strong impact on all of this in setting the tone to make everything right for us. I can't give that credit to anyone else. It has to be the Creator watching out for this Nation.

So we started to do some of that on the Business Committee level and as we started advancing and getting more involved in that futuristic outlook, we hired a new General Manager, Artley Skenandore, who has a strong education background. And he has always been really involved in learning about our culture and our traditions. He had a lot of experience with working with the traditional chief in Canada. He was very knowledgeable about the Seventh Generation Process. So we, with his help, and then we brought in a consultant from California, and with the Business Committee we went into more retreat processes. I don't know why I keep calling it a retreat process, but I felt its been a process from the first retreat we had all the way from the first one we had, until the last one we had. They've continually improved.

Question: Retreat meaning the Business Committee gets together and brainstorms?

Answer: Right. The governing body then came together. Why am saying this is because when I was doing this with the Business Committee I had a very narrow amount of expertise or information to draw upon because I am not actually a planner. I haven't done a lot of it, and when we got Art and the consultant involved they both had a lot of experience. Art is a professional facilitator so he is drawing on a lot of modern techniques and the consultant had some that Art didn't know about so between the two of them they put a retreat together for the Business Committee.

The Seventh Generation Planning Process helped us to begin to say where do we want Oneida to be in Seven Generations because we existed here in Oneida, Wisconsin for seven generations as of last year. Also with the traditional law it talks about Seven Generations.

Question: What is your educational background if it isn't in Planning?
Answer: I have a bachelor's degree in psychology and human development. I also have some business course work through the local university system. I have lived on the Reservation all of my life.

Question: It must be amazing for you to see all the changes that have been occurring in the last several years?

Answer: It is. Its just phenomenal sometimes.

Question: Have other tribes been asking your tribe for advice? Have they been visiting?

Answer: Yes. We have a tribe visiting us at least one a month from all over the United States and Canada.

Question: Could you give me an example?

Answer: Let's see, the Navajo Nation was here. That was really exciting for us, when they wrote and asked if they could visit us and see our operations.

Question: Do you give tours, a seminar, or teach them what you are doing when they visit?

Answer: We started doing that for a time but then with the growth of our operations we really haven't had the opportunity to do a lot of that. We do spend a couple of days with them when they come. A lot of times they want to spend more time with our gaming management. A lot of them look at our ordinances, a lot of them look at our policies and procedures. A lot of them are seeking advice.

Question: Are many of them interested in following your reinvestment procedures instead of giving out per capita payments?

Answer: I think that they are trying but I don't know if it is happening as much as I want to see it happen. A lot of them are entering into management contracts now, thought on a limited term. They have clauses within their contracts for the training of their tribal members, so maybe in a period of five to ten years they can phase out the contract and begin to manage it themselves. So, I feel optimistic in that way. They are striving to do it on their own.

Question: Do you feel that your location has given you advantage toward greater economic prosperity, because you are not located in a rural area?
Answer: It depends on the subject matter that you are talking about, as to whether its an advantage or disadvantage for us. To be honest with you we have received criticisms from other tribes in that they feel we have become Anglicized and we have forgotten about our culture and our traditions. I think it has done the opposite because we have been able to pay our elders to bring our language back into the school system. And we have been able to have other tribal members work in Canada and bring other material back to incorporate into our curriculum at our schools. And so though we've not always been able to hang onto our culture and traditions as tightly in the past, I think that its providing the means for us to make that stronger in the future. We have all those intents, but most definitely our location has a large impact but we are drawing on tourism for seventy-five percent of the years whereas the Tribes in the northern part of the state are only able to draw on it the quarter of the year.

Question: Why is that so?

Answer: Mostly just for the sake of the weather.

Question: You were talking earlier about an entertainment facility and high tech park. Are these actually in the implementation stages or the discussion stage?

Answer: They are not being implemented. What is being implemented is negotiations with Brown County on the lease of the property. So, once these discussions are complete then the implementation can begin. The entertainment center would be a supper club and entertainment combination.

Question: Do you have any final comments to add before we end the interview on Oneida Nation of Wisconsin?

Answer: We have so much education to do out there and if we have a person that is willing to come in and help gather that information and make the public aware of it then we need to grasp these opportunities as much as we possibly can, because we can't possibly do enough of it ourselves. So that's how I view it. I just think its really important. I guess some of our staff people are a little leery on how the information is going to be used. What I would like to say in closing is that the Oneida Nation has had a strong line of very dedicated and spiritual leaders in the past that really need to be recognized for where we are today. I want to say Yaw'ko which is thank you in Oneida to all those past leaders who have made it possible for our generation to be where we are today.
Gary Jordan - Oneida Business Committee Council Member and an Anonymous Tribal Member - Interviewed October 7, 1994

Question: What is your impression on all of the changes that have happened to the Oneida since gaming came to the reservations? I would appreciate any personal commentary.

Answer: Basically the influx of tasks that have been incurred because of gaming has created anxiety. There has been some withdrawal in contribution and participation in the change. So, there is a lot of conflict, at all levels.

Question: The changes have been overwhelming to some Tribal members?

Answer: Definitely, and we really don't have the time to educate and communicate the purposes of those changes. That is why there is so much anxiety and ambiguity.

Questions: On all levels, even those people making the decisions?

Answer: Right. You wake up the next day and wonder if you have made the right legislative decision. Let's say before we do an acquisition, you can't base your whole decision on profit and loss and projections. Marketers, they want to keep things black and white. There is a lot of guess work on whether or not your future plans are going to be lucrative. There's a lot of high anxiety, that's about it.

Question: How has this affected the Tribe? Is there a lot of conflict or factionalism?

Answer: I don't believe factionalism exists as the term is defined in Webster's. I think people have their personal preferences. They have their own opinions. They have their own preconceived notions on how things should be and that has inadvertently put groups of people in certain arenas or aspects of life, work, or religion. I don't believe people purposely tried to join one group or another. It's all personal preference.

Question: What were your initial impressions when you heard casino gambling was coming to the reservation?

Answer: My first concern was per capita income. I don't mean per capita payments, I mean income for family self-sufficiency in the workplace. There is a tendency in other municipalities to increase jobs and they never considered how the rate of pay per hour or their annual salary or annual wage and how that relates to social problems or social ills. There is just a tendency to create jobs.

That was my concern, that gaming was going to be like Vegas and other places, where they do not pay that much. Then you get in the riff-raff that don't have upstanding ethical and professional conduct, as there are in other areas.
Question: What sort of riff-raff or problems would this attract?

Answer: Uneducated, illiterate people that haven't been exposed to any type of structure or education. Let's just say that haven't been exposed to bible school, Sunday school, because they could not afford it.

Question: I don't understand your point? What do you mean?

Answer: What I am saying is there is a positive correlation between social ills and low pay. Let's say you had a city that paid everyone $4.25 an hour. That city would have a higher crime rate, higher suicide rate, higher homicide rate, higher accident rate, than a city that had a wage rate of $12 an hour. This is because there is a affordability to survive and not participate in antisocial behaviors. When we started bingo I used to be a school administrator. I was concerned about the ethics of the community, and to what extent it would change the values of the community. To what extent would it change the values of the community, which was a very industrious, hard working community. The unemployment rate was over 50 percent in 1972. So, you had a situation where the average education rate was the eighth grade. The population as a whole did not have the resources to provide employment because of the unique status of the Tribe, and its land in trust. Being a government, it was insulated from suit which made it very unattractive to businesses, other investors, and economic development. No bonding was allowed. Without any collateral or any opportunity to generate income, the Tribe had very limited options available to it. Gaming then became a vehicle to generate income where it could be leverage capital to allow this other development to occur. At the outset, there was a concern about what were the implications for the community. How was it going to change our values? That was articulated often. It transpired subsequently that we have managed to maintain our values in a way such that instead of building card board boxes these days, we now can afford an elementary school.

Interviewer: I have seen the Oneida Turtle School and the Little Bear Development Center. The architecture on both buildings was impressive.

Answer: The architecture is exemplary, but it is also culturally significant. When we think about culture and the various things that go into it, they express themselves through architecture and its surroundings. Economic success does not necessarily translate into cultural shifts. It does mean you can afford to do things that you would like to do but could otherwise couldn't do before. What we are doing now is trying to actively maintain our culture, maintain our community, and vibrancy of this Reservation. We are doing this through gaming, but also as a solution for the future.

Question: You have many services that are offered to Tribal members, such as schooling, elderly busing, medical care ect. What happens if the compact
is not renewed in 1998 or market saturation erodes your market? What steps are being implemented to diversify into small businesses?

Answer: One of the things I have done personally, and most recently is to establish the Oneida Small Business Council. The paperwork has been sent to the state to be incorporated as a 501C3, and eventually they will move into a Chamber of Commerce to provide technical support and financial support to small businesses.

Question: Will small business loans be given out?

Answer: Yes. The Oneida Business Committee, which is the governing body when the General Tribal Council in not in session has ratified an organizational chart. They have incorporated a review board which is made up of all Tribal members that review business plans. They decide whether or not these business plans are highly leveraged or viable. It then goes to an advisory committee that is made up of three local professional bankers from Green Bay. They oversee and review business loans on a daily basis so they are experts at it. Our Enterprise Director, who is Oneida, will be the chairman of that board, and will also have another Tribal member from the original review board.

The concept will be that the Tribe will become a loan entity to start up small businesses. This has been tried once before, to give you some historical perspective on that, but I think this time with the stringency and the knowledge of the people that we have in place now, that the end run decision on whether or not these plans are viable, will make it or break it.

Question: Are you in a rush to get this program going?

Answer: I am personally because I believe in the strength of microeconomics. I also believe in municipalities taxing commercial enterprises to provide better services. That is one of our intentions and I explained that to the Oneida Small Business Members Council. When they do get their businesses up and running, I wish they would lease property from the Tribe so we could set up a taxing code to procure taxes from them.

Question: I have seen the Walmart and a small strip mall. Is this land owned by the Oneida tribe?

Answer: Yes.

Question: Do you procure taxes from them?

Answer: We call it a tax but some people call it a fee, but yet they do pay us directly. On the books its called a fee. The Tribe has always worked in good faith with the
surrounding communities. There has been an interest in working cooperatively and in joint economic ventures with them.

The situation with our industrial park, which adjoins the Green Bay Industrial Park, is we had tried for years to bring businesses into that industrial park. We were responsible for bringing the railway spur that goes into our park, which also benefits Green Bay's park. We were responsible for bringing in the sewer and some of the road construction into the park. The quid pro quo for doing this, Green Bay, for establishing this park, they would recruit for Green Bay's Park, and our park.

Well, Green Bay's Park filled up and Oneida park had absolutely nothing. Part of this had to do with the status of the tribe, and the commitment of the tribe to not sell any of their land. Many businesses were looking for land options to buy and the Tribe was not prepared to sell anything. The other wrinkle was the fact that the tribe had a unique legal status and could not be sued as a tribal sovereign nation, presented another problem.

It took creativity to make this happen but what also was a factor was when the Green Bay industrial park began to fill up, they did not start recruiting more actively for the Oneida Park, rather they proposed a new industrial park for Green Bay.

The Tribe is left in a situation where often, ultimately the success of the Tribe rests solely on the shoulders of the tribe. And while we are working as good neighbors for the folks around us, we recognize too we can't really expect support from them. In fact they often work counter to us, and the Business Committee.

Question: How so?

Answer: (Laughing) Don't get me started.

Question: Are they purposely trying to subvert your activities in economic development or do you think there is some sort of malicious intent on their part?

Answer: I wouldn't say those two things are mutually exclusive. I think the reality is we are seen in many ways as competitors. There is also, I think personally, a jealousy of the Tribes legal status on taxation. This leads folks to make all sort of glib comments to the press. A local developer in our area has been going around saying that if Oneida buys land in our area, not only will it be taken off the tax roles, but the Tribe is also going to put up trailer parks. This will then cut the property values of the citizens in this area. That is malicious, because he is interested in a multi-million dollar development in that area that is going to make him a very, very wealthy man. But because he can prey on the lack of information of the citizenry, he can make that sound positive. He had a difficult time last night at the general meeting because he was confronted in a forum where both sides were present and he wasn't that good in attacking us. There are folks who prey on the unique status of the tribe.
They do not understand the governmental structure of the Tribe. They do not understand the fact that the relationship that the Tribe has with the federal government has gone back uninterrupted largely as a function of education.

The media has gone on by saying it's too bad the Indians have lost their land but why should they have a unique status. The problem is what happened in the period of the 1970s is we could not get anyone to come out here. Those laws worked against us historically. I guess I would ask where were those people then? That the Tribe has now managed to identify ways in which that status work for us and develop a structure, people are now coming out of the woodwork with concerns on why our status is the way it is.

So, we've go in part a problem with education, bringing to people an awareness to what is real, and we have a problem perhaps its just being with the business community now. Maybe because business can often be dirty, they are using every advantage that they can. That they use that advantage which include racial slams, and that type of thing like innuendo to get what they need. We don't find that very palatable. We have consistently taken the high road in this stuff, and we will continue to do that to a point, but at the same time, this government has an obligation to its people, to meet the needs of its constituency. From that perspective, its going to exercise its rights as a government to meet those needs.

There is certainly a potential for problems, but at the same time, last night I saw a very conciliatory note with the local citizens, based on concerns on the preservation of the quality of life within the reservation boundary.

Question: What happened at the planning meeting last night?

Answer: It was a community meeting last night. It was open to the public. It was explained to the folks at the meeting last night that it was not the intent to represent the interests of the Tribe at the meeting. That those interests will be resolved by government to government meetings by the Tribal government and the State. I don't think the citizens of the State of Wisconsin are prepared to forego the income and tax benefits that comes from gaming at the state level, and until they are prepared to do that give up the state lottery, which includes pull tabs and all other forms of gaming under the guise of the Big Eight Lottery. As long as they are operating Class III gaming and the proceeds from those various gaming activities go in as an offset to the taxpayers or the State of Wisconsin, I don't think there are many people from a personal interest perspective that are going to be willing to vote on a referendum that is essentially require that they pay higher taxes.

Now, on the gaming, there is also a very solid percentage of folks in the State of Wisconsin who support gaming as an activity, both as a form of entertainment or because they like to gamble. The national studies continue to demonstrate that there is more support for Indian gaming rather than non-Indian gaming. The rational behind that is the Tribes are doing something to benefit their communities.
Question: Do you think this also considers the fact that the scale is often smaller and in specific areas and that the casino's will not proliferate into other areas?

Answer: I think to some extent that is true, but I think its more a bi-polar thing. That is that Tribes are building schools, nursing homes, health centers and other things like that. That means this does not involve the state or their coffers. They would be going backwards if they cut us off. The reality is most Tribes are not the Pequots or Shakopee who are outliers. Most Tribes are larger and most Tribes are not close to metropolitan areas. For many Tribes, gaming is very marginal for the income they are generating, but it is the only, the only thing that they have gotten to work.

I think its marginal in many areas. The Oneida in New York State are very close to the North-South drag. We, the Oneida in Wisconsin are very close to metropolitan Green Bay, we have an airport right across the street, and we have major arterials traveling right through our area. Go to Red Cliff in Northwest Wisconsin, and you will find that they are not much more than break even. You go to Pine Ridge. How many people are going to fly or drive to Pine Ridge?

Oneida had to sue to speak with the governor to arrange a compact. We were involved very early. I think on all sides there was a learning and there has been a lot of growth that has occurred since that time in terms of the gaming industry. We were successful early on and we continue to be a model.

Question: What about the negative aspects of gaming, like an increase in prostitution, crime, drugs, and so on that are brought up when talking about gaming? Has this been a problem?

Answer: The most recent study (by Dr. James Murray) shows that those counties that have casino's, that crime did grow at a rate of 4.8 percent, while the overall crime rate for Wisconsin counties was 12.2 percent. In large part what happens is Tribes are hiring substantial law enforcement personnel, and to the extent that the State works actively with the Tribe in establishing a law enforcement package.

That is one-third the rate. That's attributable to a number of factors. One, is the employment factor. We are hiring a lot of people who would otherwise be unemployed or underemployed. They no longer have the need for crime because they are productive members of the society. You also have increased law enforcement, largely and almost exclusively on the tribes dime. The Tribe is picking up the cost for other local municipalities. This is around $1.5 million range. We have squad cars. We have officers. We write out tickets and citations for other municipalities because we are deputized, and those citation proceeds go to them.

Question: Can you police force arrest people for violent crime?

Answer: Sure, felonies, misdemeanors, they are involved in everything.
Question: Do you have the number of Oneida who live on and off the reservation?

Answer: Thirty-eight hundred. The return migration has been incredible. It's grown significantly, and it's a very hard statistic to stay on top of because with the expansion and employment opportunities. The return migration has been incredible.

Question: I noticed a lot of the reservation is in wetlands, and has been left untouched. Is this hard to build housing on or near?

Answer: Only two percent of the reservation is wetlands, and leased under Tribal control. We are working actively to preserve and expand that. This is a major flyway for migratory birds and we are concerned about that.

Question: I noticed the reservation used to contain over 65,000 acres. How was the land lost? Was it mostly by the allotment process, fraud, or did Tribal members sell?

Answer: All of the above. At the time of the Dawes Act, it happened to us in 1892, about a third of our people spoke no English. All the lands had been communally held up until that point. There were very vulnerable. The good missionaries told them they could be farmers the missionaries had always wanted them to be. All they had to do is take their new piece of paper from the Bureau, and go down to the local bank and they would get their money to buy farm implements to do their stuff that they were supposed to do. Not realizing what that kind of relationship with the bank was, many were vulnerable there. A lot of land was lost by tax forfeiture because people simply did not understand what was happening to them. As soon as they received land, they became tax payers.

Question: What about the twenty-five year forgiveness period in the Dawes Act? I thought they had that time to get financially secure before taxes were collected?

Answer: The government held competency hearings and they sent out people to determine who was competent and who was not. Those who were deemed competent could start paying taxes right away. Those that were incompetent were protected. Think about that. The site that we are on right now (the Norbert Hill Center) is an interesting aspect of what happened to us under the Dawes Act. This is part of an eighty acres parcel that was set aside for the perpetual education of Oneida children by one of the past Tribal chairs and his family. Once it was set aside, the Bureau of Indian Affairs established a government school on the site. That's how it was known, as a BIA Boarding School. It originally began as a day school for the local community, and then it expanded to a boarding school. It accommodated kids who were having
problems in a lot of other areas. The Bureau's policy was to isolate kids as far away from their parents as possible.

Question: I read about other Tribes having their children shipped hundreds of miles away from your reservation, at least your kids were lucky.

Answer: That's just it, it wasn't working out. Our kids would run away from here, which was part of the rationale. So our folks, at the elementary school level started being sent to Tama, Iowa, and at the secondary level they were sent to South Dakota. They had to have that distance in order to isolate them. Meanwhile, back on the ranch, there was collusion between the Catholic Church, the Bureau agent at the time, and one of the banker/developers. The Church, because the way the land had been set aside for the perpetual education of the Oneida children, could not get clear title to the land. So the Bureau transferred the title of the land to the Church, by quick claim. Then they tore down the government building. If you dig two feet into the terraced land next to this building in the back, you'll find red brick, which was the old complex. They used it for fill. The Church then built a seminary. The Seminary operated here until the 1970s until just after the Vietnam War, and our people weren't even Catholic. We were Episcopal and Methodist. So, there was an island on the reservation where no member of our Tribe ever attended. Some folks worked in the kitchen, and that is as close as we ever got.

After the Vietnam War, the number of seminaries dropped off dramatically. This place was meant to accommodate three hundred live-in students, and they had a handful. So they shifted it to a boys high school. That couldn't make it. Then it was a co-ed high school and that couldn't make it. At the same time, during the 1970s, the Oneida Tribe was beginning to grow dramatically in terms of establishing its own infrastructure, and establishing programs. With the passage of the Indian Education Act in 1972 and the Indian Self-Determination and Education Assistance Act in 1975, Tribes began to develop their own programs and utilize the funds they should have had all along to develop programs for the Tribe.

Question: All funds before that went directly to the BIA?

Answer: In the 1970s there was one BIA employee for every ten reservation Indians. The bureaucracy was so vast that funds that were allocated for Indian programming were eaten up entirely by the bureaucracy. This was national. We had a man named Billy Baldin in our community who attended every one of our meetings to tell us how to spend money we didn't even have. That was the extent of the Bureau's involvement essentially. They ended up with the overhead.

If you can imagine the bureaucracy. The Bureau became the dumping ground for government employees who didn't have another home, and it just kept on expanding. The amount of oversight was horrendous, and the amount that was available was virtually nothing. So, in the period from 1970 to 1975, the Bureau was
downsized dramatically, and the funds that were then saved, then were available for contracting by the Tribes. The Bureau would essentially become a flow through agency, providing funds so the tribes could establish programs.

To meet the Bureau's obligation to Tribes under treaty and federal Indian law, the federal government has a fiduciary responsibilities for the Tribes in a number of areas. A lot of this is quid pro quo for agreements, land exchanges, and other kinds of considerations that the federal government continues to have, but this was the first time the Tribes actually had control over what directions this was going to take and they began to establish their own institutions to carry that out.

**Question:** What infrastructure changes happened before the 1970s and before gaming came to the Oneida reservation?

**Answer:** This reservation is approximately ten by twelve miles. It is divided by two counties, two townships, and five school districts. It is long distance for us to call from one side of the reservation to the other. The people on each side of us call locally. We are divided in every way a community can be. I submit it was a process of gerrymandering, but I leave that for other people to think upon that on their own. I think the deal is that there was an active attempt to dismantle us.

**Question:** The counties that are here now did not exist when the Tribe moved into the state in the 1820s and 1830s?

**Answer:** No they were not. Our treaty established this reservation in 1938. Wisconsin did not enter the Union until 1840. One of the things gaming has allowed us to is to have the resource capital to develop schools. That refocuses us in our community. That becomes the focal point to who we are. We can have our culture taught to our own standards.

**Question:** The Oneida were one of the first Tribes to get funds to start a language program in the 1930s. Is this still being done on a large scale?

**Answer:** The WPA, in the 1930s, sponsored a linguist, Floyd Landbury to establish an orthography, or writing system and a language. At first it became part of his Master's thesis at Madison. Subsequently he developed a morphology that was conducive to teaching and that was used as writing system which was used in Oneida from the 1930s forward.

A lot of people who were fluent in Oneida chose to make their own phonetic writing based on their instruction in English. You have to understand that in the Bureau school's people were punished if they spoke their languages or participated in their cultures, so in order for them to preserve what they have about our culture, many people had to go underground with that knowledge and could not actively use it. So when they started to write letters, for those who were writing in Oneida, many of them
were using the Oneida language, and would write in phonetic English. In the 1970s we established a language program formerly in the community that became more institutionalized. It established a teaching training component, which resulted in the certification of a number of teachers, many of them who are employed by the Oneida Tribal School. They developed a curriculum and there has been ongoing work with elders as informants, and teachers. Curriculum personnel have also developed an ongoing strategy this is part of the Tribal school. The Oneida language is a required subject. The Tribe has also made a commitment, broadly to the community, and there are people that are now working to develop things that will be implemented more community wide to bring back older people who haven't had the chance to learn the language.

In 1972 there was passage of the Indian Education Act which for the first time since the 1830s recognized the Tribes right to speak their own language. In fact, it provided resources with which the Tribes could develop programs to preserve their languages at that point. That is significant. A lot of the flack that the Tribes take often is that they look just like us, they talk just like us, their situations are exactly like ours, so why should they be looked upon differently? The reality is Indian people have always tried to be Indian people, they have not always been allowed to be that. That the culture still exists in this community, that the language is still spoken in this community, and that the Longhouse still exists in this community, that all these things are still here is a testament to the peoples commitment to continue to be Oneida.

The problem is again that there is a educational gap where the people outside do not understand this at all. They think, what they are seeing, or what is being painted for them out there is Indian folks are just like everyone else, and then they saw this loophole through a magic treaty that was in a tin can in someones back yard. People then materialized with this treaty and suddenly, Poof! suddenly they are taking back all this stuff. They don't understand all these policies, some of which you talked about already. You have obviously been researching.

Cherokee Nation v. Georgia was significant because the courts recognized the tribes as domestic dependent nations. (President) Jackson thought that was a success on his part because nations was the small "n" instead of the big "N". He thought that eroded the Tribes sovereignty. Then the Worchester Case that came along after clarified the courts intent by say Mr. Worchester did not have to pledge allegiance to the State of Georgia because he was in Cherokee Territory. Notwithstanding, Cherokee Territory was in the State of Georgia. Mr. Worchester won the case after spending four years in prison. In his winning, and the winning of the Cherokee, they were still forced march the Cherokee out of Georgia. What Mr. Worchester argued was that he was on Cherokee Territory, not in the State of Georgia, and the court agreed. The court said that the right of Cherokee people, and because this was the Supreme Court, the right of all Tribes across the country, that their sovereign rights, that their authority as governments exists and springs from the land. The Tribes retain all rights, save those, except those specifically which have been given up. So, their rights as sovereigns are not and cannot indeed be logically given by anyone else. The rights that
they have are the rights that they have always had. These are the rights that we have continued to exercise today. The right to self-government and so on spring from our having been here, and our relationship with the land. See, what's important is that not only the Indian perception of what land ownership is, and what an Indian government is, but that the foundations for this actually proceed all this going back to the 1530s, when the people of Europe, acknowledged under European law that Indians have these rights.

Francisco De Victoria in 1532, a counselor to the Spanish crown, and a person who was a Spanish priest, known as the father of international law, determined that the Indians owned the New World. He pointed to the people of the Middle East and said they are people—because there was a lot of discussion on whether Indians had souls— even though they were the persistent enemy and historic enemy of the peoples of Europe. Nobody questioned that they were not Christians, nobody questioned that they were enemies, and yet nobody questioned that they did not own the land they lived on. He likened that if the people of Europe could recognize these folks who were their enemies, how could they not recognize Indian people who had done no harm to these folks in the same way? That provided the foundation for the treaty relationship which continued here until 1871. This existed first with other nations then later with the evolving United States.

The Marshall Trilogy that evolved in the 1820s and 1830s fine tuned them and defined Indian nations as domestic dependent nations. It also set up a responsibility on the part of the federal government to protect the interests of the nation's within its borders. The United States Militia had been established, and was garrisoned along what was then the western United States, but they were facing East not West. The problem they were having was that the white encroachment was creating all types of border skirmishes. The new country wasn't prepared to take on a war with all of Indian Country, so they needed to try and hem in their own people. What Marshall was saying was that the United States had a fiduciary responsibility over these folks, he was talking about government to government relationships and talking about the concept of domestic dependent nations. He was talking about it their responsibility of the federal government to protect the interests of those nations, against others, including the states. From that perspective we are still in that boat. That is the foundations for all the things that have happened since that time, the United States, for most of that history has been remiss in terms of how it has exercised its responsibility to Tribes in that regard.

Even when the Bureau of Indian Affairs was removed out of the War Department and into the Department of the Interior, the BIA continued to have the responsibility to liaison with the Tribes. The situation did not improve dramatically because look what else is in the Interior, the Bureau of Land Management, the Bureau of Mines, the Bureau of just about everything that is in competition for Indian resources. The Interior Department has a solicitor that makes decisions about what is the best use for the land, so the Tribes have consistently been undercut.
Question: In my readings I found out that the Department of the Interior has leased land and mineral rights for penny's on the dollar on Indian land, any comment?

Answer: They still can't account for hundreds of millions of dollars. There is a multiplier effect that occurs when you take people off public assistance and make them gainfully employed. They then have the resources to do things for themselves. They are no longer receiving dollars and become purchasers.

How many trucks, squad cars, and vans do we have? Around 150 are Tribally purchased. You figure we have thirty-four hundred employees and they are buying cars and they are buying houses. They are also going to restaurants and that is providing for additional restaurant employees.

Question: Are not many of these enterprises like restaurants and shops located off the reservation, and therefore the money is not stay on the Oneida Reservation?

Answer: But that is money that is going to the state, and it is the state that is usually arguing that because the Tribes have this tax status that they (the State) does not derive any benefits. What we are showing them is we have taken all these people off state support, making them gainfully employed folks, and they are contributing to the economy of the state.

Question: Does everyone have to pay federal tax, and social security tax?

Answer: Everyone does have to pay federal tax, and social security tax, FICA.

Question: Do you have the unemployment figures before gaming and what it is now?

Answer: I know we have had it. What is difficult is its changing weekly. The Business Committee, and our Tribal council would have the new employees come up and meet them once a month. They would be introduced to the government, and they would move on from there. We have shifting dynamics in every respect, and our population base is not consistent from one day to the next. Our employment picture isn't consistent from one day to the next. All this influx of new people is changing all the ratio's dramatically. We used to have the people coming who were hired by the Tribe, say five, ten, fifteen people whatever, to the business committee chambers. (They) would be greeted by the tribal government and then start their jobs. Recently what we have moved to is a situation in which the Business Committee now goes an auditorium to meet the folks who have been hired for that week or month. Our numbers are out-dated almost instantaneously.