



Tohono O'odham Nation

Office of the Chairman and Vice Chairman



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PRESS RELEASE

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FOR IMMEDIATE RELEASE

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WEST VALLEY CASINO OPPONENTS DEFYING COURTS, FEDERAL LAW *Nation Moves to Open New Class II Gaming Facility This Year, Will Offer Over 1,000 Machines*

SELLS, Ariz. – Under pressure from Arizona Governor Doug Ducey and Attorney General Mark Brnovich, the State Department of Gaming has declared it will not work with the Tohono O'odham Nation to open the Desert Diamond Casino – West Valley as a Class III casino. The State also has been threatening vendors and employees who might work on the Nation's project, which is scheduled to open this year.

The State's most recent actions are a continuation of the stalling tactics that opponents of the West Valley Resort have been using for years in an effort to prevent the project from opening as planned. The State's actions also are in violation of a federal court ruling and the Nation's rights under the federal Indian Gaming Regulatory Act (IGRA).

The Nation took the State to court today to force it to comply with Federal law, end its threats, and work with the Nation as the Department of Gaming said it would just last March. The Nation is confident that the court ultimately will uphold the Nation's right to move forward with a Class III gaming operation, but for now the Nation has decided to open the Desert Diamond Casino – West Valley later this year as a Class II gaming operation, to reduce the potential for any further delays.

Under IGRA and Arizona gaming compacts, the State has a limited regulatory oversight role in Class III gaming and no role in Class II gaming. Class II gaming is regulated by the National Indian Gaming Commission and tribal regulatory offices. Class II gaming includes poker, bingo, and electronic bingo gaming devices, all of which can currently be found at other Arizona casinos. The Nation would prefer to be opening a Class III operation, but will move forward for now with a Class II operation, to reduce the likelihood for further delay in light of the State's refusal to comply with federal law.

Tohono O'odham Nation Chairman Edward Manuel said *"After years of delays, the Nation is on schedule to fulfill our promises to provide economic and entertainment opportunities to the West Valley and all of Arizona."* Chairman Manuel added, *"The Nation will continue its fight to get the State to stop threatening Arizona workers and businesses and work with us as required by a federal court ruling and federal law."*

The Nation has a history of offering safe and enjoyable Class II gaming. The Nation commenced gaming with a Class II operation, Papago Bingo, 31 years ago. More recently, the Nation's casino in Why, Arizona, now known as Desert Diamond Why, began as a Class III operation before converting to a Class II-only operation in 2005, and then returning to a Class III operation in 2009.

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