



Choctaw Nation of Oklahoma

Gaming Commission

P.O. Box 5229 • Durant, OK 74702-5229

(580) 924-8112 • Fax (580) 920-4966

Gregory E. Pyle
Chief

Gary Batton
Assistant Chief

August 20, 2013

National Indian Gaming Commission
1441 L. Street NW Suite 9100
Washington, DC 20005

Re: Comments on Classification of Electronic One Touch Bingo system, 78 Fed. Reg. 37998 (6-25-13)

On behalf of the Choctaw Nation of Oklahoma, the Choctaw Nation Gaming Commission respectfully submits the following comments regarding the classification of a server based electronic bingo system game:

As has been held by the federal courts, the three statutory requirements of bingo set forth in IGRA are the sole legal requirements for a game to qualify as bingo. Such games may be played with any form of electronic, computer or other technologic aid, as long as the aid does not permit a single player to play along with or against the machine. We agree that the use of the one touch auto-daub feature in connection with a linked bingo game is consistent with IGRA's definition of bingo and does not convert a Class II bingo game into a Class III facsimile.

The Choctaw Nation of Oklahoma whole-heartedly agrees with the current Commission's interpretation of IGRA's definition of Class II gaming and their conclusion that one touch bingo is a Class II bingo game. We appreciate the NIGC allowing us and other Tribes the opportunity to comment on this important issue. Class II games currently make up 46% of our Choctaw gaming floors so it is very vital and imperative that we protect our Class II interest.

Sincerely,

A handwritten signature in cursive script that reads "Paula Penz".

Paula Penz, Gaming Commissioner
Choctaw Nation of Oklahoma