

PASCUA YAQUI TRIBE

OFFICE OF THE CHAIRMAN



VIA EMAIL
AND REGULAR MAIL

August 16, 2013

National Indian Gaming Commission
1441 L Street NW
Washington, DC 20005

Re: Electronic One Touch Bingo System

To whom it may concern:

I am writing on behalf of the Tribal Council of the Pascua Yaqui Tribe (the "Tribe") to provide the Tribe's comments regarding the Department of the Interior's request for public comment regarding the National Indian Gaming Commission's ("NIGC's") proposed reinterpretation of its decision regarding the classification of one touch bingo. The Tribe supports the NIGC's proposed reinterpretation

The NIGC is proposing to overturn its earlier Metlakatla Decision, which held that one touch bingo constitutes Class III rather than Class II gaming. The NIGC's rationale in the Metlakatla Decision was that one touch bingo is not Class II gaming because one touch does not meet the essential requirement that a player cover the drawn numbers on a bingo card and that the game be won by the first person to do so. The Metlakatla Decision also concluded that one touch bingo is not a Class II "game similar to bingo" because one touch bingo does not include the requisite element of competition. The NIGC believes the more reasonable interpretation is that one touch bingo meets the definition of Class II gaming because: (a) it is played for prizes; (b) "the holder of the card covers [the] numbers or designations when the objects, similarly numbered or designated, are drawn or electronically determined"; and (c) the machine assists the player in being the first person to cover the designated arrangement, and the game is won by the first person to cover the pre-designated winning pattern in the electronically linked bingo system.

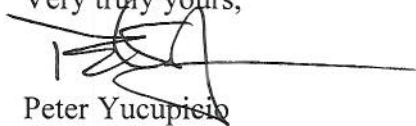
The Tribe agrees with the NIGC's proposed reinterpretation, as it is the more reasonable interpretation of IGRA's definition of Class II gaming. The Tribe has concluded for the same reasons that one touch bingo is a Class II bingo game.

Thank you very much for your consideration. If I can be of any further assistance, please do not hesitate to contact me at the number listed above.

2013 AUG 20 AM 9:10
NIGC

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Very truly yours,

A handwritten signature in black ink, appearing to read "Peter Yucupieio", with a long horizontal line extending to the right.

Peter Yucupieio
Chairman
Pascua Yaqui Tribal Council