

August 22, 2013

Tracie Stevens, Chairperson
Daniel Little, Associate Commissioner
National Indian Gaming Commission
1441 L. St., N.W., Suite 9100
Washington, D.C. 20005

Dear Chairperson Stevens and Commissioner Little,

After reading everything I have at my disposal regarding Class II/III game classification, I believe that the distinction between Class II and Class III has been already been argued in court and defined under the three legal requirements identified (as well as the maximum flexibility given to tribes to take advantage of technological advances in the design of Class II games). I see no basis to overturn their previous decision and classify Class II gaming as Class III gaming. In the State of Montana this could possibly open up the door for the State to seek to require the Montana Indian tribes engaged in gaming operations; to pay a cut of gaming revenue generated by the Fort Belknap Indian Community to the State. The State of Montana by way of gaming compacts with each Montana Indian tribe, regulates Class III gaming. The NIGC regulates Class II gaming in Indian Country. If all Class II gaming was reclassified as Class III gaming, wouldn't control of Indian gaming revert to the control of the State of Montana? Gaming compacts between the tribes and states would be under attack by the states for financial gain.

The one-touch feature in electronic gaming machines is merely a technological advance in the game of bingo, it does not alter the manner in which the basic game of bingo is played. It merely speeds up the game, initiating a game of bingo, covering the numbers called for the player during a game of bingo and deciding if the player has a win. No need to push the button to start the game and push the button a second time to cover the numbers that have been electronically called for the game if the software for the game can do it for the player. The main gaming classification determination is whether or not the player is playing solely against the game machine by themselves or are they playing against other players via each players game, playing for the one prize. I believe that the distinction between Class II and Class III gaming has already been litigated, defined and should stand in the manner which clearly differentiates Class II from Class III gaming. The tribes depend upon this Class II gaming classification distinction as a means of generating revenue. In doing so, improving the economies of their reservations without fear of intrusion from outside entities who would like to rewrite laws/compacts to benefit from Indian gaming when it is not their right to do so. Tribal sovereignty and economic improvement is critical to our people here at the Fort Belknap Indian Community.



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