



STATE OF ARIZONA

JANICE K. BREWER
GOVERNOR

EXECUTIVE OFFICE

January 19, 2010

Chairman Ned Norris, Jr.
Tohono O'odham Nation
P.O. Box 837
Sells, AZ 85634

Dear Chairman Norris:

Thank you for taking the time to speak with me this afternoon. I very much appreciate your candor and the importance of your goals. As we discussed, the location you have chosen may thwart the delicate balance, which currently exists under the Arizona Tribal/State Gaming Compacts.

Proposition 202 promised many things. It assured voters that if they supported the balance contained within it that all casino style gambling would be limited to existing tribal communities and would not become part of off-reservation neighborhoods. I do not believe the voters ever anticipated that gaming in this state would be anywhere other than on the tribal lands that existed at the time of Proposition 202. Even those who understood that tribes could acquire additional lands, surely believed that before any gaming could occur on those lands, the federal after-acquired lands exception would apply, along with the prohibition in state statute that prevents a Governor from approving such gaming. I believe that indeed this is the case.

Another critical part of the promise associated with the negotiation was that each tribe's competitive interest would be balanced. The Glendale site you have selected aims to create an urban gaming facility within the gaming markets of several other tribes. Many find that this action is inconsistent with the promise of Proposition 202.

Additionally, the goal of the Indian Gaming Regulatory Act, Proposition 202, and your own Gila Bend Indian Reservation Lands Replacement Act was to spur economic development with an emphasis on job creation for tribal members. While I understand that members of the Tohono O'odham Nation will likely receive preference for hiring at any new facility, I am concerned that most members of the San Lucy District and other tribal members do not reside within the immediate vicinity of the Glendale site and therefore I am not convinced that gaming at this location accomplishes the goals as lawmakers intended.

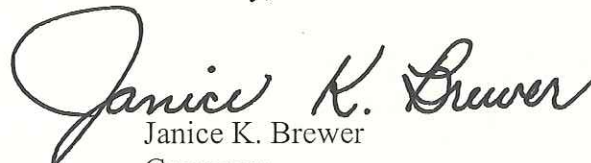
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Finally, I believe that the relations between tribes and local communities have made great strides in recent decades, particularly since the gaming compacts became successful. Creating a gaming facility across the street from a high school, located nowhere near a current reservation, in the middle of a city's planning area, significantly frustrates community relationships. You have expressed a willingness to work on these matters but as I stated this afternoon, the clock is ticking and people are nervous that the federal government may approve this without weighing all the relevant interests. Conversations are more productive when people do not feel they are operating under extreme or unknown time pressures. I am sure as a community leader, you can appreciate the need for absolute transparency as this process moves forward.

For all these reasons, I hope that you will ask your council to consider withdrawing the pending application to take this land into trust status for gaming purposes. I know this is not a small request. Withdrawal, however, would allow conversation to flow more freely and to assess whether other lands may exist that meet the aims of the legislation and all effected communities.

I look forward to hearing from you when you return from your travels. If it is possible to have your decision by Friday, this would be ideal. Again, I wish to thank you for your time today. I hope we can work constructively toward amiable solutions.

Sincerely,


Janice K. Brewer
Governor

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