

Millions paid from Seneca slots, Buffalo casino

Harry Scull Jr.
Buffalo News

BUFFALO, N.Y. — The Seneca Buffalo Creek Casino site remains under construction, one of three Seneca-owned casinos in the Buffalo Niagara region. The Senecas recently paid the state \$57.3 million.

The Seneca Nation of Indians has made a \$57.3 million payment of slot machine revenues to New York State, including \$2.8 million generated by the embattled Seneca Buffalo Creek slots-only facility in the City of Buffalo.

One-quarter of those revenues — \$14.3 million — will be passed to “host communities,” including Niagara Falls and Salamanca. Absence of a revenue sharing agreement in Buffalo will result in \$708,302 being held in a state account until a share arrangement is worked out.

Seneca President Maurice A. John Sr. confirmed the payment was made by the June 30 deadline for revenues generated by slot machines at Seneca Niagara, Seneca Allegany and Seneca Buffalo Creek casinos between July 1 and Dec. 31, 2007. The payout is the first from the Buffalo temporary casino, which opened July 3, 2007.

“Our enterprises have created thousands of jobs for local residents, tremendous opportunities for local businesses and needed revenue for local governments,” John said in a statement. “The people of Buffalo are seeing the first fruits of the Seneca Nation’s investment downtown.”

Buffalo and Erie County are at odds over how the local share of slot revenues — which could run as high as \$7 million a year when a planned permanent casino is up and running — should be divided.

But any local share argument might be for naught as the long-term future of Seneca gambling in Buffalo is in limbo.

In early July, U. S. District Judge William M. Skretny ruled the National Indian Gaming Commission had made procedural errors in granting the Senecas a permit to operate a casino on a nine-acre site along Michigan Avenue.

Despite Skretny’s July ruling, construction of the permanent Buffalo casino and hotel has continued at full speed. Approximately 40 percent of structural steel for the three-story, 90,000-square-foot casino complex has been erected over the past month.

Seneca Gaming Corporation spokesman Philip J. Pantano said steel for the 22-story hotel tower will start going up in December or January. And construction of the 2,500-vehicle cast concrete parking deck will begin by the end of September.

If legal rulings don’t stop the casino project, it is slated to debut in mid-2010.

Under the 2002 agreement between the Seneca Nation of Indians and the state, the Senecas must share a portion of slot machine revenues with the state and the host community. Over the life of the 14-year agreement, the local share climbs from 18 percent to 25 percent, with the state passing along 25 percent of its take to the locality. Since the scale starts from the date of the compact, the Senecas now pay the state 22 percent of that take.

For the July through December period, the formula generated a local share of \$57.4 million. The bulk of that revenue, \$38.1 million, came from slots play at Seneca Niagara Casino & Hotel. The remainder was earned through Seneca Allegany Casino & Hotel and the Buffalo venue, \$16.3 million and \$2.8 million, respectively.

Jury finds self-proclaimed Indian chief guilty

WICHITA, Kan. (AP) — The leader of a group that claims to be an American Indian tribe was convicted Wednesday of defrauding immigrants by falsely telling them tribal membership would make them U.S. citizens.

Malcolm Webber was found guilty on six federal charges arising from the unrecognized tribe’s efforts to sell memberships. The jury acquitted him on a conspiracy count.

U.S. District Judge Wesley Brown will decide how much money Webber must forfeit. Prosecutors estimate the fraud at about \$1.2 million. Sentencing was set for Nov. 3.

Prosecutors argued that Webber, 70, marketed memberships in the Kaweah Indian Nation by telling immigrants the tribal identification documents could be used to get Social Security cards, U.S. passports, health care benefits and driver’s licenses.

Webber’s attorney, Kurt

Kerns, argued that his client had no criminal intent and only sought to help undocumented immigrants become legal residents.

The defense called no witnesses during the trial.

Webber, who remains free on bond, was convicted on two counts of harboring illegal immigrants, two counts of possession of false documents with intent to defraud the United States, one count of conspiracy with intent to defraud the United States and

one count of mail fraud.

He showed no emotion as the verdicts were read. Kerns declined to comment afterward.

Assistant U.S. Attorney Brent Anderson told jurors the Kaweah Indian Nation is Webber’s invention.

The Bureau of Indian Affairs ruled in 1984 that the Kaweah group had no historical link to American Indian tribes and that Webber — who calls himself Grand Chief Thunderbird IV — is not an

Indian.

Even if it were a legitimate tribe, immigrants cannot obtain legal immigration status by joining a tribe.

U.S. Attorney Eric Melgren said it was important to prosecute cases to protect immigrants.

“These people were defrauded of money on a faulty promise that it would improve their immigration status,” he said. “They were also victims and I think part of the justice in this case was protecting people.”

Federal prosecutors charged the tribe and 11 people last year. Charges have been dismissed against the tribe and two defendants, one remains a fugitive and seven others have pleaded guilty to reduced charges.

Robert Visnaw, a special agent with Immigration and Customs Enforcement, testified that agents seized Kaweah enrollment rolls with the names of 13,142 people, plus an additional 2,000 to 3,000 applications that had not yet been processed.

Visnaw testified he had compared 1,000 of those memberships with ICE databases, and it appeared only 4 percent to 5 percent were lawful residents or citizens.

Roger Nunemaker, a longtime friend of Webber who watched part of the trial, said the government’s case did not convince him that Webber had done anything illegal. But he now doubts that Webber was a real Indian chief and wonders about the \$30,000 a day the tribe raked in, according to trial testimony.

“Where did the money go?” he said. “It just left me with more unanswered questions.”



Associated Press

Malcolm Webber, center, leaves the Federal Courthouse along with his attorney Kurt Kerns right and paralegal Christina Patton in Wichita, Kan., Tuesday. Jurors have begun deliberating the immigration fraud case of Webber, the self-proclaimed grand chief of the Kaweah Indian Nation.

Hazel Brown; Otoe-Missouria tribe member dies at age 103

By Joe Holley
Washington Post

ARLINGTON, Va. — In the summer of 1957, Hazel Frances Barnes Brown took a trip with family members to a recently opened amusement park in Southern California called Disneyland, and she was surprised to recognize the man portraying the chief in the park’s “Indian Village.” He was a lawyer from her own small Oklahoma tribe. The two had much to share.

Mrs. Brown, 103, who died July 27 of failure to thrive at her home in Alexandria, was thought to be the oldest member of the Otoe-Missouria tribe of Red Rock, Okla. The Otoe-Missouria were the first tribe encountered by Meriwether Lewis and William Clark during their expedition into the Louisiana Territory.

Mrs. Brown’s great-grandfather Andrew Drips was a fur trader as well as the Indian agent of the upper Missouri River. Her great-grand-

mother, Maycompenay (Mary), was Native American.

Mrs. Brown was born on Dec. 25, 1904, in Barneston, Neb., a town named for her grandfather. Her father, William Drips Barnes, was an Indian Territory federal marshal. Her mother, Sarah Simpson Barnes, died when Mrs. Brown was about 3, and her father, unwilling to break up the family of six children, placed them in orphanages -- the three boys in one, the three girls in another -- in Kansas City, Mo.

The children stayed in Kansas City until he remarried a couple of years later and moved the family to the Red Rock area.

Mrs. Brown married Claude S. Neely in 1922. He died two years later of an unspecified illness related to his overseas military service during World War I.

In 1925, she married Forest Kenneth Brown, who worked for Brown and Root, then a Houston-based gas

pipeline firm. For the next four decades, she was a homemaker who lived in a variety of places -- Texas and Oklahoma in the 1930s and 1940s, the Pacific Northwest and Canada in later years -- while her husband worked on pipeline projects.

The couple moved to Alexandria in 1966, and Mrs. Brown’s husband died in 1972.

She was active in her church, World of Life in Springfield, where she was a member of the choir, and regularly visited elderly shut-ins. The people she visited often were much younger than she.

She also was an artist and seamstress who sewed choir robes for her church. In later years, she enjoyed trips to Canada, Mexico, Europe and the Middle East.

Survivors include her daughter from her second marriage, Carmelita B. Calvert of Alexandria; five grandchildren; nine great-grandchildren; and two great-great-grandchildren.

Couple pleads guilty in Indian cigarette case

TACOMA, Wash. (AP) — The former operators of a Native American smoke shop have pleaded guilty to federal criminal charges for selling untaxed cigarettes.

Henry and Alison Gottfriedson were the primary operators of Frank’s Landing Indian Discount Tobacco near Olympia. The smoke shop was owned by the Frank’s Landing Indian Community, a small, independent Native American community outside the Nisqually Tribe’s reservation between Fort Lewis and Olympia.

The community ran the smoke shop without a state tobacco tax agreement until federal agents raided it last year. Typically, tribes that sell cigarettes have compacts with the state allowing their smoke shops to tax sales to non-Indians with the tax revenue going to the affected tribe.

Following the raid, Frank’s Landing struck a deal with the nearby Squax-

ian Island Tribe, which agreed to lease the smoke shop and share tax revenue for use on local projects. Gov. Chris Gregoire amended the state’s tobacco tax compact with the Squaxians to formalize the arrangement, and the shop reopened early this year as Skookum Creek Tobacco Co.

In an agreement announced Wednesday in U.S. District Court in Tacoma, the Gottfriedsons pleaded guilty to conspiracy and avoiding tax payments. The Gottfriedsons agreed to pay about \$9.2 million in taxes and forfeit more than \$1.5 million in cash seized by federal agents.

“They made a very conscious, deliberate choice to plead guilty and put this entire matter behind themselves and to put it behind the community,” said Steven Ungar, one of the Gottfriedsons’ lawyers.

The Gottfriedsons are scheduled to be sentenced Nov. 17.

Oglala Sioux Tribal Council to meet to discuss police walkout

RAPID CITY, S.D. — “We are not pointing fingers,” Oglala Sioux Tribal President John Yellow Bird Steele said in a written statement Wednesday. “We have difficult issues to address, and we are going to deal with them in an orderly manner that serves the best interest of the tribe.”

Yellow Bird Steele said he and his staff are working to reduce tensions and provide stability for reservation law enforcement in the aftermath of the dispute involving tribal police officers Tuesday.

The Rapid City Agency of the Federal Bureau of Investigation said it sent agents about midday Tuesday to Pine Ridge to deal with a situation between Oglala Sioux Tribe public safety officers, the OST Police Chief and

tribal council members.

Steele said tribal council members met with tribal police officers on Tuesday to hear grievances relating to federal budget cuts which already reduced the reservation police force by half, and increased working hours of police officers.

“Tensions boiled over and a scuffle broke out,” Yellow Bird Steele said. “Approximately one-half of the remaining police force resigned.”

To address the situation, Steele said that a number of certified officers working for the Tribal Parks Board as game wardens have been assigned to public safety duties.

“We are taking immediate steps to alleviate the shortage

of police officers caused by the resignations of nearly 30 police officers,” he said. “By temporarily reassigning the game wardens and receiving additional officers ... from other reservations by the BIA, we will be able to provide adequate protection for our people through this difficult period.”

Steele says the blame lies with the federal government.

“The U.S. government and its citizens have pillaged our homeland by taking billions and billions of dollars worth of natural resources out of the ground, and the government has failed as a trustee to provide the ‘consideration’ necessary to provide police protection on the reservation,” he said.

Arlington’s Stillaguamish Casino sees more visitors

By Krista J. Kapralos
Everett Herald

ARLINGTON, Wash. — The big news in local casino gambling this week is the grand opening of the Tulalip Hotel, the 12-story luxury tower that offers gamblers a chance to sleep mere footsteps from the slot machines and poker tables.

But for those who crave a little less Vegas-style flash, the Stillaguamish Indian Tribe promises that a drive a few miles north of Tulalip is worth the extra gas.

Though the grand opening of an expansion to Angel of the Winds Casino, meant to nearly quadruple the venue in size, is still months away, more gamblers than ever are trying their luck in Arlington.

“We’ve seen a nice increase since we announced the expan-

sion,” Angel of the Winds General Manager Travis O’Neil said. “We have new guests, and some of our current customers are visiting and getting excited for the expansion.”

The casino welcomes about 800,000 every year, but that number likely will be more this year, O’Neil said.

The expansion is more of a full-scale makeover than a minor renovation, but O’Neil said the casino will always be “the world’s friendliest,” a motto casino officials repeat whenever compared with the Tulalip Tribes’ resort down the road.

“A casino is a casino,” O’Neil said. “They offer the same machines, tables, restaurants. But the actual place can be special by how you treat people, and that’s what we focus on. We are as friendly as we possibly can be.”