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September 2, 2009

***VIA EMAIL @ <http://schumer.senate.gov> and
FIRST CLASS MAIL***

Hon. Charles E. Schumer
United States Senator
313 Hart Senate Office Building
Washington, DC 20510

Re: Indian Gaming Casinos - Catskills

Dear Senator Schumer:

I respectfully urge you not to be seduced into support for Indian casinos in the Catskills by the "foolsgold" of economic development. That is no "sure bet." Aside from the multitude of legal problems that are posed by the Indian Gaming Regulatory Act, the environmental problems that you have heard so much about, and the dark side of pathological gambling with its especially pernicious effect on young people, it is clear that casinos are now facing very serious financial difficulties as exemplified by the potential failure and bankruptcy of one of the biggest- if not the biggest- casinos in the Nation in neighboring Connecticut, i.e. Foxwoods. There is also no clarity as to how the bankruptcy laws would apply to casinos owned and operated by a "sovereign" Indian Nation.

I fully appreciate your concern for the economy and well-being of New Yorkers and the inhabitants of the Catskills Region. The politically elected leaders of this State, however, need to take the "long view" and thoroughly examine the plusses and minuses before throwing their support behind a proposal whose rosy projections may prove to be based on nothing more than a dream that turns into a nightmare when harsh reality subsequently sets in. A multimillion dollar boondoggle that raises false hopes will not serve the people well.

Popular support can be very ephemeral and dissipate very quickly when things turn sour. A real leader doesn't try to please everyone and garner 100% of the vote. Instead, he/she takes courageous stands that are bound to alienate some. Lincoln understood that you can't please all the people all the time. So should you. You are an enormously popular Senator who can become a great one. This is an opportunity to tell your constituents what they need to hear rather than what they want to hear.

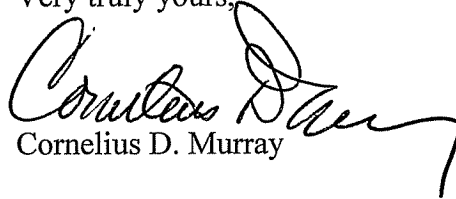
It is the public policy of this State to discourage commercialized gambling in all its forms. See NY Const, Art. I, § 9 and General Municipal Law, § 185. Allowing Indian tribes with no historical links to the Catskills to come there and take sovereign control over land that has been under the jurisdiction of the State and its political subdivisions for two centuries is a blatant attempt to circumvent the aforementioned policy against gambling that is enshrined in

our State Constitution. What will happen if after ceding sovereignty to the Indians, the casinos fail? Will you step up to the plate, take responsibility and take your fair share of the blame?

Note also what has just happened in the City of Buffalo where the Senecas- one of the tribes now aggressively bidding for a casino in the Catskills- promised great things for the City when they acquired a piece of property in a downtown area and started to build a casino only to abandon it for economic reasons. They have ceased construction leaving a rusting half-finished hulk in the middle of the City. In their recent SEC filing, the corporation they control reported that it has written off their investment in the project. Yet the Senecas claim the land is their sovereign land because they purchased it as "restricted fee" land. Now they claim that neither the City nor the County nor the State has any authority/jurisdiction to regulate the land.

Please do not let history- and recent history at that- repeat itself!

Very truly yours,



Cornelius D. Murray

CDM:kc

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