



ABSENTEE SHAWNEE TRIBE OF INDIANS OF OKLAHOMA

2025 S. GORDON COOPER DR.

SHAWNEE, OKLAHOMA 74801-9381

SCOTT MILLER, LT. GOVERNOR

November 14, 2006

National Indian Gaming Commission  
ATTN: Penny Coleman  
1441 L Street, N.W., Suite 9100  
Washington, D.C. 20005

RE: Comments on Electronic or Electromechanical Facsimile definition

Dear Ms. Coleman:

The Absentee Shawnee Tribe appreciates the opportunity to provide comment on the proposed rule pertaining to "Electronic or Electromechanical Facsimile Definition" Used in the Play of Class II Games. In review of this regulation we offer the following comments:

- The economic impact this rule will have on the Absentee Shawnee Tribe is a concern. By entering into compacts with the State the Tribe will lose much needed revenue which assists in sustaining unfunded programs and supplementing others.
- Re-classifying electronic games from Class II to Class III gaming is a concern. Educating players on distinctions between Class II and Class III gaming is laudable but Tribes should not be expected to do this as this is not a gaming industry function. Clarification is needed as to what the National Gaming Commission's thought process is or where you concluded that it's something other than it is?
- Clarification is needed on 'what was the thought process behind the 50 or 51 percent of the screen being taken up by the bingo card'?
- Clarification is needed on whether consideration to the requirement for the size of the bingo card on the screen and the two inch statement about whether it's a bingo game or game similar to bingo, how much room that takes up in terms of explaining this as a bingo game compared with the entertaining display?
- By classifying electronic games as Class III, the Class II process is slowed down.
- Clarification is needed as to why the two second dobs time was introduced? And why, irregardless of whether everybody dobs in the first half second this new process will then wait two seconds before the game can proceed?
- Clarification is needed as to the reason why facsimile definitions were proposed in a separate rule from the other definitions for bingo?
- Clarification is needed as to whether based on consultation with Tribes this proposed rule will be passed?

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It is our recommendation this rule not be passed as written. Clarification is needed. The economic impact to the Absentee Shawnee Tribe would be detrimental. You are further requested to propose a rule that will 'do no harm' to Tribes.

The Absentee Shawnee thanks you and your agency for providing this rule for comment. If you should have questions do not hesitate to contact my office at 405-275-4030 and speak with Ms. Lesa B. Byford, Special Assistant.

Sincerely,

A handwritten signature in cursive script that reads "Scott Miller". The signature is written in black ink and is positioned above the printed name and title.

Scott Miller  
Lt. Governor