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## Wampanoag tribe says it has federal approval to build casino on Martha's Vineyard

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  3
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By Mark Arsenault, Globe Staff



The Wampanoag Tribe of Aquinnah today declared it has won federal approval to open a casino on its tribal land on Martha's Vineyard, introducing a surprising new wrinkle to the state's unsettled gambling industry.

The tribe pledges to now move ahead with a plan to convert an unfinished tribal community center on the island into a temporary casino, until a permanent facility can be built.

“As the People of the First Light, we are responsible for preserving the atmosphere and

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beauty of the Island,” said the tribe’s chairwoman, Cheryl Andrews-Maltais, in a statement. “Any gaming facility we operate will blend in with the rest of the Island, and the tribe will work with local businesses to ensure the casino’s positive economic impact on our neighbors in the larger Island community.”

The Aquinnah have been in a long battle with state officials over tribal gambling rights.

Tribal gambling is approved and regulated under federal law, the 1988 Indian Gaming Regulatory Act, known as IGRA. Federally recognized tribes, such as the Aquinnah, generally can host gambling as a means of economic development without a state casino license.

But Massachusetts officials have long insisted that the Aquinnah gave up their federal IGRA rights in a land settlement in the 1980s, when the tribe agreed to abide by state law on its sovereign territory.

Under state law, a limited number of casinos will be licensed through a competition controlled by the state gambling commission; the tribe did not apply for a state license.

The tribe turned to the federal government for clarification, and on Oct. 25 received a legal analysis from Eric Shepard, acting general counsel of the National Indian Gaming Commission, the federal regulatory agency that oversees tribal gambling.

“It is my opinion that the specified lands [on the Vineyard] are Indian lands as defined by IGRA and are eligible for gaming,” Shepard wrote to the tribe, according to a copy of the letter provided by the Aquinnah.

“The tribe has consistently asserted that we have the right to game on our lands in Aquinnah,” Andrews-Maltais said. “These approvals affirm our position. We are thrilled.”

The tribe’s initial plans are for what tribal gambling law calls a Class 2 facility, which permits games such as high-stakes bingo, poker, and some varieties of slot machines. To run a wider variety of Las Vegas-style games, such as blackjack and roulette, the tribe must negotiate with Governor Deval Patrick on an agreement known as a compact. In general, compacts provide tribes certain benefits in exchange for a share of gambling revenue.

The tribe this morning renewed a request to open negotiations with the Patrick administration, “which previously refused to negotiate with Aquinnah on the mistaken belief that the tribe had given up any rights to game,” the tribe stated.

“With the question of the eligibility of our lands qualifying under IGRA resolved, we hope that our two governments can now return to the negotiation table and work out a fair agreement under applicable federal law,” the tribe stated.

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DRK 11/12/13 10:41 AM

How many people can get on the island before it sinks?

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CasinoMAN 11/12/13 10:47 AM

this is the worse idea for a casino i have ever heard of. OMG!

I dont ever go to the vineyard because of the current traffic and cost,

what casino owner thinks this casino will attract low life gamblers like me to drive through cape traffic and stay at an over priced hotel?.

and they wonder why some casinos fail.....

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wolfsbro 11/12/13 10:51 AM

When they set up their own ferry service, will there be games on the boat?

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40something 11/12/13 10:53 AM

I can't think of a better place for their Casino. Since the beautiful people of Massachusetts that suck the tax payers dry usually own summer homes there, I hope they get to enjoy the same traffic congestion, crime and resource draining nightmare that they heaped on the rest of us.

Ha - NIMBYism failed big :-)

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Dobermann 11/12/13 10:42 AM

Next place they should put a casino is on Nantucket right next to Liveshot's summer shack.....

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