



ABOVE: Sixty-eight slot machines pack the Ohiya Casino, which was a cafe before being remodeled. RIGHT: Clarence Campbell Sr. keeps an eye on things in the casino. Campbell was working in Yankton, S.D., when the casino opened.

Photos by Scott Bruhn

PLAYING for Keeps



Santee

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the casino are an example of what he calls "a recurring history lesson."

"People say we're like a third-world nation here, and the government wants to keep us like that," he said. "It's about control, controlling us, our jobs, our lives. I hate to say it, but that's what it is."

Campbell takes out a cigarette and lights it, taking a short puff as he glances over at the door. An elderly couple walks in and makes their way over to the cashier's window to make change.

"It's time for this," he said. "Time for jobs, time for mobility. We need this."

A Tale of Two Cities

It's late afternoon at the casino, and Richard Thomas is stopping by to see how things are going.

The Santee tribal councilman drives down Spur 54D from Highway 12. It is the only paved road into Santee.

He turns left at a sign marked with a colorful Pepsi logo that says "Riverside Cafe." It takes him a second to find a parking spot among the more than two dozen cars in the gravel lot.

The two bulldozers that had been used to block the entrances a few days ago to stop a federal raid sit idly in a corner of the lot.

"We're not going to shut down," Thomas said. "There's nothing they (the state) can do to shut us down. The feds aren't going to do anything and the governor isn't going to do anything."

Simple defiance is an attitude different from some the Santee have displayed in the past few weeks. Since U.S. Attorney Tom Monaghan seized the casino's profits on April 16, anger has been more common.

Tribal Chairman Arthur "Butch" Denny had even said he knew someone who was buying a gun to protect the Santee's "investment."

But Thomas said that was an isolated case. The Santee aren't going to give up, he said, but there's not going to be a war over the casino.

"This is the first time the state has really had to deal with a tribe," he said. "That's the problem, in their eyes. It's the first time they've had to deal with tribal sovereignty."

The conflict between the tribe and

the state focuses on the interpretation of the 1988 Indian Gaming Regulatory Act.

Because the casino is on reservation land, the Santee say it is their right to operate any form of class III, or Las Vegas-style, gambling.

Thomas even contends that the slot machines are only class II machines, randomly generating numbers to determine a winner like any legal pickle-card machine.

Thomas' argument is moot, however, as the casino is building an 800-square-foot addition that will house blackjack, poker and roulette—all class III games.

The state contends that while the act allows gaming on reservation land, it requires the tribe to form a compact with the reservation's home state.

The Santee have no such compact. Talks between the tribe and Gov. Ben Nelson before the casino's Feb. 2 opening were going nowhere, Thomas said. The Santee opened the casino anyway, and the last three months of legal squabbles ensued.

Nebraska Attorney General Don Stenberg said in a written statement that the casino was illegal, no matter where it was located.

But Santee, the tribal council contends, is not just another Nebraska town.

Thomas and other Santee officials have said Stenberg's actions are the result of election-year politics.

Nelson, who is against expanded gambling in Nebraska, has promised the situation will be brought to a resolution.

"The federal government has told the tribe they need to close the casino and I think this (request) is the appropriate approach," Nelson said April 22.

Thomas called the comments by the governor and the attorney general an attempt to threaten the tribe.

"It's a hot potato," Thomas said, "and that's what the district attorney's office has told us. They're saying, 'This is a hot potato, and we don't know exactly how to deal with it.'"

Also complicating matters is the federal courts' long history of conflicting decisions on reservation gambling. A decision by the U.S. Supreme Court in March ruled Congress cannot expose states to federal lawsuits when negotiations over casinos break down.

The ruling placed both the state and federal governments in a temporary legal limbo over the Ohiya Casino, while

buying the Santee time to plan.

There are now more than 30 reservation casinos operating without state approval across the nation. Only one has been ordered to shut down by the National Indian Gaming Commission, the federal agency responsible for reservation gaming matters.

Thomas said a federal request for the casino to shut down, issued earlier this week by the commission, would probably not have any real effect on the casino's status.

"They may ask us to shut down, but we won't shut down," he said. "This place is too important for us now."

"When you back people against the wall, after a while, they aren't going to take it any more," he said. "We've got a lot of people here who are getting sick of being pushed against the wall, and they're going to want to push back."

Such bravado may be false by Friday afternoon, though, as the tribal council will try to decide how to respond to the gaming commission's order.

The casino will soon be the only major source of employment on the reservation. The Becton-Dickinson pharmaceutical plant, nine miles away at the Highway 12-Spur 54D junction, is scheduled to close June 30, taking 23 jobs with it.

The construction of a bridge to nearby Springfield, S.D., began on April 20, but it is more than 10 miles from Santee, too far for many of the unemployed residents to walk.

But Thomas has a bright outlook for the village's future.

The tribal council has discussed purchasing the plant after it closes and moving the casino there. The available floor space would more than triple, he said, and hopefully so would the number of jobs.

"We've got 16 people now, security, floor walkers, cage and two cooks," he said. "If we moved to BD, we'd have to hire a lot more people just to cover the floor."

Thomas said he was sure the casino would remain open.

"Some people have called us 'The Warrior Casino in Indian Country,'" he said. "They're the ones who know how desperate a situation we're in, and they realize we're not going to give up."

Homeward bound

Merle Saul hasn't been home in six months.

Like so many other Santee, Saul left the reservation years ago to find work.

He has lived in Omaha and Lincoln, moving from job to job, since 1983. He visits the reservation whenever he gets the chance, but doesn't get back too often.

But as he nears the village from the east side, he automatically knows where to find who he's looking for.

"When I left, this place was still a cafe," he said. "I really don't know what to expect."

The drive through Santee is pleasant enough. The grass is neatly kept, the houses are in good condition and children can be seen playing down by the Missouri River, less than 100 feet from the road.

It takes less than three minutes to drive from the eastern end of town to the western end, where a small building with a wooden sign reading "Ohiya Casino" is nestled along the street.

It is quiet outside, until he opens the door to the sounds of the slots. He smiles when he sees a familiar face—his sister's.

Saul's sister, Beulah Saul, is a cook for the casino. She looks out from the kitchen when Merle walks in, smiles and says hello, and returns to work.

"I get three days off a week," she said, "but when I'm here, I work from open to almost closing time."

Tonight, for instance, she will be here until after midnight. She has been here since 9 a.m.

"You get tired," she said. "After a while, you start to hear these machines in your sleep."

But like the rest of the Santee employed here, she's glad to even have a job.

Merle Saul walks over from where he's been talking and tells Beulah he's leaving to see some other friends and relatives. She smiles and nods, jokingly telling him to be back before it gets dark out.

Later, some time after 10 p.m., Beulah Saul steps out of the kitchen and lights up a cigarette. She sits down as Merle Saul comes back in the door, smiling.

He sits down next to his sister and eats a cheeseburger she's prepared for him. He tells her he has to go soon.

"Do you work tomorrow?" he asks. With a weary smile, she gives her reply.

"Yeah, I sure do."