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US VOTERS SPLIT ON QUESTION OF EXPANDING NATIVE AMERICAN SOVEREIGNTY, US SUPREME COURT WILL DECIDE

American voters are split on the question of whether Native American tribes can buy new land and open new casinos on that land with the same rights and privileges as on territory they already hold. In the most recent national poll by Fairleigh Dickinson University's PublicMind, 48 percent say that Native American tribes are nations and can buy new land and have the same right to run casinos, while 42 percent say even if Native American tribes are nations with sovereign rights they cannot buy new land and expect the same rights. Democrats and independent voters are significantly more likely than Republican voters to say Indian nations can buy new land and build new casinos there.

"This case has huge significance for the gaming industry across the United States," said Donald Hoover, a professor in Fairleigh Dickinson University's International School of Hospitality and Tourism Management. "The question was how wide open the door will be to new Native American investment in lands and casinos off their well-defined reservations. The Court may throw the doors wide open, or slam it shut."

The federal government's rules now exempt casinos on Native American soil from state regulations and exempt the tribal earning from federal income tax. According to Forbes Magazine, such casinos altogether take in more than \$25 billion a year.

The case of *Michigan v. Bay Mills Indian Community*, was argued before the US Supreme Court in December. A written decision is expected soon.

The university-based research center conducted the national poll as part of its *Project on Popular Constitutionalism*, designed to assess voter attitudes about the Constitution and its competing values. The Project focused on three prominent cases considered by the highest court this year: *Michigan v. Bay Mills Indian Community*, *Town of Greece v. Galloway*, and [McCutcheon v. Federal Election Commission](#). Fairleigh Dickinson University's national poll of 883 registered voters was conducted by telephone with both landline and cell phones from December 9 through December 15, 2013, and has a margin of error of +/-3.3 percentage points.

Methodology, questions, and tables on the web at: <http://publicmind.fdu.edu>

Radio actualities at 201.692.2846

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Methodology

This national survey by Fairleigh Dickinson University's PublicMind was conducted by telephone from December 9 through December 15, 2013 using a randomly selected sample of 883 registered voters. One can be 95 percent confident that the error attributable to sampling has a range of +/- 3.3 percentage points. The margin of error for subgroups is larger and varies by the size of that subgroup. Survey results are also subject to non-sampling error. This kind of error, which cannot be measured, arises from a number of factors including, but not limited to, non-response (eligible individuals refusing to be interviewed), question wording, the order in which questions are asked, and variations among interviewers.

PublicMind interviews are conducted by Opinion America of Cedar Knolls, NJ, with professionally trained interviewers using a CATI (Computer Assisted Telephone Interviewing) system. Random selection is achieved by computerized random-digit dialing. This technique gives every person with a landline phone number (including those with unlisted numbers) an equal chance of being selected.

Landline households are supplemented with a separate, randomly selected sample of cell-phone respondents interviewed in the same time frame. The total combined sample is mathematically weighted to match known demographics of age, race and gender.

Tables

<i>One case is about allowing Indian Tribes to buy land to build casinos. Have you heard about this case or not?</i>												
	All	Party			Gender		Race		Age			
		Dem	Ind	Rep	Men	Wom	White	Nonwhite	18-29	30-44	45-59	60+
Have heard	38%	33	40	43	39	38	38	42	42	33	36	43
Have not heard	61%	66	60	57	61	62	62	58	57	67	64	56
DK/Ref (vol)	-	-	-	1	-	-	1	-	1	-	-	-

<i>Some say...[rotate]...since Indian Tribes are nations and have the right to run casinos on their own land, they can also buy new land and have the same right. Others say Indian Tribes are nations and have the right to run casinos on their own land, but they can't buy new land and claim the same rights. Which comes closer to your view?</i>												
	All	Party			Gender		Race		Age			
		Dem	Ind	Rep	Men	Wom	White	Nonwhite	18-29	30-44	45-59	60+
Can buy new land with same rights	48%	53	52	40	47	50	44	57	57	51	48	39
Cannot buy land with same rights	42%	38	38	50	46	39	45	37	37	37	43	50
DK/Ref (vol)	9%	8	10	10	8	11	11	6	5	12	9	11

Exact Question Wording and Order

USSC 1A *One case is about allowing Indian Tribes to buy land to build casinos. Have you heard about this case or not?*

- 1 Have heard
- 2 Have not heard
- 8 DK/Refused (vol)

1B. *Some say....ROTATE... since Indian Tribes are nations and have the right to run casinos on their own land, they can also buy new land and have the same right. Others say...ROTATE... Indian Tribes are nations and have the right to run casinos on their own land, but they can't buy new land and claim the same rights. Which comes closer to your view?*

- 1 Can buy new land and claim the same rights
- 2 Cannot buy land and claim the same rights
- 8 DK/Refused (vol)

USSC2A *There is a case about how much money people can give, not to candidates, but to other political organizations. Have you heard about this case, or not?*

- 1 Have heard
- 2 Have not heard
- 8 DK/Refused (vol)

USSC2B *Some people say... ROTATE... Congress cannot limit how much money you give to a political group because such a limit is a limit on your free speech. Others say... Congress has to limit how much money you can give to a political group so other people's free speech is not overwhelmed by some people's money. Which comes closer to your view?*

- 1 Congress cannot limit contributions
- 2 Congress CAN limit contributions
- 8 DK/Refused (vol)

USSC3A *There is one case about praying in town councils and other meetings with public officials. Have you heard about this case, or not ?*

- 1 Have heard
- 2 Have not heard
- 8 DK/Refused (vol)

USSC3B *Some say... ROTATE... public meetings shouldn't have any prayers at all because prayers by definition suggest one belief or another. Others say.... prayer at public meetings is fine as long as the public officials are not favoring some beliefs over others. Which comes closer to your view.*

- 1 Prayer shouldn't be allowed
- 2 Prayer can be allowed
- 8 DK/Refused (vol)

Sample characteristics %

Gender

Male	49
Female	51

Age

18-34	26
35-54	36
55+	36
Refused	1

Race/Ethnicity

White	72
Black/African-American	11
Latino or Hispanic	11
Asian	2
Other/refused	4

Party identification

Democrat/Lean Democrat	43
Independent/DK/refused	22
Republican/Lean Republican	35