

"...I am enlisted for life in the struggle to break the combined power of the private monopoly system over government and to restore it to the people."

**Robert "Fightin' Bob" LaFollette,
former Wisconsin Governor, Congressman and Senator**

A LITANY OF GREED A White Paper Analysis of the Forest County Potawatomi Community's Multimillion-Dollar Fight to Stifle Competition and Preserve Its Monopoly

By Casino Competition for Wisconsin

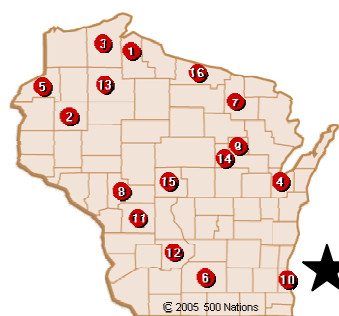
The word "monopoly" has its origins in the Greek words "mono," meaning "one," and "polein," meaning "seller" – and its definition is just that: the exclusive control by one company of a service or product. A politically powerful monopoly exists in southeastern Wisconsin, where the Forest County Potawatomi Community has cornered the local gaming market with the only full-service casino in the region in Milwaukee's Menomonee Valley.

It's a situation that would spur Wisconsin's beloved "Fightin' Bob" LaFollette to fight again.

Potawatomi Bingo Casino has operated more than 100 miles from any real and substantive Wisconsin competition since it opened its doors in the early 1990s, enjoying a monopoly that has allowed the Forest County Potawatomi to build a gaming empire valued at hundreds of millions of dollars.¹ Revenue from Potawatomi's off-reservation Milwaukee casino has transformed the tiny, once-destitute Tribe into a super-wealthy political powerhouse. Today, the Potawatomi Tribe has the financial wherewithal to not only offer its members quality housing, proper health care and good educational opportunities, but also to put nearly two times the average Wisconsin annual income in each member's pocket every year. A Wisconsin newspaper investigation found the Potawatomi had budgeted more than \$89.3 million for per-capita payments to its 1,299 members in 2006 alone.² That's \$68,754 for each Potawatomi man, woman and child; or a whopping \$274,972 a year for a family of four. (The U.S. Bureau of Economic Analysis reports the 2006 per-capita income in Wisconsin was \$34,701.³)

The Potawatomi have a lot to spend, and cash payments and services for Tribal members aren't the only line items in the Tribe's budget. In recent years, the Potawatomi have poured millions of dollars

Monopoly Game



➤ Potawatomi, Milwaukee (#10)

➤ DeJope Bingo, Madison (#6)

- **76 miles** from Potawatomi Casino
- **Bingo only, no slots or table games**

➤ Ho-Chunk Casino, Wis. Dells (#12)

- **116 miles** from Potawatomi Casino

➤ Oneida Bingo & Casino, Green Bay (#4)

- **118 miles** from Potawatomi Casino

Sources: 500 Nations.com, Manquest

¹ [Milwaukee Journal Sentinel, "Reaping Prosperity, Envy," March 2003](#)

² [Lakeland Times, "New Analysis: Potawatomi cash in, but do taxpayers?" November 2005](#)

³ [U.S. Bureau of Economic Analysis Press Release, "State Personal Income 2006," March 2007](#)

into a sophisticated, multi-state political operation aimed at killing plans by the Menominee Indian Tribe of Wisconsin to build a competing entertainment center and casino about 35 miles south of the Milwaukee gaming hall in Kenosha. The Menominee, one of Wisconsin's largest and poorest Tribes, want only to lift themselves from poverty and provide their members with health care, educational and other important services exactly the way their Potawatomi brothers and sisters did. But the competition-fearing Potawatomi – who twice refused to help the Menominee with its Kenosha plans – apparently don't see such imitation as any form of flattery.

Continued Potawatomi monopoly puts thousands of jobs, state money at risk

The Menominee's Kenosha casino would be one of the largest employers in Southeast Wisconsin and provide more in yearly payments to the State than any other business or Tribe, including the Potawatomi themselves. If the Potawatomi succeed at killing the Kenosha proposal, they'll destroy far more than competition and a fellow Wisconsin Tribe's dreams of economic self-sufficiency. In their zeal to retain the monopoly they've had for nearly two decades, the Potawatomi seem to be willing to accept responsibility for 3,000 lost jobs, 1,000 lost construction jobs and more than \$2.1 billion in lost economic opportunity for Wisconsin as collateral damage. The Potawatomi apparently have no problem hurting the region and the state – as long as they keep their monopoly.

Studies: Southeast Wisconsin market can support competition

While the Potawatomi claim a competing casino in Kenosha would hurt their Milwaukee operations, the facts say otherwise. Multiple economic studies show Southeast Wisconsin's gaming market is significantly underserved, with plenty of room for two competing casinos to thrive and succeed.⁴ In fact, a November 2005 study by REH Capital Partners LLC paid for solely by the Forest County Potawatomi showed that Potawatomi's annual revenues would jump by 63 percent – to more than \$400 million a year – at the expanded Milwaukee casino, even if the Kenosha facility were built.⁵

But \$400 million a year doesn't appear to be enough for the Potawatomi, who have continued to wage an expensive, sophisticated and somewhat secretive full-scale attack against competition. It's a multimillion-dollar battle on multiple fronts, from the Executive Office of the President of the United States to Wisconsin's airwaves, from Madison's Capitol Square to Washington's Capitol Hill, from the voting booth to federal offices. An army of high-priced lobbyists, political pollsters, ad executives, PR experts and lawyers are carrying out Potawatomi's battle plan – even several charitable organizations and civic groups that accept Potawatomi funding have been drafted to lend their name to the cause. Potawatomi foot soldiers have flooded the media with a battery of misleading ads, tried unsuccessfully to buy an election, orchestrated letter-writing campaigns and arranged a farcical “public hearing” against the Kenosha project. They've even lobbied to change federal and state law to allow the Potawatomi to sidestep competition, keep their monopoly and try to stop the Menominee from doing exactly what they themselves did nearly two decades ago.

Even though Potawatomi's own economic studies say it's all unnecessary – there's plenty of opportunity to go around, and competition's benefits to the State of Wisconsin are many.

⁴ [PricewaterhouseCoopers LLC, “Summary of Studies Related to the Proposed Kenosha Casino,” January 2006](#)

⁵ [REH Capital Partners, LLC, “Potential Impact of a Proposed Casino Development in Kenosha, Wisconsin, on the Forest County Potawatomi Casino in Milwaukee, Wisconsin,” November 2005](#)

Milwaukee casino a textbook example of monopoly

When faced with their own hypocrisy, the Potawatomi make the excuse that theirs is not a monopoly because other forms of gambling (like the lottery and a struggling dog track) are available in Southeast Wisconsin. But Potawatomi Bingo Casino doesn't offer mere "gambling" – it offers slot machines, poker, blackjack, roulette, craps and other table games, so-called "Class III" games that are otherwise not available within 100 miles. To put it another way, Potawatomi is the only game in town – and beyond.

In reality, Potawatomi Bingo Casino clearly meets what economists generally define as three key characteristics of a monopoly:

- There is a **single seller** (the Potawatomi);
- There are **no close substitutes** for the firm's product (the closest full-service Wisconsin casino is more than 100 miles away); and
- There are **barriers to entry**. (The federal government and Wisconsin's governor both must approve any plan for a new casino in Kenosha. In addition, the Potawatomi Compact with the State of Wisconsin contains additional obligations that must be met if the Milwaukee casino is to face competition. Approval of new gaming facilities is one of the most highly regulated and restrictive government processes there is, and there are already many barriers to entry. But that hasn't stopped the Potawatomi from spending millions to try to make it even harder to introduce casino competition to the region.)

It's been said that smart businesses don't run from competition, they embrace it. They learn from it, make changes because of it, and become stronger as a result. Great public servants like Bob LaFollette, Adam Smith and Teddy Roosevelt and his "trust busters" knew that monopolies hurt business, government and the community. Competition is at the heart of a free-market society and respect for healthy business competition is part of our state's proud, progressive heritage. The Potawatomi seem to disagree – they're hurting Wisconsin, just like the monopolies Bob LaFollette vowed to fight.

The late American Nobel Laureate economist Milton Friedman once said he couldn't blame a businessman who (like the Potawatomi) tries to get special privileges for his company. "If the rules of the game are that you go to Washington to get a special privilege, I can't blame them for doing that," he said.

So who's to blame? In Friedman's words, "I'm going to blame the rest of us for being so stupid and foolish as to let them get away with it."

The Forest County Potawatomi want to obtain special privileges that are available to no other business in Wisconsin – restraint of free trade and a government lock on a monopoly that has made them one of the richest and most powerful Tribes in the country. As the following white paper analysis – "A Litany of Greed" – reveals, Potawatomi's anti-Menominee activities are part of an expensive and sophisticated campaign of misinformation, hypocrisy and hubris. The sole goal is to eliminate competition – and Southeast Wisconsin and the entire state will be hurt if Potawatomi succeeds.

Many already oppose the Potawatomi's efforts – a statewide survey in April 2007 found that 70 percent of Wisconsin voters believe the Tribe's pro-monopoly efforts are unfair. But as the following document shows, the Potawatomi wage their multimillion-dollar battle against competition nonetheless.

Summary

A LITANY OF GREED: A White Paper Analysis of the Forest County Potawatomi Community's Multimillion-Dollar Fight to Stifle Competition and Preserve a Monopoly

Summary

Fall 2007

Efforts by the Forest County Potawatomi Community (FCP) to preserve its Southeast Wisconsin monopoly on casino gaming, eliminate the threat of competition and kill a fellow Wisconsin tribe's proposal for a Kenosha entertainment center and casino started several years ago and continue today. Following is a brief summary of FCP's efforts to hurt the Menominee and kill the Kenosha plan, along with the thousands of jobs and more than \$2.1 billion in economic benefits it would bring to the Badger State.

- 8/2004: Coordinates anti-Kenosha form letter campaign with Milwaukee officials
Estimated cost: \$5,000
- 9/2004: Interferes with the BIA review by seeking "Cooperating Agency" status
Estimated cost: \$100,000
- 11/2004: Tries to sway Kenosha casino referendum with front group, massive ad campaign, negative mailings and yard signs, inflammatory news releases, Web site, phone calls and more
Estimated cost: \$1.2 million
- 1/2005: Appeals BIA's decision to reject "Cooperating Agency" status
Estimated cost: \$100,000
- 2/2005: Partners with City of Milwaukee and three nonprofits it supports financially to fund and publicize flawed study falsely claiming Kenosha project would hurt Milwaukee
Estimated cost: \$75,000
- 6-11/2005: Coordinates another anti-Kenosha form letter campaign, this one based on bogus study
Estimated cost: \$10,000
- 7/2005: Withholds \$43.6 million casino payment until State agrees to cover any FCP losses from Menominee/Kenosha competition
Estimated cost: \$80,000
- 7/2005: Reports spending \$180,000 on 17 D.C. lobbyists who target Executive Office of the President of the United States, among other federal officials
Estimated cost: \$180,000
- 10/2005: Fabricates opposition to Menominee plan by busing Milwaukee casino employees to BIA hearing in Kenosha. (Project supporters still outnumber FCP's hired opponents more than 7-to-1.)
Estimated cost: \$25,000
- 11/2005: Funds yet another anti-competition economic study – which backfires when it shows Southeast Wisconsin can easily support two successful competing casinos
Estimated cost: \$75,000
- 11/2005: Submits 64 pages of "preliminary comments" attacking BIA's draft Environmental Impact Statement for Kenosha proposal
Estimated cost: \$150,000
- 12/2005: Uses flawed economic study to push Milwaukee County Board resolution opposing Kenosha
Estimated cost: \$12,000

- 12/2005: Reports spending another \$180,000 on federal lobbyists who target Executive Office of the President, House, Senate and Department of Interior
Estimated cost: \$180,000
- 12/2005: Reports seven registered lobbyists with the City of Milwaukee
Estimated cost: \$100,000
- 3/2006: Convinces Illinois legislator to hold anti-Kenosha public hearing in Zion, Ill., publicizes event, videotapes proceedings and sends tape to BIA. Legislator later admits she had no idea her contact worked for FCP.
Estimated cost: \$100,000
- 6/2005 – 5/2006: Orchestrates major lobbying, PR and advertising push for bill that would require legislative approval for off-reservation casino proposals and virtually kill Kenosha project. FCP's state lobbying costs alone total more than \$800,000.
Estimated cost \$1.2 million
- 6/2006: Reports spending another \$180,000 to lobby federal officials. Media reports show FCP actively pushed proposed federal legislation that would have derailed Kenosha proposal; FCP spokesperson is quoted saying tribe will continue its push against Menominee.
Estimated cost: \$180,000
- 12/2006: Lists four registered lobbyists with the City of Milwaukee
Estimated cost: \$80,000
- 1/2007: Issues strongly worded news release blasting recommendation by the BIA's Midwest regional office that Kenosha project be approved
Estimated cost: \$5,000
- 2/2007: Tries to rally Kenosha opposition on both sides of the border with anti-competition polls in Lake County, Ill., and Wisconsin
Estimated cost: \$75,000
- 3/2007: Launches second front group – "Wisconsin Gaming for Wisconsin" or "No East Coast" – establishes Web site and runs newspaper and TV ads criticizing Kenosha plan
Estimated cost: \$600,000
- 3-7/2007: Funds full-scale lobbying effort to push revived bill that would require legislative approval of off-reservation casinos and essentially kill Kenosha plans
Estimated cost: \$183,284
- 7/2007: Airs second wave of "No East Coast" TV, radio and print ads attacking Kenosha project.
Estimated cost: \$400,000
- 8/2007: Reports spending \$300,000 on federal lobbying (the Executive Office of the President of the United States is once again a target) and expands D.C. lobbying team to include another high-powered firm
Estimated cost: \$300,000

FOREST COUNTY POTAWATOMI'S ESTIMATED ANTI-COMPETITION COST TOTAL (to date):

\$5,415,284

A Litany of Greed

A LITANY OF GREED

A White Paper Analysis of the Forest County Potawatomi Community's Multimillion-Dollar Fight to Stifle Competition and Preserve a Monopoly

In January 2004, the Menominee Indian Tribe of Wisconsin announced plans to build an \$808 million entertainment center and casino at the site of Dairyland Greyhound Park in Kenosha. The project would help one of the state's poorest Tribes become economically self-sustaining, create more than 3,000 good-paying jobs with benefits, provide more than 1,000 family-supporting construction jobs for union workers, increase tourism, provide billions of dollars to local and state government and schools and spur a major economic boost in Kenosha, the Southeast Wisconsin region and the entire State of Wisconsin.

The Kenosha casino would also do something else – it would give the Forest County Potawatomi Community, which runs a highly lucrative casino in Milwaukee's Menomonee Valley, its first-ever taste of real casino competition. And while the Potawatomi may have made a fortune on gaming, they aren't willing to gamble on losing the monopoly they've held for many years.

In efforts that started quietly but quickly became more public, more outrageous and more distasteful, the Forest County Potawatomi are carrying out a sophisticated, multifaceted and multimillion-dollar political operation designed to achieve a three-part goal – eliminate the threat of competition, preserve Potawatomi's monopoly on casino gaming in Southeast Wisconsin and kill the Kenosha casino proposal. This white paper analysis documents the significant effort – and dollars⁶ – the Potawatomi have put forth to restrain free trade and retain an unfair monopoly advantage in Southeast Wisconsin's gaming marketplace.

Potawatomi's anti-competition efforts started several years ago and continue today.

2004: The Litany Begins

Interfering with the BIA Review and the Kenosha County Election

August 2004

Form Letter Campaign by Milwaukee Officials

Estimated cost: \$5,000

- Foreshadowing anti-competition activities to come, the Forest County Potawatomi Community orchestrates a letter-writing campaign in which Milwaukee officials – including Mayor Tom Barrett, County Executive Scott Walker, Common Council President Willie L. Hines Jr., Convention & Visitors Bureau President and CEO Doug Neilson and Hispanic Chamber of Commerce of Wisconsin President and CEO Maria Monreal-Cameron – send nearly identically worded letters to the U.S. Bureau of Indian Affairs. The letters all allege that competition from the proposed Kenosha casino would negatively impact Potawatomi's Milwaukee casino.

⁶ Costs noted in this report are based on a variety of sources, including publicly available documents, government reports, news articles and knowledge-based estimates of industry standards.

September 2004

Interfering with the Bureau of Indian Affairs' Review

Estimated cost: \$100,000

- Claiming the Kenosha proposal would negatively affect its off-reservation Milwaukee casino and northern Illinois, attorneys for the Forest County Potawatomi file papers with the U.S. Bureau of Indian Affairs to be considered a "Cooperating Agency" for the Environmental Impact Statement being prepared for the project. Designation as a "Cooperating Agency" would allow Potawatomi to have significant input (same as the City of Kenosha and Kenosha County) in the BIA review process and the drafting of the EIS. The BIA, citing an obvious conflict of interest because of Potawatomi's competing business entity, rejected Potawatomi's request in December 2004.

October/November 2004

Potawatomi Front Group Tries to Sway Kenosha Referendum

Estimated cost: \$1.2 million

- Declaring that the Menominee Tribe's proposed Kenosha casino and entertainment center fails a mysterious Potawatomi internal "policy" on off-reservation gaming, the Forest County Potawatomi create a front group – Citizens Seeking Honest Answers – to oppose the Kenosha casino referendum. Campaign reports show the group has only one donor – the Potawatomi – who spent \$893,529 in cash⁷ and donated \$301,279 in unspecified "in-kind services" to support, among other things:
 - A massive advertising campaign, including TV, print and radio. (A Milwaukee TV station refused to air one of the ads, saying it was potentially libelous.⁸)
 - Multiple, four-color mailings to Kenosha voters
 - Yard signs
 - The hiring of temporary workers from a Racine agency to canvass door-to-door against the casino proposal
 - The distribution of inflammatory news releases quoting a Potawatomi lobbyist and contract publicist as spokesman for Citizens Seeking Honest Answers
 - A Web site
 - At least one Kenosha telephone poll (Voters reported the pollsters used scare tactics and misinformation and nonsensical questions in an attempt to encourage anti-casino votes.⁹)

2005

A Bogus Study, Fabricated Opposition and a Real Economic Analysis that Backfires

January 2005

Interfering with the BIA Review – Part 2

Estimated cost: \$100,000

- The Potawatomi file a 72-page brief – likely developed by the Tribe's team of high-priced, out-of-state attorneys and consultants – appealing the BIA's decision to reject the Potawatomi's request to

⁷ [Lakeland Times](#), "FCP budgets \$7.2 million for 2006 political campaign," October 2005

⁸ [Milwaukee Journal Sentinel](#), "For one station, anti-casino ad too hot to run," October 2004

⁹ [Milwaukee Journal Sentinel](#), "Potawatomi poll shoves mighty hard," October 2004

be considered a Cooperating Agency for the Kenosha Environmental Impact Statement. The BIA didn't fall for Potawatomi's tricks this time, either – it later denied the appeal.

February 2005

Circulating a Flawed Anti-Competition Study

Estimated cost: \$75,000

- Potawatomi somehow convinces the City of Milwaukee and three nonprofits to which it donates substantial amounts of money – the Hispanic Chamber of Commerce of Wisconsin, the Milwaukee Urban League and VISIT Milwaukee – to help fund, support and distribute a study by consulting firm Evans, Carroll & Associates of Boca Raton, Fla., predicting economic doom and substantial job losses for Milwaukee should the Kenosha casino be built. A later analysis by the widely respected international accounting firm of PricewaterhouseCoopers found the Evans report relied on misleading statements, poor assumptions and inaccurate information that led to false conclusions that the Kenosha project would cost Milwaukee jobs and money. A later study by REH Capital Partners LLC, paid for solely by the Potawatomi, also put the Evans report's results into question.

June – November 2005

Another Form Letter Campaign Based on a Bogus Study

Estimated cost: \$10,000

- Potawatomi uses the bogus Evans study to arrange another batch of letters to the BIA by Milwaukee elected officials and representatives of the Hispanic Chamber of Commerce of Wisconsin, the Milwaukee Urban League, VISIT Milwaukee and the AIDS Resource Center of Wisconsin – all of which receive significant funding from the Potawatomi. The letters claim competition from Kenosha will hurt the Milwaukee casino and many use the data from the flawed study as the basis for their argument.

July 2005

Holding State Gaming Money Hostage

Estimated cost: \$80,000

- The Forest County Potawatomi announce they will withhold a \$43.6 million casino payment owed to the State of Wisconsin until state officials and the Menominee agree to cover any losses the Milwaukee casino might suffer should the Kenosha project be approved.

July 2005

Keeping D.C. Lobbyists Busy

Estimated costs: \$180,000

- Lobbyists for the Forest County Potawatomi Community file reports with the Clerk of the House of Representatives and the Secretary of the Senate indicating they were paid \$180,000 between January 1 and June 30, 2005 to lobby officials in the Executive Office of the President of the United States, the U.S. House of Representatives, the U.S. Senate and the U.S. Department of the Interior on land into trust and other issues. Reports indicate a total of 17 D.C. lobbyists from the powerful firm of Quinn Gillespie & Associates on the Potawatomi payroll during this time frame.

October 2005

Fabricating Opposition at a Federal Hearing

Estimated cost: \$25,000

- In an unsuccessful attempt to build a crowd of project opponents at the BIA's public hearing on the Menominee proposal, the Forest County Potawatomi bus about 75 Milwaukee casino employees to the hearing in Kenosha. Despite this expensive effort, Kenosha project supporters outnumber the Potawatomi-arranged opponents more than 7-to-1, with pro-project comments lasting late into the evening. After only a few Milwaukee casino employees speak, and before the proceedings are over, the Potawatomi read the writing on the wall and send their paid supporters back home on the bus.

November 2005

Yet Another Economic Study – But This One Backfires

Estimated cost: \$75,000

- The Forest County Potawatomi sponsor still another economic study, this one by California-based REH Capital Partners LLC, supposedly to further illustrate the alleged harm that competition from the Kenosha casino would inflict on Potawatomi's Milwaukee casino – but this one backfires. In what was surely a surprise to the Potawatomi, their own study finds that the Southeast Wisconsin market can easily support additional gaming and that even with competition from Kenosha, the expanded Potawatomi casino will increase revenues by more than \$100 million a year.

November 2005

An Expensive Submission to the BIA

Estimated cost: \$150,000

- Potawatomi submits to the BIA 64 pages of "preliminary comments" – prepared by a costly team of attorneys, engineers and others – challenging the draft Environmental Impact Statement for the proposed Menominee casino.

December 2005

Fooling Milwaukee County Supervisors with Flawed Study

Estimated cost: \$12,000

- Potawatomi uses the flawed Evans study (not the later, more accurate – but less inflammatory – REH study) to push a resolution through the Milwaukee County Board of Supervisors opposing the Kenosha casino. The Board cites information from the Evans study as its sole reason for opposing the project.

December 2005

Federal Lobbying Push Continues

Estimated cost: \$180,000

- Potawatomi's federal lobbying team – 17 lobbyists from Quinn Gillespie, this time including D.C. power broker Ed Gillespie – files reports indicating they were paid \$180,000 between July 1 and December 31, 2005 to lobby officials in the Executive Office of the President of the United States, the U.S. House of Representatives, the U.S. Senate and the U.S. Department of the Interior on land into trust and other issues. Quinn Gillespie later files an amendment to its report, pointing out that

it forgot to mention that Potawatomi's lobbyists included a former White House spokesperson and a few former high-level Congressional staffers.

December 2005

Local Lobbying in Milwaukee

Estimated cost: \$100,000

- As if 17 D.C. lobbyists aren't enough, the Potawatomi have seven people, including a former Wisconsin Governor, registered to lobby City of Milwaukee officials in 2005. The Tribe's lobbyist registrations with the City are deliberately vague, but remember: This is the year the Potawatomi managed to convince the City of Milwaukee to spend taxpayer money on the wildly flawed Evans study.

2006

Illinois Publicity Stunts, An Unsuccessful Push to Change State Law, Lobbying and More Lobbying

March 2006

Illinois 'Public Hearing' Publicity Stunt Tricks "The Dumbest Legislator There Is"

Estimated cost: \$100,000

- Suburban Chicago's Malcolm Chester, a contract lobbyist for the Forest County Potawatomi, orchestrates what is billed as a "public hearing" on the Kenosha casino project in Zion, Ill. The meeting draws a handful of people, several of whom would rather see a casino in Illinois than Wisconsin. Illinois State Rep. JoAnn Osmond – not the BIA – hosts the event, and later admits to a reporter that the idea for the meeting came from Chester. "If he is on the Potawatomi payroll, I don't know about that," she says. "I don't mean to be stupid, but I never asked...I guess I'm just the dumbest legislator there is."¹⁰

In addition to organizing the hearing, media reports¹¹ indicate Chester secured the Chicago office of Edelman, one of the world's largest PR firms, to publicize it and arranged for the proceedings to be recorded and a transcript sent to the BIA. As part of his work for the Potawatomi, he also convinced Illinois officials to write anti-Kenosha letters to the BIA. It seems odd that Potawatomi would be so helpful to the people of Illinois when the Tribe is willing to forgo 3,000 good jobs and billions of dollars in economic support for its own state just to keep its monopoly.

June 2005 – May 2006

Pushing AB 461, and More Red Tape for the Menominee

Estimated cost: \$1.2 million¹²

¹⁰ [*Milwaukee Journal Sentinel*, "Casino Opposition Crosses Border," March 2006](#)

¹¹ [*Milwaukee Journal Sentinel*, "Casino Opposition Crosses Border," March 2006](#)

¹² It should be noted that this total does not take into account any costs associated with "Enough!" a mysterious lobbying group that emerged during the AB 461 debate. "Enough!" had a paid executive director, an active PR machine, a Web site and a slew of expensive lobbyists trying to push AB 461 through the Legislature, but refused on numerous times to name any of its members or funders. There is wide speculation that the Forest County Potawatomi were a driving force behind "Enough!" and the media have drawn some connections between the organization and the tribe. Nonetheless, we have not been able to confirm the Potawatomi's involvement in this secret lobbying group and have not included it in this report.

- Looking for ways to throw even more roadblocks at the Kenosha casino plan, the Forest County Potawatomi actively lobby and advocate for Assembly Bill 461, which would require legislative approval, in addition to the Governor's signature, of off-reservation casino proposals in Wisconsin. The bill is eventually vetoed – and the veto upheld – but not before Potawatomi:
 - Officially registers in support of the bill (becoming the only Wisconsin Tribe to do so)
 - Floods the Milwaukee, Green Bay and Madison media markets with pro-AB 461 political-style ads citing statistics from the flawed Evans study
 - Places a full-page ad favoring AB 461 in a Milwaukee newspaper
 - Places a pro-AB 461 commentary by Potawatomi Attorney General Jeff Crawford in the media
 - Dispatches a team of high-priced lobbyists – including a former Wisconsin Governor, former Milwaukee Mayor and former Milwaukee police union officials – to wrangle support of the bill and (unsuccessfully) convince Milwaukee legislators to go against Governor Doyle and override the veto (Reports filed with the Wisconsin Ethics Board show the Potawatomi paid state lobbyists an incredible \$860,260 during this Legislative Session alone!)
 - Issues a series of press statements supporting the bill, blasting the Kenosha project, criticizing Governor Doyle's veto and vowing not to give up

June 2006

Federal Lobbyists Are At It Again

Estimated cost: \$180,000

- Potawatomi's federal lobbying team files its reports for the first half of 2006, confirming they were paid yet another \$180,000 between January 1 and June 30 to lobby the Executive Office of the President of the United States, the U.S. House of Representatives, the U.S. Senate and the U.S. Department of the Interior on land into trust matters. While the reports are intentionally vague, media reports show the Potawatomi actively pushed legislation proposed by then-U.S. Rep. Richard Pombo (R-Calif.) and U.S. Sen. John McCain (R-Ariz.) that would have derailed off-reservation casino proposals like the Menominee's. While the bills were ultimately unsuccessful, a Potawatomi spokesman told the *Milwaukee Journal Sentinel* that the Tribe will "continue its push for additional hurdles to the Menominee casino bid."¹³

December 2006

Milwaukee Lobbying Still Part of Potawatomi's Monopoly Game

Estimated cost: \$80,000

- City records show the Potawatomi had four lobbyists registered with the City of Milwaukee in 2006. That's down from the 2005 grand total of seven lobbyists, but it's a heavy-hitting team that can play a mean monopoly game nonetheless.

¹³ [*Milwaukee Journal Sentinel*, "Casino Plan May Be Buoyed By Senate Panel Move," March 2006](#)

2007

Blasting the BIA and Hiding Behind a Second Pro-Monopoly Front Group

January 2007

Blasting the BIA

Estimated cost: \$5,000

- In a move that violates one of the basic commandments of good government relations – thou shalt not attack thy regulators – the Potawatomi issue a press release blasting a recommendation by the Midwest regional office of the Bureau of Indian Affairs that the Kenosha entertainment center and casino be approved. Potawatomi – apparently forgetting that it had outside help of its own when it established the nation’s first off-reservation casino in the 1990s¹⁴ – uses its release to attack involvement in the Kenosha project by the Connecticut-based Mohegan Tribe.

February 2007

Anti-Competition Polls in Illinois and Wisconsin

Estimated cost: \$75,000

- Nearly a year after their Illinois “public hearing” publicity stunt, the Forest County Potawatomi sponsor and publicize a poll of 603 Lake County, Illinois, registered voters. Not surprisingly, the poll finds that residents of northern Illinois – which has been clamoring for a casino of its own – believe they should have more of a say in whether a casino is built in Wisconsin. In addition, seeking to rehash last year’s hot debate in Madison, the Potawatomi sponsor a poll of 600 likely Wisconsin voters regarding legislative oversight of off-reservation Tribal casinos.

March 2007

Second Potawatomi Front Group Emerges

Estimated cost: \$600,000

- As the Kenosha project continues to make steady progress and the threat of competition becomes even more real, the Forest County Potawatomi launch a second front group – “Wisconsin Gaming for Wisconsin,” also known as “No East Coast.” The group is composed of the Potawatomi and its old friends VISIT Milwaukee, the Hispanic Chamber of Commerce of Wisconsin and the Milwaukee Urban League, which receive millions of dollars in funding from the Tribe. The group issues a news release, establishes a Web site and launches a series of newspaper and television ads targeting the Mohegan Tribe’s role in the Kenosha project. While the ads’ disclaimer says they are sponsored by Wisconsin Gaming for Wisconsin, media reports later reveal the Forest County Potawatomi put up all the money for the ads.¹⁵

March – July 2007

AB 461 Reincarnated: Spending Big to Push AB 205

Estimated cost: \$183,284

- AB 461, the Potawatomi-pushed bill that would have buried casino competition from Kenosha under even more red tape, re-emerges in the 2007-2008 Legislative Session as AB 205. Not surprisingly, the Forest County Potawatomi are the bill’s main supporters. Reports filed with the

¹⁴ [*The Business Journal*, “Casino Marks Power Shift,” January 1997](#)

¹⁵ [*Milwaukee Journal Sentinel*, “Tribe Becomes Target,” March 2007](#)

Wisconsin Ethics Board show the Potawatomi spend \$183,284 through July 2007 to push their anti-competition agenda in the State Capitol. Much of that time is spent specifically on AB 205 – in fact, records show the Potawatomi spent more time and money pushing AB 205 (and lobbying to keep their monopoly) than any other Wisconsin Tribe or organization.

July 2007

Back to the Airwaves – “No East Coast” Ads, Round 2

Estimated cost: \$400,000

- The Forest County Potawatomi’s “No East Coast” front group launches another series of TV, radio and print ads – implying that it’s somehow bad for out-of-state entities to invest in growing Wisconsin businesses and creating jobs in the Badger State. While the expensive ads have little impact on viewers, they are roundly criticized on Milwaukee talk radio and print media. In fact, one newspaper quotes Milwaukee advertising experts as saying the Potawatomi come off looking “greedy” and are “paying stupid money” for the ads.¹⁶

August 2007

Expanding the Federal Lobbying Team

Estimated cost: \$300,000

- Forest County Potawatomi’s mid-year federal lobbying reports reveal the Tribe has added another heavy-hitter – Barbour Griffith & Rogers – to its D.C. lobbying lineup. Barbour Griffith lobbyists assigned to the Potawatomi team include the company’s president, who is a former chief of staff to Wisconsin Governor Tommy Thompson. (Ironically, it was Thompson who signed the 2000 Compact that authorized a Menominee casino in Kenosha in the first place!) More than 20 Potawatomi lobbyists from Barbour Griffith, Quinn Gillespie and another K Street firm lobbied the Executive Office of the President of the United States, the U.S. House of Representatives, the U.S. Senate and the U.S. Department of the Interior on gaming and land into trust issues between Jan. 1 and June 30, reports show. Reported costs for those lobbyists? A whopping \$300,000!

FOREST COUNTY POTAWATOMI’S ESTIMATED ANTI-COMPETITION COST TOTAL (to date):

\$5,415,284

¹⁶ [The Business Journal, “War of the Words in Kenosha,” August 2007](#)

A Multimillion-Dollar Campaign to Preserve a Monopoly that Hurts Wisconsin

In the four years since the Menominee Indian Tribe of Wisconsin unveiled its proposal to build an \$808 million entertainment destination center and casino in Kenosha, opposition to the plan has come from only two real sources. The first was a small group of local residents who opposed all gambling on principle. They vowed to accept the will of the people after Kenosha County voters heartily endorsed the Menominee project in November 2004.

The second – and far more vocal of the two – is the Forest County Potawatomi Community, which sees the Menominee project as a competitive threat to the regional gaming monopoly that has made the Potawatomi one of the richest Tribes in the nation. After the November 2004 referendum, a Potawatomi spokesman told the Milwaukee *Business Journal* that the Tribe would continue to fight the Kenosha project. He said it was too early to say just what the Tribe would do, but “I wouldn’t close the door on anything.”¹⁷

The statement seemed ominous at the time. More than \$5 million later, it has proved portentous.

As this document reveals, the Potawatomi will say, do and spend anything to hurt the Kenosha proposal and keep their monopoly intact. From push polls to publicity stunts, from trying to change the law to assaulting the airwaves with misleading political ads to trying to get the ear of the President of the United States, the Potawatomi have clearly gone overboard in a misguided, multimillion-dollar attempt to stifle competition and obtain special privileges that are available to no other business in Wisconsin.

The free market is the economic foundation of our state and our nation. Economic analyses show the Potawatomi will continue to reap huge profits in a competitive marketplace – they’ll see hundreds of millions of dollars more a year even if the Kenosha facility is built. The media have exposed Potawatomi’s anti-competition tactics, and at least one statewide survey has shown Wisconsin voters believe the Tribe’s pro-monopoly efforts are unfair.

But the facts appear to be lost on the Potawatomi. Armed with misinformation, hypocrisy, hubris and a multimillion-dollar war chest, they continue to carry on a war against competition that could ultimately claim the State of Wisconsin’s economic well-being as its biggest casualty.

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***An electronic copy of this report and supporting materials are available at
www.CasinoCompetitionforWisconsin.com.***

¹⁷ [The Business Journal, “Potawatomi to Continue Fight Against Kenosha Casino Proposal,” November 2004](#)