

Praise the casino agreement, don't bury it

By Michael Toledo Jr.

The intergovernmental agreement entered into between Doña Ana County and the Pueblo of Jemez has received more media attention than any agreement we can remember. Unfortunately, the attention from some of the media has been more negative than positive. It would be a breath of fresh air to read about the enormous good the casino will bring to the people of Jemez Pueblo and Anthony.

Since no other Indian gaming tribe in New Mexico pay their own way for services needed by their casinos, we write to praise the agreement.

This agreement provides for two additional police officers; fire equipment, training and incentives; an ambulance and EMS team housed and paid for by the casino. These are welcome in a community that currently has a substandard level of services. The "public safety" package totals more than \$540,000 a year, doubling the ambulance service for the county

and supplementing the Anthony fire station's budget by 400 percent.

The agreement also puts in writing all other promises that the pueblo and the developer have made. It provides for a local hiring preference, fully paid health insurance and a million dollars in job training. It provides a "buy Doña Ana County" commitment and an information kiosk to direct 6,000 projected daily casino patrons to local restaurants, hotels and other tourist destinations. The casino will feature Mesilla Valley products in its gift shop and on its menus. The agreement also provides for a substantial community foundation to provide socially conscious priorities to be identified by the local community.

A week after the agreement was approved, sitting and newly elected Doña Ana County commissioners were sent letters, inviting them to discuss the agreement and to begin a constructive dialogue. The letters were tailored to answer the concerns voiced by each commissioner, past and present. Phone calls were also made. We

heard nothing in response. One commissioner admitted as recently as last week that she still hadn't read the agreement.

We see no "gag order" in the agreement and our letters inviting discussion are evidence that no "gag order" was intended. The opponents made up the argument and some of the media bought it without checking the facts.

The agreement does not impermissibly "tie the hands of future commissioners" or future Pueblo of Jemez governors. The agreement, itself, provides for annual reviews and payment adjustments in seven different sections. It is designed to be flexible and to meet the needs of a project still in its infancy.

The provisions in this agreement have been based on other intergovernmental agreements now in use throughout the country. We know of no other official who has raised even the slightest concerns. We, and they, interpret the provision as a restatement of contract law imposing a duty of good faith upon those entering into

agreements.

The people of Anthony want the casino — overwhelmingly. Seventy-eight percent strongly support it and 63 percent want to work there. Eleven thousand residents signed petitions urging that the casino be built. They see 950 jobs with \$29,200 in annual average salary, and 69 jobs with average salaries of more than \$54,000 a year as good jobs. They see \$28 million a year in payroll, and \$30 million a year to purchase goods and services as a huge boost to their economy.

Some like to talk about democracy, fairness and equal opportunity. We like to live these principles. Equal opportunity and fairness requires that every tribe in the state that wants to game be allowed one casino — regardless of their location — if they can meet the criteria.

The Pueblo of Jemez reservation is so small, remote and isolated that any casino and any other economic development would fail there. Perhaps if the Doña Ana County commissioners visited Jemez Pueblo, they would bet-

ter understand.

Congress can't pass a law that bestows untold benefits on tribes with good locations, while condemning tribes with remote locations to hopeless poverty. The opponents of this project ignore the fairness and equal opportunity imperative of the off-reservation provisions of the Indian Gaming Regulatory Act. Opponents call it a loophole when in fact it is a core provision of the law.

The process is tough. Only three other tribes in two decades have gone from application to ribbon cutting. Three throughout the entire United States does not a casino explosion make.

Don't confuse problems with Indian gaming, or gambling in general, with providing an equal opportunity to one of the only tribes in New Mexico who don't already have a casino to help bring their people out of poverty.

Michael Toledo Jr. is the governor of the Pueblo of Jemez.