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"Reservation Gambling: Improving the Odds Through
Natural Resource Recreation Management"

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Abstract

Legalized reservation gambling has been an economic windfall for many Native American tribes. However, the growth in competing gaming venues near urban areas will likely reduce the number of tourist gamblers who visit reservation casinos, especially those located in remote areas. Coupled with the prevalent social problems associated with gambling tribes may choose to explore natural resources-based recreation development as an alternative. Recreational hunting has proven a successful means to expand the economic base for some tribal economies. This paper explores the history of reservation gambling, identifies factors related to its potential failure, and presents natural resource-based recreation as an alternative or supplemental economic development tool. Recreational hunting is used as an example to illustrate the potential

of such development.

Key words: Native Americans, gambling, recreation, hunting, Indian reservation, natural resources

The largest and fastest growing segment of the entertainment industry is legal gambling. In terms of sales, legal gambling dwarfs every other form of entertainment. For example, in 1994 gambling profits in the U.S. equaled \$39.9 billion dollars. More was spent on gambling in 1994 than on all live entertainment events including concerts and plays, all movie theaters, all spectator sports, and all forms of recorded music combined (Christianson and Cummings, 1995).

Of the newer forms of legal gaming, Native American gaming is the most widespread geographically. In 1982 there were only six gaming sites on Native American reservations, but by 1996 the number of tribal gaming sites on reservations had grown to an estimated 200 (Hines, 1996). Gambling on Native American reservations has become the centerpiece of many tribal economies and is estimated to have generated revenues of about \$7 billion in 1996. The growth in gambling on Native American lands has gone from literally zero to over \$7 billion per year in wagers in just over a decade (Egan, 1997).

Estimates vary as to the amount of total revenues flowing to the tribes from reservation gambling. However, it is clear that Native American gaming is the fastest growing source of

economic activity on the reservation. This economic success has not come without some significant negative tradeoffs for tribes pursuing such ventures. Seven major political and social realities point to the difficulty some tribes will face in attempting to sustain long-term economic stability based primarily on gambling.

1. States collect limited or no taxes from Native American gambling

Currently states have relatively little jurisdiction over the operations of reservation gambling and garner limited or no direct taxes. As a result, states have aggressively challenged tribes' rights to continue to make billions of dollars from reservation gambling that is not taxable by the state governments.

In the early days of reservation gambling under the 1988 Native American Gaming Regulatory Act, courts were willing to draw broad categories interpreting the language of the compacts the tribes signed with the state governments allowing gambling on reservation lands (Rose, 1995). As publicity about successful Native American casinos spread, the courts tightened their reasoning. California's 9th Circuit Court of Appeals ruled that tribes in California can have only those exactly same games that are permitted by California state law (Rose, 1995). In 1998, federal prosecutors filed a civil forfeiture suit to close video slot machines on reservations in California (Ruling Strikes Indian Gambling, 1998). Lieberman (1991) sees Native American gambling as a window of opportunity which will be closed once politicians and the public realize that revenues from casinos on Native American reservations are not fully taxed. It seems likely that states will continue pursuing taxable revenues from reservation gambling while the federal courts tighten the definition of what constitutes legal gambling.

2. Demand is not infinitely elastic

There is no question that legal gambling can generate revenue. But in the face of direct competition, revenues will neither be on the scale imagined nor be as reliable as many proponents of legalized gambling think. The idea that there is an endless supply of money available and an infinitely elastic demand for gambling is attractive to politicians as well as entrepreneurs. Seeing the economic revenues generated from gambling, including the success experienced by Native American tribes, many states and municipalities have legalized forms of gambling.

The real growth in gambling is posed to take place in the form of multibillion-dollar casino resorts such as those already proposed in Chicago, Connecticut, and Detroit. For example, Mayor Richard Daly of Chicago has embraced the idea of developing near downtown Chicago a \$2 billion "family entertainment center" to be anchored by at least four gambling casinos. Once these urban gambling centers are in place, the lure of gambling at remote Native American reservations will likely decrease, leaving excess capacity, falling revenues, and wasted capital investments. The underlining rationale for such a decline rests in the reality that only a limited number of people would trek to a remote reservation if they could find the same gambling in their city. Eadington, (1996) points out, "the only true injections gaming can bring to a local or regional economy occur when the gaming is exported to outsiders." If most of the customer base is from the local market there will be little net economic gain. This may be especially true for reservation gambling where Eadington speculates "the window of opportunity may be available for Native Americans for a fairly short period of time before other interests

overwhelm them" (Yoshihashi, 1991).

3. Illusion of endless demand

As the supply of legal gambling venues has grown, so to has demand for gambling. With continued growth the gambling market in time will reach a saturation point (U.S. Cogress, 1994). To date legal gambling has generated sizable revenue, however, the scale of future profit in many locations may be much more limited in the face of growing competition.

The Mashantucket Pequot tribe owns and operates the Foxwoods High Stakes Bingo & Casino in Connecticut. Opening in February 1992, the tribe began operating the only legal slot machines between Atlantic City and Canada. The initial 260 machines produced slightly over \$2 million during the first month in operation. By September of 1993, the tribe had 3,137 slot machines generating \$1.625 million in profit per day (Diamond, 1993). But there is certainly a big difference between being the only legal casino with slot machines in the Northeast United States and being a Native American casino in the Upper Peninsula of Michigan that is limited to \$5 bets while trying to compete with a casino with unlimited stakes in Windsor, Ontario, Canada. Many Native American reservations may suffer the fate of losing business to larger operators that offer more gambling opportunities, in locations more accessible to the customer base. Smith and Hinch (1996) suggest that gambling opportunities may soon outgrow demand which will force market adjustments. They believe "a hierarchy of casinos is likely to emerge, with only the most grandiose casinos functioning as major tourist attractions."

4. Pauperization of the local population

One potentially disturbing development connected to the explosion of casino gambling is

that many of these new casinos appear to draw mainly local customers (U.S. Congress, 1994).

With tourists for customers, it does not really matter that many players go broke, a mathematical certainty known as "gambler's ruin." When gambling is supported by mainly local patrons profits are drawn away from other local businesses creating no real economic development.

Throughout history, localities that have allowed casinos to cater to resident based customers have eventually outlawed gambling. The casino at Monte Carlo is in its present location because it pauperized citizens in the town of Hamburg, Germany and was forced to leave the country (Scarne, 1961). In Puerto Rico, it is against the law for local licensed casinos to advertise to the local population.

With growing competition Native American-owned casinos at remote reservation locations will be forced to draw most of their revenue from small local populations and the reservation resident population. This diversion of dollars from elsewhere in the local economy will have substantial economic and social ramifications (Goodman, 1994).

5. Gambling and crime

Many types of gambling have historically been accompanied by increases in violent and property crimes, alcoholism, and drug abuse. Yet there has been surprisingly little attention paid to the possible negative impact from gambling on Native American culture (Segal, 1992). Both Atlantic City and Las Vegas have higher rates of crime than the U.S. metropolitan average (Casey, 1991). When the additional tourists are taken into account, the rate of increase in crime in Atlantic City accelerated 150% (from a 5.4% to a 13.6% increase per year) after legalized gambling opened in 1978. The New Jersey Casino Control Commission has acknowledged that

casino gambling has resulted in an increase in street crime (California Governor's Office of Planning and Research, 1992). Even in rural locations gambling may increase crime rate. Stokowski (1996) suggests the hypothesizes that gaming communities of all sizes are likely to see increases in certain types of crime, including personal property, aggressive behavior, banned substances and money related violations, over time.

Crime will follow money, and crime increases with income. But if interpreted too literally, this statement might seem to impugn all economic development. That crime increases with income is true, but the rate of increase depends on the way income is being created. A cash-intensive industry such as gambling attracts more crime than a capital-intensive one such as heavy manufacturing (California Governor's Office of Planning and Research, 1992).

In those states where the legalization of casino gambling has been promoted to increase revenues organized crime has been an issue, both in political debate and in the public campaigns surrounding specific ballot measures (Rose, 1996). No other single issue, poses as many problems for the continued legitimization of casino gambling as does the question of associated crime.

6. Location of Native American casinos

Reservations are often located in remote locations making the attracting of customers to reservation-based casinos problematic. Tribes had hoped that with the Native American Gaming Regulatory Act of 1988, they would be able to acquire land near cities to establish more profitable casinos. Tribes can now buy new non-contiguous "after-acquired land" (acquired after the enactment of the Native American Gaming Regulatory Act). However, the

legal and political reality of the federal law is that non-contiguous "after-acquired land" cannot be used for gambling without the approval of the governor of the state. Since many states have made it clear that they are against any expansion of Native American gambling, Native American casinos will likely not be expanding into major U.S. cities.

7. Employment gains are an illusion

The most salient argument in favor of reservation gambling is economic development through job growth. Nationwide the unemployment rate on reservations averages 40%. The promise of jobs is often a major incentive to tribes considering gambling. However, there is somewhat of an illusion when looking at employment gains from gambling. Most gambling-related employment is in service jobs at the lower end of the wage scale (U.S. Congress, 1994).

Las Vegas scale casinos will not ease local unemployment. They need to be located near or to have easy access to major population centers; most reservations, however, are in the hinterlands. As an example, the tiny Kickapoo nation located near Horton, Kansas, has attempted to negotiate a partnership with the Mirage Hotel and Casino. Although the tribe has offered to donate 70 acres of reservation land to build the casino, the Mirage has made it clear that the reservation's location is too far away (one and a half hours) from Kansas City (Segal, 1992). Even in some rural communities where casinos do operate economic benefit to the local population has been minimal. Gabe et. al. (1996) found that on rural reservations in Minnesota tribal casinos did not significantly increase local per capita personal income. When employment gains do occur, they will most likely be lost if/when the reservation casinos close, because most

casino skills are not transferable to other forms of work (Halmstrom, 1992).

The future of gambling?

The problems listed above do not offset the simple fact that to date reservation gambling has proved profitable for most tribes. The intention of Congress in passing the 1988 Native American Gaming Regulatory Act was that reservation gambling would help to alleviate the dire economic conditions on the reservations. Congress never anticipated many of the subsequent problems that this new revenue source would bring.

Currently some tribes cannot absorb all the gambling revenues flowing into their underdeveloped reservation economies because of the existing low levels of infrastructure development. It would seem prudent for these fortunate tribes to be setting aside the windfall profits for the potential economic down-turn that may come once the saturation point is reached and gambling revenue is divided into smaller and smaller shares.

What will the world look like in ten years? It is possible that every major population center of the United States and Canada may soon have a casino-style resort within a two-hour drive (Rose, 1996). More casinos will create more customers, but at some point, perhaps relatively soon, the operators simply will be fighting for the same market.

The history of legal gambling in the United States follows a defined pattern of boom and bust that tends to repeat in seventy-year cycles (Rose, 1996). As Rose (1996) points out “twice before in American history, gamblers could make legal bets in almost every state, but these waves of legal gambling came crashing down in scandal and ruin”. The outcome of this third wave of gambling would seem to be following the historical pattern. It is just the timing of

the wave's events that is sketchy. The short to intermediate term prediction, now through the next few decades is easy; more gambling and more changes in the laws. But in the long term, 30-40 years out, curtailment of legalized gambling seems likely as the general population says, "This is too much." People will eventually rebel against the state having the image of a bookie and legal gambling destroying the work ethic (Rose, 1996).

Native American gambling is more difficult since the tribes are so dependent on it for revenue. But if gambling is once again seen as morally repugnant, the federal government will step in. For example, the Bureau of Indian Affairs prevented Nevada's Moapa Band of Paiute Indians from opening brothels, even though prostitution is legal in that state (Rose, 1996).

The projected growth in competition due to more mainstream acceptance and development of gambling opportunities in communities across the country may well result in the collapse of some reservation gambling economies. Without money flowing onto reservations from tourist gamblers, the potential for long-term economic development, job creation, and improved quality of life for reservation residents then becomes an illusion. This fact is not lost on Native Americans. Tony Hope, the former chairman of the National Native American Gaming Commission acknowledges the limitations of reservation gambling: "There are plenty of arguments that can be made that gambling is not the right way to do this (economic development). There is one really basic fact, however; right now it's the only way. When someone comes up with a substitute, we'll grab it" (Lieberman, 1991).

Natural resource recreation opportunities

In the long run, for some tribes, the costs associated with casino gambling (economic,

social, and cultural) may far exceed any short-term benefits. This seems especially true for western tribes, where the location of reservations is frequently far removed from urban centers. The point in question then becomes one of what economic alternatives tribes have to casino gambling. One option would seem to lie in the vast amount of natural resources controlled by tribes on reservation lands. As Hostetler and Huntington (1967) point out that:

natural resource development offers an entirely new range of possibilities in Native American adjustment to the enclave condition...(providing) for the development of sustainable, stable and well-integrated culturally distinct enclaves that can become economically viable within the context of the larger society.

Approximately 54.4 million acres, or approximately 90,000 square miles of land (about the size of South Carolina and Georgia combined), are owned by Native American tribes in the United States. Of that total, nearly 75 percent of the land is used for agriculture and ranching. Another 15 percent is managed as forest products land. According to the Bureau of Indian Affairs in 1993, there were in excess of 1.1 million acres of Native American agricultural lands lying idle. Thirty-three thousand individual and tribal agricultural enterprises were in operation in 1993, making such ventures a major source of economic opportunity for many Native American people. However, in recent years there has been a major decline in profitability of agricultural businesses on reservations (U.S. Congress, 1993).

Resource extraction has also provided economic incentives to some tribes. Reservation lands became a focus for oil and gas exploration after the 1973 oil embargo. Through the 1970s, gross revenues from growing natural resources' production significantly increased for

many tribes. However, with the fall of prices for oil, gas, timber, and other natural resources during the 1980s, so too, have fallen tribal profits (Stull, 1990). The Task Force for Native American Economic Development (1986) reported that only 14% of Native Americans who live on reservations receive revenues from consumptive uses of tribal natural resources equal to \$500 or more annually. Consequently, the use of tribal natural resources solely in a consumptive manner would not seem to provide an economic alternative to reservation gambling.

Another way of looking at natural resource potential on reservation land would be through the opportunity to develop more sustainable uses of the resources. Primarily these types of opportunity would be associated with the recreational potential of the reservation's natural resources. Participation in natural resource-based recreation has steadily grown in the U.S. over the past 40 years. Activities such as day hiking, wildlife observation, sightseeing, and backpacking are projected to continue growing, in terms of demand for opportunity, well into the next century. For instance, by the year 2040, there is a projected 44% gap (deficit in opportunities for participation) between the demand for wildlife observation opportunities and the supply of such opportunities available to meet that demand. Other natural resource-based activities that are projected to have a short fall in supply by the year 2040 include primitive camping (30% gap), backpacking (57% gap), nature study (30% gap), day hiking (64% gap), and horseback riding (41% gap) (English, Betz, Young, Bergstrom, and Cordell, 1993).

Native American tribes on more than 100 reservations currently offer some form of natural resource-based recreation opportunities that are open to public access, usually on a fee basis (Bureau of Indian Affairs, 1991). Some tribes like the Eastern Band of the Cherokee, located in

western North Carolina and eastern Tennessee, have developed their recreational opportunities.

Tourism revenue for the Cherokee tribe was approximately \$60 million in 1990. Similarly, the Warm Springs Confederation has found profitability in the operation of an upscale vacation resort on its central Oregon reservation, while the White Mountain Apaches have diversified their economic base by developing a ski resort on their northern Arizona reservation (Woods, 1993).

Most tribes have not experienced this type of success using their recreational resources. The majority of Native American reservations are located in the plains and western states and in Alaska where travel distance to the reservation and lack of public knowledge about natural resource-based recreation opportunities have limited the economic gains received by the tribes who offer recreation opportunities to non-tribal members. In addition, some tribes are culturally opposed to developing reservation resources to cater to what they feel is western society's somewhat alien concept of recreation and leisure (McDonald and McAvoy, 1997). However, for those tribes that so choose to expand the reservation's economic base by using natural resource-based recreation, the future would seem promising.

The growing demand for outdoor recreation in the U.S., coupled with the projected static supply of natural resource areas, provides an opportunity for Native American tribes to actively promote and, where necessary, develop the facilities to accommodate public outdoor recreation for a fee.

For many tribes the potential for economic growth through development of natural resource-based recreation opportunities would seem promising. As the data in Table 1

suggests, many tribes already allow some forms of natural resource-based recreation by non-tribal members on reservation lands. In most cases, a fee is charged for recreational use by non-tribal members.

Table 1. Natural Resource-Based Recreation Opportunities on Native American Reservation Lands¹

Location of tribes by region	Number of Tribes Providing Recreation Opportunities							
	Fish	Hunt	Camp	Bike	Boat	Hike	Snow Ski	site-seeing
East (FL,ME,MS,NC,NY)	6	3	5	1	5	1	1	2
Great Lakes (MI,MN,WI)	14	13	12	2	10	7	9	4
Northern Plains (NE,ND,SD)	14	14	12	0	11	1	1	1
Southern Plains (KS,OK,TX)	2	1	4	0	1	0	0	3
Mountain (CO,MT,ID,UT,WY)	10	7	10	2	7	5	4	3
Southwest (AZ,NM,UT)	23	17	26	1	14	13	4	14
West (AK,CA,NV,OR,WA)	18	5	20	1	14	7	1	6
Total	87	60	89	7	62	34	20	33

¹ Bureau of Indian Affairs, 1991

Hunting and fishing opportunities are a major component of recreation-for-fee activities for many tribes. The potential for economic contribution from such activities to overall reservation economies has been recognized by Native American tribal leadership. In an effort to

improve professional reservation management of fish and wildlife resources, the Native American Fish and Wildlife Society created in 1995 the Native American Fish and Wildlife Foundation. The mission of the Foundation is:

- (1) To perpetuate and assist in the advancement of protection, preservation, and enhancement of Native American fish and wildlife resources;
- (2) To provide independent funding to promote and strengthen tribal natural resource management programs, and
- (3) To encourage and support training and educational opportunities for tribal and other entities in the area of fish and wildlife management.

Recreational hunting

Recognition by tribes of the importance of well-managed natural resources sets the foundation for sustainable, long-term economic development based on the recreational use of such resources. As noted above, a number of tribes have already begun to utilize reservation fish and game resources as a basis for commercial recreation development. In many cases development is simply setting up a fee schedule for non-tribal licenses and then providing access to those recreators who purchase the licenses. Some tribes however, have recognized the economic potential of providing high-quality recreational experiences and have expended capital resources to develop the necessary resources and management programs to provide quality opportunities. Recreational hunting on reservations is an excellent example of such development. The Mescalero Apache and Lower Brule Sioux tribes have both developed recreational hunting programs on their reservations. Each approach is unique, but both serve as examples of tribes

expanding their economic base through the use of natural resource-based recreation.

Mescalero Apache Tribe

The Mescalero Apache Tribe has made major investments in the development of natural resource-based recreational facilities and opportunities. The Mescalero Reservation, located on 460,000 acres in south central New Mexico, is home to approximately 3,300 tribal members. The reservation's topography varies from a high desert zone, elevation 5,500 feet, to a sub-alpine region, elevation 12,000 feet. The tribe's aggressive program of using its natural resources for recreation has resulted in the development of a first-class resort complex (Inn of the Mountain Gods). This 250 guest-room facility offers complete resort and convention facilities and a casino. In addition, the tribe has developed a wide array of recreational facilities and programs, including a downhill ski center (Ski Apache), eighteen-hole golf course, tennis complex, two full-facility recreation-trailer and motor-home campgrounds, a sportsman's complex with a 148 acre lake for fishing, stables, trap and skeet range, and a big-game hunting program.

The big-game hunting program and, specifically, trophy elk hunting provide an excellent case study of what tribes can accomplish utilizing reservation natural resources. Starting in the late 1960s, the Mescalero Apache tribe began transplanting Rocky Mountain elk on reservation land. The native Merriam elk had become extinct in the early 1900s. The initial herd of 162 elk became a huntable population in the mid 1970s. The tribe's management goal was to provide a high quality hunting experience for trophy bull elk (bulls with five points or more on each antler) where hunter success would be high. By achieving this goal, tribal leaders believed that a

premium price could be set for hunting reservation elk, resulting in maximum economic gain from the program.

Each season, wildlife managers set a limited number of permits that are sold to non-tribal hunters. Sustainability of the elk herd is critical in determining the number of permits that are sold in a given year. The cost of the permits is set to maximize the dollar return to the tribe. For example, in 1995 sixty-five permits were available for non-tribal members who wished to hunt bull elk on reservation land. Forty of the permits had to be purchased as a package. The package included five days of hunting with a guide, six nights lodging, the use of horses during the hunt, two meals a day, and processing if an elk was taken. Cost for a package hunt was \$8,700.

The program has resulted in a yearly hunter success rate of 97%, with many of the elk taken rating Boone and Crocket listings. The program's success is best illustrated in that, due to demand, in most years a lottery is used to allocate permits. In addition, the tribe's big game program offers deer, antelope, bear, turkey, and cow elk hunting opportunities for non-tribal members. Such quality trophy hunting experience and high likelihood of success have resulted in high demand for access to Mescalero Apache reservation hunting.

Lower Brule Sioux Tribe

The Lower Brule Sioux Tribe reservation is located on 132,601 acres in central South Dakota. The reservation's topography primarily comprises rolling hills of prairie grassland. Eighty miles of the reservation border the Missouri River along the shoreline of Lake Sharpe. Extensive areas of the reservation are in agricultural production, primarily field crops and

grazing. The tribe operates a small casino and a thirty-eight room motel.

The Lower Brule Wildlife Department has pursued an aggressive program of wildlife management aimed at developing sustainable populations of big game animals (elk, buffalo, mule and white-tail deer, and antelope) and upland game birds (pheasant, prairie chicken, and sharp tail grouse) for recreational hunting. In addition, the reservation's proximity to the Missouri River provides excellent waterfowl hunting during fall migration.

The tribe has developed, from transplants, both buffalo and elk herds. The herds are surrounded by a 3000-acre fenced enclosure and are managed for trophy high-success hunting. Since 1985 the tribe has offered trophy hunting packages to non-tribal members. During 1996 non-tribal members paid up to \$4000 for a three-day, package which included license, guide, and field dressing of the kill. All elk and buffalo hunting is done within the wildlife enclosure, which ensures a very high success rate for participating hunters. The tribe has a written guarantee to hunters participating in these packages, "Guarantee: You will see trophy animals within rifle range. It's up to you to hit them." In addition a variety of deer and antelope permits are also available to non-tribal members for reservation hunting.

The Lower Brule Wildlife Department has also focused efforts on upland game-bird management and migratory waterfowl hunting opportunities. The tribe has developed two special goose hunting "camps," the 2,500-acre Min-Sho Ranch and the 500 acre Iron Nation Camp. In 1995 the Medicine Creek wetland was created to provide opportunities for quality duck hunting. For upland gamebirds the tribe operates the Grassrope unit, a 7,000 acre crop area that is managed for wild-game bird production. Access to these areas is by fee based

permits. Beyond these intensely managed areas, much of the rest of the reservation is open to non-tribal hunting for upland game birds and waterfowl.

Conclusion

Both of the previous examples illustrate how some tribes have utilized their natural resources as a sustainable economic development tool. In both cases the tribe has placed emphasis on quality of the experience as opposed to number of participants. The high cost associated with acquiring the experience does not appear to be a deterrent to demand, considering that the limited number of annual permits are normally all sold, in some cases requiring a lottery due to demand. For many tribes, revenues from natural resource recreation activities such as those described here would not compare with revenues currently being generated from casino gambling. However, the future of gambling revenues is not certain for many tribes. By diverting current profits from gambling into the development and promotion of long-term, more sustainable natural resource-based recreation opportunities, tribes could potentially offset the negative consequences of lost revenue from casino gambling. For many tribes, gambling could then become the conduit to move above such loss, a means to invest in more stable long-term business ventures. Even for tribes where the logistics of the reservation location makes economic sense to continue gambling, diversification of the tribal economic base through avenues such as recreation would be beneficial (Robinson and Hogan, 1994). As Eadington (1984) points out, reservations that offer only gambling are burdened with social stigma. However, if they were to develop their recreational potential and combine recreational activities with gambling, their chances for long-run sustainable development would greatly be

enhanced. The projections for economic growth in Las Vegas and Atlantic City support this idea. By the turn of the century, Atlantic City, where gambling will continue to be the primary economic focus, may see its market reduced by the opening of closer casinos. Las Vegas, on the other hand, by developing and promoting a wide range of recreational opportunities, will become a major family-oriented vacation destination. The end result, Las Vegas will be known as a recreation resort center that happens to have gambling, while Atlantic City will continue to be two blocks of casinos built around slums on the Atlantic Ocean (Rose, 1996). Consequently, for many tribes, they must begin planning for life after gambling where natural resource-based recreation may prove to be a sustainable economic alternative.

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