

# AK-CHIN INDIAN COMMUNITY

## Community Government

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February 27, 2012

Ms. Tracy Stevens, Chairperson  
National Indian Gaming Commission  
1441 L Street, NW, Suite 9100

Washington, D.C. 20005

Re: ***Comments of the Ak-Chin Indian Community regarding NIGC's Revised Part 502  
Definition of Enforcement Action and Part 573 Enforcement Actions Regulations***

Sent via U.S. Mail and to [reg.review@nigc.gov](mailto:reg.review@nigc.gov)

Dear Chairperson Stevens,

The comments below are submitted on behalf of the Ak-Chin Indian Community ("Ak-Chin") regarding the National Indian Gaming Commission's ("NIGC") Revised Part 502 "Definition of Enforcement Action" and Part 573 "Enforcement Actions" ("Revisions"). First and foremost, we applaud the NIGC for utilizing an extensive and meaningful tribal consultation policy. We also appreciate the numerous consultation meetings that the NIGC has conducted with tribes to review and discuss the Revisions.

We welcome the NIGC's Revisions which should foster greater communication and collaboration between tribes and the NIGC. We also share the NIGC's goal of voluntary compliance to include a graduated pre-enforcement process through which a tribe may come into compliance before an enforcement action by the Chair. The Revisions' clarifications will promote greater certainty for tribal gaming operators and regulators such as developing the definition for "Enforcement Actions" and "final agency action."

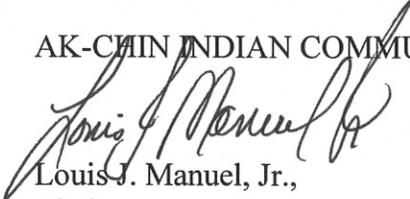
We especially like the NIGC's enlightened approach to potential violations as proposed in its two-part graduated process. We are confident that most regulatory concerns can be addressed and resolved pursuant to the Revisions' proposed "letter of concern" and/or "warning letter." We also appreciate the requirement for a factual basis for any potential violation, as well as deadlines pertaining to any such above letters. Finally, the amendment regarding a Temporary Closure Order and the clarification of Final Agency Action makes any such action clear and concise.

We believe that the NIGC's draft Revisions are a more pragmatic and reasonable regulation by the NIGC. Again, we thank you for the opportunity to comment on the development of these important Revisions.

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Sincerely,

AK-CHIN INDIAN COMMUNITY



Louis J. Manuel, Jr.,  
Chairman

cc: Charles McCarty, Ak-Chin Tribal Gaming Agency