



PECHANGA INDIAN RESERVATION
Temecula Band of Luiseño Mission Indians

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July 5, 2017

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Attention: Vannice Doulou
Chairman Jonodev Chaudhuri
Vice Chair Kathryn Isom-Clause
Associate Commissioner E. Sequoyah Simermeyer
National Indian Gaming Commission
1849 C Street NW
Mail Stop #1621
Washington, DC 20240

Re: Pechanga Band of Luiseño Indians Comments on NIGC's Draft Minimum Technical Standards for Mobile Gaming Devices

Dear Chairman Chaudhuri, Vice Chair Isom-Clause, and Associate Commissioner Simermeyer:

The Pechanga Band of Luiseño Indians hereby submits its initial comments on the NIGC's Draft minimum technical standards for mobile gaming devices. We thank the NIGC for engaging in consultations and requesting comments in advance of issuing guidance that will affect Indian Tribes and the regulation their gaming operations. The NIGC's initial draft of Section 547.18 is a good first step in addressing issues raised by mobile gaming devices. However, the draft raises concerns that should be resolved before this section is adopted.

First, Section 547.18 is vague as to the terms it uses and thus, subsequent drafts should include definitions. Specifically, "wireless player interface" and "wireless gaming system" need to be clearly defined. These terms are used numerous times throughout the draft and are subject to misinterpretation without definitions. The term "wireless player interface" should also be defined in a way to distinguish it from a "player interface" (547.2) and the obligations and requirements associated therewith.

Second, there appears to be at least one provision which mistakenly refers to a "wireless player interface," when it should refer to a "wireless gaming system." Section 547.18(b)(4) states "[a] wireless player interface must employ encryption and strong user authentication methods." The obligation for encryption and authentication methods are more appropriately placed on the wireless gaming system (*i.e.*, the software that is downloaded to the wireless player interface in order to participate in the game).

Chairman Jonodev Chaudhuri
National Indian Gaming Commission
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Third, Section 547.18 must be drafted to account for the fact that “wireless player interfaces” will often be mobile devices owned by patrons. Thus, it may not be practical for the gaming system to “disable all exposed network connectivity ports” on a patron-owned mobile device, or for a patron-owned mobile device to “be designed or programmed such that it may only communicate with authorized gaming systems”, as would be required by Sections 547.18(a)(2) and (b)(3).

Moreover, Section 547.18 should clarify the testing requirements applicable to patron-owned mobile devices that are used to connect to a Class II wireless gaming system. As currently drafted, and if the existing definition of “player interface” is interpreted to include patron-owned mobile devices, such devices would be subject testing to confirm compliance with certain standards which are impractical. For example, Section 547.7(d) would require the patron-owned mobile device to display “a serial number and date of manufacture,” and 547.16(b) would require the devices to continually display “malfunctions void all prices and plays” and “actual prices determined by Bingo.” It may be more appropriate that certain display standards and testing requirements are applicable to the gaming software, and not the patron device, that is downloaded in order to participate in a game.

We appreciate the opportunity to raise these important issues for your consideration and look forward to further discussions on this topic.

Sincerely,



Lindsey Fletcher
Associate General Counsel