



ROSEBUD SIOUX TRIBE

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Rosebud Sioux Tribal Council Statement NIGC Consultation on One Touch Bingo Systems July 18, 2013

The Council of the Rosebud Sioux Tribe commends the NIGC supports the NIGC's proposal to correct its earlier ill-advised disapproval of the Metlakatla Tribe's Gaming Ordinance, and to recognize that the governing statutory and case law supports the conclusion that one touch electronic bingo systems are within the scope of class II gaming authorized by Congress in enacting the Indian Gaming Regulatory Act ("IGRA"). We are pleased that the NIGC now recognizes that the statute itself, and the Commission's own existing regulations, provide all the guidance necessary to distinguish permissible class II gaming – played with technologic aids – from games that may be played on tribal land only through the authorization of a tribal state compact.

The distinction is important to Rosebud. In South Dakota, we struggle with a compact policy that limits tribes to one small location. At Rosebud, we have struggled for years as the most impoverished county in the United States – where the need for tribal government services far exceeds our ability to fund those services. The federal budget crisis has only made things worse, with the Sequester threatening vital health, education and housing programs. No one gets wealthy from our tribal gaming revenue, only slightly less poor. For many of our people, our tribal services can mean the difference between life and death. We need to fund more services. We hope that we can do that through gaming.

Because we cannot add to our modest class III facility, we want to build at an additional site. At present, and without the cost of a compact battle, we want to open a class II location, and hope that the additional revenues can provide some relief. For that, we want the best technology available under law – and we are glad that the Commission is prepared to confirm that such advanced technology is within our class II rights.

We are new to class II, but we know that the market has developed by and for tribes that need economic opportunity denied by limited or non-existent compacts. We know that the IGRA intended tribes to have a broad opportunity to operate class II bingo with technologic aids. We know that the courts have upheld that right. We are glad that the NIGC is proposing to clarify that its own position, as the federal agency charged with oversight of class II gaming, that class II one touch bingo systems are permissible under the IGRA. We support this proposal and take all steps necessary and appropriate to rescind earlier inconsistent statements the NIGC has made, either through ordinance review, advisory opinions, or public statements implying that such technology is somehow improper. Thank you again for moving the Commission forward on the path that Congress intended -- fostering economic opportunity in Indian Country.