



PRESS RELEASE

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FOR IMMEDIATE RELEASE

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GOVERNOR AND ATTORNEY GENERAL EXERT INAPPROPRIATE POLITICAL PRESSURE ON INDEPENDENT REGULATORY AGENCY

State Regulatory Agency Bows to Political Pressure, Threatening Thousands of Existing and New Jobs

GLENDALE, Ariz. – In a blatant abuse of power, Governor Doug Ducey and Attorney General Mark Brnovich's office improperly politicized the decision-making of an independent regulatory agency, the Arizona Department of Gaming (ADG) in an ongoing attempt to create a no-competition zone for two East Valley tribes, the Gila River and Salt River Indian Communities. This unlawful action seeks to halt the Tohono O'odham Nation's West Valley Resort, the first phase of which is already under construction and will be completed in the fourth quarter of 2015.

Under the tribal-state gaming compacts, ADG is required to perform certain functions in the regulation of Indian gaming in Arizona. Nevertheless, Governor Ducey and Attorney General Brnovich instructed ADG to ignore the State's obligations under the compact and to ignore Federal District Court Judge David Campbell's decision that the Nation's project is legal under the compact. Using sharp language, the Governor and Attorney General have personalized their attacks on the Nation to try to justify their urging to ADG that it ignore the plain language of the compact and the District Court decision.

The Governor and the Attorney General are feverishly working to send more than 1,300 Arizonans already working on the project to the unemployment line. To accommodate their own political purposes, they are also attempting to kill thousands of new, permanent jobs that will be created in the Phoenix Valley, and \$300 million in annual economic impacts in Arizona.

ADG's sudden about-face also contradicts the determination of the Assistant Attorney General assigned to the department, Roger Banan, who assured the Nation in a February 19, 2015 letter that *"ADG intends to proceed in the normal course of its business with the various regulatory requirements imposed by IGRA and the Compact, including those concerning TON's Glendale casino, unless applicable laws change or a court orders otherwise."*

The only change that has taken place was ADG's receipt of two letters from elected officials who have decided to intervene in a regulatory process in order to help protect the market share of two wealthy East Valley tribes.

In a strongly worded response, the Nation's attorney, former U.S. Solicitor General Seth Waxman, said *"ADG—which calls itself an independent regulatory body—appears to have changed its position based on improper political pressure, not reasoned decisionmaking. ADG's new position overreaches the bounds of ADG's authority, ignores the express requirements of the compact, and flouts the federal district court's considered judgment."*

Tohono O'odham Nation Chairman Ned Norris, Jr. said *"I wasn't sure it was possible, but the opposition has stooped to a new low. Unbelievably, the Governor and the Attorney General have put ADG in an untenable position by instructing them to ignore the law. The Nation is committed to providing these thousands of jobs to the people of the West Valley, and this latest political strong-arm tactic will not deter our efforts."*

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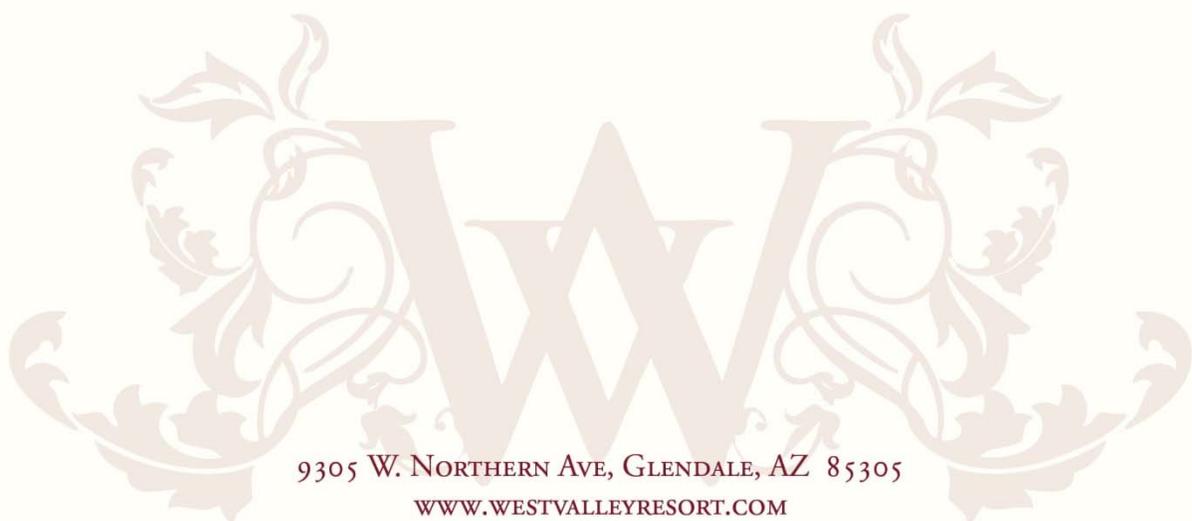
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West VALLEY RESORT

The Tohono O'odham Nation is a federally-recognized Indian tribe, with reservation lands in Maricopa County, Pinal County, and Pima County, Arizona. The West Valley Resort is located on the Nation's reservation land at 95th and Northern avenues. It will generate thousands of new jobs and more than \$300 million in annual economic impact. For more information, visit www.westvalleyresort.com.

Editor's Note: Attached are letters from the Nation's attorney Seth Waxman and the Assistant Attorney General for ADG Roger Banan, as well as a letter from the City of Glendale.

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