



# Mooretown Rancheria

October 25, 2023

**Via email to: [BGC\\_Regulations@doj.ca.gov](mailto:BGC_Regulations@doj.ca.gov)**

Andreaia McMillen, Staff Services Manager  
Bureau of Gambling Control  
California Department of Justice  
P.O. Box 168024  
Sacramento, CA 95816-8024

RE: Draft Concept Language for Player-Dealer Rotation and Blackjack Games

Dear Ms. McMillen,

Thank you for the opportunity to submit comments in response to draft concept language circulated by the California Department of Justice - Bureau of Gambling Control ("BGC"). These comments are submitted on behalf of the Mooretown Rancheria Band of Maidu Indians (Tribe), a federally recognized tribe authorized under the Indian Gaming Regulatory Act (IGRA) to operate house-banked card games in California under a duly approved Tribal-State compact. We also appreciate the opportunity to address our concerns and viewpoints regarding the recent concept papers on the effective regulation of banked games in California offered by non-tribal commercial cardrooms and the issue of Blackjack games being operated in violation of existing law by the same non-tribal entities.

We appreciate the extensive history of previous statewide discussions regarding the concepts that are addressed in the BGC's proposed language. However, we are concerned that the proposed language appears to disregard the existence and significance of Tribal-State compacts in this context. Preserving the unique status and rights of California's federally recognized tribes is a critical requirement throughout the regulatory process.

With respect to the effective regulation and enforcement of house-banked card games operated by non-tribal commercial cardrooms in California, we emphasize the importance of establishing transparent and consistent guidelines that respect the clear exclusivity outlined in our Tribal-State compact. Any regulations or language introducing ambiguity or altering established operational rules will require focused effort to prevent conflicts with our existing agreements. New rules that ignore Tribal exclusivity, and run contrary to the State Constitution, will not be acceptable to the extent that the rules violate our existing agreement with the State of California.

*"Concow - Maidu"*

Specifically, it is the opinion of our tribe that:

1. The proposed draft concept language related to the rotation of the player-dealer position, providing that "...The player-dealer position shall rotate to at least two players other than the (Third Party Proposition Player) every 40 minutes or the game shall end", is inadequate to prevent constructive house banked games from occurring without effective enforcement by the State of California; and
2. The proposed "modification" of existing approved blackjack-style games is a good start, it is patently inadequate to prevent the illegal operation of the game of blackjack, including the advertisement and operation of the game by non-tribal commercial cardrooms throughout California.
3. That Section 2075 (d) be revised "Gambling Enterprises with previously approved games ...by no later than 90 days after the effective date of this section."

We request that the BGC evaluate the potential ramifications of implementing regulatory changes that may impact our exclusive Tribal-State compact rights. We also strongly urge the BGC to enforce effective measures against non-tribal commercial cardrooms that engage in the unlawful operation of house-banked games. It is important that the BGC collaborate with our tribe and other federally recognized tribes in California to ensure that the regulations respect our sovereignty and uphold the commitments made between our tribe and the State of California.

We encourage an open dialogue with the BGC to further discuss these concerns and to find mutually agreeable solutions that protect our compact rights while accommodating the State's regulatory objectives. We deeply value the partnership between our tribe and the State of California and remain steadfast in our commitment to upholding the highest standards of fairness, legality, and transparency within the gaming industry.

It is our hope that the current efforts will finally lead to concrete results, ensuring that we do not simply repeat the past endeavors of the State of California, which resulted in unproductive meetings without meaningful enforcement of existing laws or the establishment of any new regulations to effectively prevent non-tribal California cardrooms from operating illegal house-banked games.

Thank you for your consideration of these crucial matters. We anticipate a continued collaboration for the mutual benefit of all stakeholders involved.

Sincerely,

Alan Archuleta  
Tribal Vice Chairman