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Cromwell Calls for Transparency from the Massachusetts Gaming Commission

Mashpee Wampanoag Tribe Chairman Cedric Cromwell today reiterated his calls for the Massachusetts Gaming Commission to disclose the individuals who have advised them on whether to open Region C to commercial bids. Chairman Steve Crosby of the Massachusetts Gaming Commission has indicated that he will not disclose the legislators on whose advice he has relied.

“The legislature and the Governor carefully considered several factors in determining the Massachusetts gaming market, and decided that three casinos, including one tribal casino in Southeastern Massachusetts, was the best way to create jobs and revenue while also protecting the interests of the Commonwealth, said Chairman Cromwell. “By paving the way for four casinos instead of three in Massachusetts, plus a slot parlor, the Commission has the potential to threaten the economic model on which the entire expanded gaming act is based. Therefore, it only seems reasonable that the Tribe and the public be made fully aware of the advice on which the Commission is relying to essentially ignore the legislative intent in making such an important decision.”

The ability to independently evaluate the advice given to the Commission is particularly important because it seems that the Commission is choosing to ignore certain data that does not support its uninformed conclusion. For example, a report by Spectrum Gaming Group, prepared for the Commonwealth dated 8/1/08 at pages 283-284, *Effects of a tribal casino in Massachusetts* contemplates the effects of a tribal casino paying zero revenue to the state, which is what would happen if a commercial casino were licensed in the Southeastern Massachusetts region:

A tribal Class III casino and perhaps even a Class II casino in Massachusetts could have a significantly negative effect on commercial casinos in the state, especially if a commercial casino is located near a tribal casino. The situation **would have potentially disastrous effects** on commercial casinos in the Commonwealth, as a tribal casino in this case would potentially contribute no tax money to the Commonwealth, and would obviously cause a decline in the gross gaming revenues to the commercial casinos. (emphasis supplied)

In addition, the Massachusetts Gaming Commission’s own strategic plan prepared by their consultants Michael & Carroll and the Spectrum Gaming Group assumes that the Compact and Land In Trust application will be approved. (page 64, *Strategic Plan for the Massachusetts Gaming Commission*, dated 10/15/12)

“As I have stated numerous times, the Mashpee Wampanoag Tribe prefers to work as partners with the Commonwealth of Massachusetts in its plans for gaming in Taunton,” Cromwell explained. “That is why we negotiated a revised Compact with the Governor that now awaits approval by the legislature. However, if the Commission proceeds in opening Region C to commercial bids, we will continue to pursue gaming in accordance with our federal rights. The Commission therefore risks losing not only the revenue and protections carefully negotiated by the Commonwealth in the Compact, but also “potentially disastrous effects” on its commercial casinos.”

“As Governor Patrick has said, the legislature should have the opportunity to review the Compact. The BIA will then have 45 days to review and approve the Compact. At the very least, the Commission should not interfere with this process and risk disrupting the partnership between the Mashpee Wampanoag Tribe and Massachusetts,” Cromwell said.

About the Mashpee Wampanoag Tribe

The Mashpee Wampanoag Tribe, known as the People of the First Light, has inhabited present-day Massachusetts for more than 12,000 years. After an arduous 30+ year process, the Mashpee Wampanoag were re-acknowledged as a federally recognized tribe in 2007 and retain full tribal sovereignty rights. There are approximately 2,600 enrolled members of the Mashpee Wampanoag Tribe.

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