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**Tribal gambling in Alaska?
Not yet, but it's one step closer**

**By Tom Kizzia Daily News reporter**

The Venetie decision does not open the door to Native casinos in Alaska. But recognition of Indian country in Alaska would be one step toward the kind of tribal-run gambling that has become a phenomenon across the Lower 48. Indian country also would allow statewide tribal lotteries and let tribes operate lesser games, mainly pull-tabs and bingo, without state permits.

As in other areas, Congress sets the rules for gambling in Indiancountry. Under the Indian Gaming Regulatory Act of 1988, Native Americans can operate casino-type gambling only in states where such activity is legal.

In 1994, the Southeast Alaska village of Klawock proposed a casino on a fragment of village land held in trust by the federal government. In response, the Legislature passed a law revoking the authority for nonprofit groups to hold Monte Carlo nights with roulette, cards and other casino games. That closed the door to Klawock.

The Venetie ruling makes it possible for any tribe that can establish Indian country to qualify for a casino operation, but only if the Legislature votes to make such gambling legal in Alaska. The Legislature did not eliminate lotteries when it banned the other games, however. The state and Klawock are still negotiating over a tribal lottery, said assistant attorney general Vince Usera.

Among the unsettled issues: could a lottery ticket be purchased by credit card or mail, or would the buyer have to travel to Indian country? The issue is an important one in Alaska, where few Native communities are near the state's urban populations.

One such group, the Kenaitze tribe, has applied to the federal government for permission to set up gaming on a Native allotment off Beaver Loop Road in Kenai.

Tribes with Indian country will be free to operate ''Class 2'' gaming --pull-tabs and bingo -- without restrictions by the state, Usera said.

The effects of such a change would be relatively minor, Usera said. The games would not be subject to the state's limits on prizes – for instance, a $1,000-a-card maximum prize for bingo -- and the state would lose some of the nearly $2 million it now collects each year statewide in tax revenues from charitable gaming.

Meanwhile, several Native villages have started running bingo games without state permits. This creates enforcement headaches of the type the state may eventually face in Indian country on other matters. A few months ago, in Akiachak, for example, a widely advertised bingo weekend with prizes up to $3,500 a card drew players from neighboring villages -- and complaints to the state from state-permitted bingo operations in those villages that lost their customers.

In Tununak, two rival Native governments had bingo games. The one with a state permit wanted the state to close down the other one, Usera said. In that case, he said, a threat of legal action was sufficient.

State law allows Alaska State Troopers to close down a building used for a ''nuisance'' such as illegal gambling, Usera said. But whether the state can enforce such a law in Indian country is unclear, he said.

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