



June 8, 2012 – *The Las Cruces Bulletin* - [Fort Sill casino bid made to governor](#)

Fort Sill casino bid made to governor

Letter asks for compact talks to begin with Apache tribe

By **Todd G. Dickson**

Las Cruces Bulletin

An Oklahoma-based tribe's plans for a casino on trust land in Luna County is now before Gov. Susana Martinez for gaming compact negotiations.

The Fort Sill Apache Tribe announced Wednesday, June 6, that the Interior Department's Bureau of Indian Affairs (BIA) sent Martinez what's called a Section 20 letter May 15 to begin the process of developing the Indian gaming casino at Akela Flats, located about halfway between Las Cruces and Deming on the north side of Interstate 10.

"I am pleased that the BIA confirmed our understanding that there are no restrictions to game on our reservation," said Fort Sill Apache Tribal Chairman Jeff Haozous in a press release. "We've met with elected officials in Deming, Luna County, Las Cruces, Silver City, Grant County and Hidalgo County who say that the Apache Homelands Casino is in the best interest of the local community. We look forward to receiving support from the governor."

A copy of the official Section 20 letter the BIA sent to Martinez and elected officials in Deming, Luna County, Las Cruces, Dona Ana County, the Village of Hatch, the Mescalero Apache Tribe and the Pueblo of Ysleta del Sur, is available at [www.fortsillapachenewmexico](http://www.fortsillapachenewmexico.com). com.

The letter refers to the Fort Sill tribe by its official name of Chiricahua Warm Springs Apache Tribe and makes formal the group's wishes to begin the process of developing and operating a Class III Gaming Facility on its reservation trust land located in Akela.

The letter references the existing 30,000square-foot building on the 30-acre site in Akela, which is designed to handle 650 slot machines, seven table games, a full-service restaurant and a cultural center. The facility has parking for 600 cars, 40 RVs, trucks and employees, which would number between 280 and 300 workers.

The consultation process is required, according to the press release, as part of a required two-part determination under Section 20 of the Indian Gaming Regulatory Act (IGRA).

Martinez has publicly expressed some concern about the proposal in that a compact has yet to be proposed.

In 1968, the U.S. Indian Claims Commission (ICC) determined that the Fort Sill Apache Tribe was the legal successor of the Apache Indians, including the Chiricahua, Warm Springs, Nednais and Bedonkhe bands. These four Apache bands once lived in southwestern New Mexico and southeastern Arizona until their forced removal as “prisoners of war” following the surrender of one of their leaders, Geronimo, the release states.

Tribal members were imprisoned at Fort Sill, Okla., but eventually received allotments of land in Oklahoma.

The commission affirmed that 14 million acres of land in New Mexico and Arizona was taken away from the tribe by the U.S. government in an illegal fashion, according to the press release. These landmark decisions have been made by the U.S. Supreme Court, the release stated.

“While they always maintained their status as a tribe, the Chiricahua and Warm Springs bands of Apaches’ government-to government relationship with the United States, which was severed during the imprisonment, was restored in 1976 when they organized with a constitution as the federally recognized Fort Sill Apache Tribe,” the release stated.

The tribe previously tried to hold bingo games there, but former Gov. Bill Richardson stopped it.

Last fall, after getting the Interior Department to officially declare the Akela Flats property as tribal trust land, the tribe began groundwork anew to develop the Apache Homelands Casino. The designation is part of a settlement of a legal dispute between the Fort Sill Apaches and a Comanche tribe, according to Haozous.

The tribe hired Luntz Global to conduct a local and statewide poll on the casino project last fall. An online survey and live phone poll of 500 New Mexicans found strong support for the project, according to the tribe. Statewide, 58 percent agreed that tribal gaming creates jobs and 63 percent saw casinos as a good way to encourage economic growth. Almost 60 percent of those surveyed in Doña Ana and Luna counties gave their support to the Fort Sill proposal.

If it were to get approved, Haozous said a casino could be opened at Akela Flats in as quickly as 45 days. Many in Luna County support the project out of the need for more jobs and economic activity, he said.

With casino operations, Haozous said tribal members could then afford to relocate to the Akela land.

The Fort Sill tribe opposes the Jemez Pueblo’s proposal to open a casino in Anthony ,N.M., because it’s not their original homeland.

Mescalero Apache Tribe President Mark Chino has questioned the Fort Sill motivations in its casino plans, telling a state legislative committee that the members chose to stay in Oklahoma when given the opportunity to move to Mescalero in 1913. Chino also said the Mescalero Apache tribe is opposed to a tribal casino at Akela Flats because it would take away customers from its Inn of the Mountain Gods resort casino. The Mescalero tribe also opposes the Jemez proposal.