



COMANCHE NATION GAMING COMMISSION
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National Indian Gaming Commission
1441 L Street NW, Suite 9100
Washington, DC 20005
reg.review@nigc.gov

RE: Request for Public Comments Concerning One-Touch Bingo

Dear Chairwoman Stevens and Commissioner Little,

This letter is in response to the June 25, 2013 Request for Public Comment concerning the Reinterpretation of the National Indian Gaming Commission's ("NIGC") 2008 decision to deny an amendment to the Metlakatla Indian Community's gaming ordinance which defined Class II gaming as including one touch bingo ("Metlakatla Decision"). The Comanche Nation Gaming Commission ("CNGC") welcomes the opportunity to participate in this important process and applauds the NIGC for adhering to the federal executive branch's commitment to consultation with tribes.¹

The CNGC supports the NIGC's proposed reinterpretation of the Metlakatla Decision that would consider one-touch bingo to be a Class II game under the Indian Gaming Regulatory Act ("IGRA"). The proposed reinterpretation bolsters the language of IGRA defining Class II as

(i) the game of chance commonly known as bingo (whether or not electronic, computer, or other technologic aids are used in connection therewith) -

(I) which is played for prizes, including monetary prizes, with cards bearing numbers or other designations,

(II) in which the holder of the card covers such numbers or designations when objects, similarly numbered or designated, are drawn or electronically determined, and

¹ Exec. Order No. 13175, 65 FR 67249 (Nov. 9, 2000)

(III) in which the game is won by the first person covering a previously designated arrangement of numbers or designations on such cards, including (if played in the same location) pull-tabs, lotto, punch boards, tip jars, instant bingo, and other games similar to bingo,...²

The CNGC views one-touch bingo machines as a technological aid to the play of bingo as contemplated by Congress at the passage of IGRA. As the Senate Select Committee on Indian Affairs stated in its support of IGRA that it “intends that tribes be given the opportunity to take advantage of modern methods of conducting Class II games and the language regarding technology is designed to provide maximum flexibility.”³ The element of competition amongst the players and participation by the player are still inherent in one-touch-bingo, and thus should be considered a Class II game. Ultimately, whether played with paper cards or on a one-touch machine, players are still competing against one another, and not the house, for a prize.

In closing, the CNGC welcomes the opportunity to submit comments to the NIGC regarding this very important issue. Please contact me at (580)595-3300 if you have any questions.

Sincerely,



Jill Peters
Executive Director

² 25 U.S.C. 2703(7)(A)(i)(I)-(III).

³ S. Rep. No. 100-446 at p. A-9.