

**BIOMETRICA**

A Viisage Company

*Enhancing Casino Intelligence* →

March 22, 2006

RECEIVED

MAR 27 2006

Pennsylvania Gaming Control Board  
 P.O. Box 69060  
 Harrisburg, PA 17106-9060  
 Attn: Public Comments

Dear Gaming Control Board:

In response to your seeking public comments on self-exclusion and exclusion regulations I wanted to introduce some of the newer concepts that we are working on at Biometrica Systems.

Biometrica is currently the gaming industry leader in identification, tracking and protection software and has over 170 casino customers in the US, Canada and the Caribbean. We have been working to bring some of our product and market knowledge to the forefront of responsible gaming as we see some true synergies in the solutions we already provide to gaming surveillance and security operations.

I have included a brief overview of our Responsible Gaming Solution for your review, but wanted to point out three key areas where we can improve the existing draft regulations:

- (1) **Self Exclusion Registration** – It was unclear in the regulations whether or not the Gaming Control Board would be accepting self-exclusion submissions at a central location or at each gaming location. Our software can be deployed to enable enrollment (image capture and data entry) at multiple locations very efficiently. We also have the technology to build self-service kiosks (ID document authentication, image capture, data entry) that could enable people to self exclude on their own provided they had a valid form of identification.
- (2) **Networked Self-Exclusion Database** – Our enrollment and tracking software was designed to be shared among multiple locations. The database could be located at a secured GCB location, but could be networked to all of the gaming properties. This would enable newly added self-exclusions at the GCB location (if the enrollment process is centralized) or at one of the gaming locations (if the enrollment process is distributed) to automatically be available at other locations (the GCB's 5 day notification period would be instantaneous).
- (3) **Facial Recognition** – Relying on gaming personnel to remember faces of self-excluded patrons is a near impossible task. We have deployed facial recognition software in over 100 casino surveillance rooms as a tool to help filter through various databases (excluded, self-excluded, VIPs, etc) and speed up the identification process.

To give you an idea of the current products we offer, I have included some information below.

➤ **Visual Casino IV Software**

Surveillance software designed for storing and tracking information regarding designated casino patrons (undesirables, barred patrons, VIP's, employees, self-excluded, etc) for the purpose of being able to quickly identify them when they are on the casino property. Utilizes advanced facial recognition software.

➤ **SIMS (Surveillance/Security Information Management System) Software**

Incident tracking and reporting system designed for surveillance, security and risk management personnel. Offers a standardized platform to capture, track and analyze daily activities and generate reports that can be distributed to management personnel in designated departments.


*Enhancing Casino Intelligence*

➤ **ID-Guard Identity Document Authentication**

Automatically scans images, printed text and barcode/magnetic strip information on identification documents (drivers' licenses, military IDs, resident alien cards, and other ID1/CR80 sized documents) and searches for and authenticates document security features to determine if a presented ID is real. Can be used to verify IDs and prevent fraud in cage operations, player club enrollment, security-under age gambling, hotel check-in and pre-employment screening.

If you have any questions, please do not hesitate to call me at 617-901-1552.

Best regards,

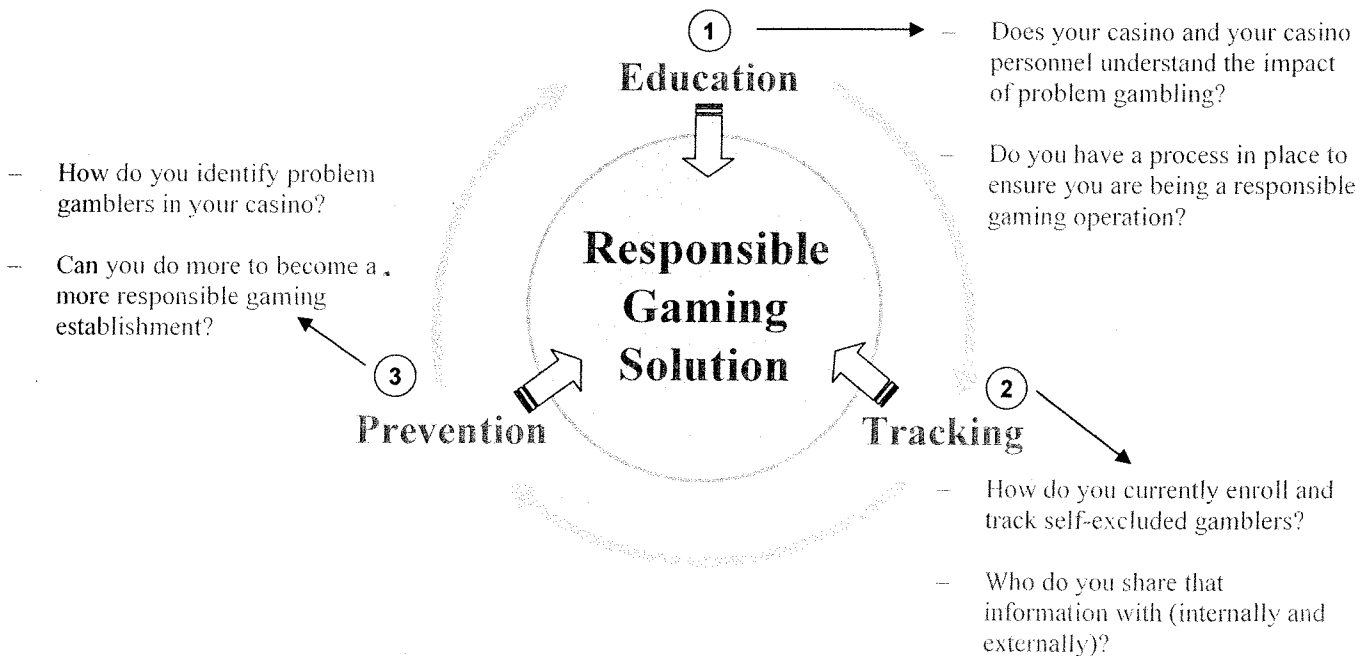
  
Daniel C. Roy  
President



## A RESPONSIBLE GAMING SOLUTION

Biometrica Systems is introducing a NEW solution to address the growing issue of responsible gaming. Biometrica has been a technology leader in deploying software solutions for storing, tracking information and identifying individuals in the gaming industry for over 8 years and continues to explore and develop new applications.

Biometrica's Responsible Gaming Solution includes three key components: Education, Tracking, and Prevention.



### Education:

The first step in developing a responsible gaming solution is understanding the problem. Biometrica is working in conjunction with industry groups and experienced individuals to provide a comprehensive program for your gaming property that includes the following:

- Defining problem gambling, it's growth, and how it impacts your property and the public
- Industry best practices – what programs are currently being deployed by the more progressive casino properties
- Designing a responsible gaming strategy (from executives to staff)



*Enhancing Casino Intelligence*

### **Tracking:**

Effective registration and tracking of self-excluded patrons as well as suspected problem gamblers requires software that is robust enough to enable efficient searching, analysis and reporting functions while maintaining a user-friendly customer interface. Biometrica's software applications have been designed to easily enroll, store, track and share critical information regarding casino patrons (undesirables, VIPs, self-exclusions, etc).

- Standardized, user-friendly process to enroll and store self-excluded patrons into a searchable database application
- Play tracking features to track and analyze potential problem gambling behavior
- Secure networked software that can enable the sharing of self-exclusion information among various casino departments, affiliated properties, and state regulatory bodies

### **Detection / Prevention:**

The most difficult part of any problem gambling solution is detection and prevention. Known problem gamblers do not waive signs to identify that they are present and it is not practical for gaming properties to adopt policies and procedures that would require screening of all patrons upon entry into a gaming environment. There are two ways to address the issue:

- Understanding the signs of a problem gambler will aid the casino staff in identifying potential risks - these patrons can then be compared to all enrolled subjects in the responsible gaming database to see if they are already "known" or they can add them to the database if they suspect there is a problem that needs to be tracked and analyzed for future activity
- Advanced Facial Recognition Software can be used as part of the existing surveillance and security camera infrastructure to identify suspected self-excluded patrons and can also be used as a screening tool at controlled access points (hotel registration, player club enrollment, escalators). Biometrica's facial recognition software has been effectively deployed by over 100 casino properties as an identification tool

ROBERT M. MIMS

---

March 23, 2006

Mary DiGiacomo Colins  
Pennsylvania Gaming Control Board

Mrs. Colins,

My name is Robert M. Mims and I am a Pit Manager with MGM Grand. I met you at the Gaming Diversity Forum in September 2005. I see that you are seeking Public Comment effective 3/16/06. I have enclosed some information that will be helpful to you with the Self-Exclusion, Exclusion Regulations. Many of the Disassociated Patrons are good customers for the industry and a unsavory Gaming Operator would be reluctant to end the relationship. I would suggest that penalties be in place for any ban patron that is sent mail, complimentary gifts and anything that may induce gambling. I would also recommend a minimal fine if the patron attempts to circumvent the Self-Exclusion Regulations before pursuing article (13). This fine would be given to Gambler's Anonymous.

Respectfully,



Robert M. Mims

www.michigan.gov  
(To Print: use your browser's print function)

Release Date: January 15, 2002  
Last Update: March 21, 2002

### Disassociated Persons List

To help those who believe they have a problem with gambling, the Michigan Gaming Control Board (MGCB), with the assistance of Detroit's commercial casinos, has developed a list of Disassociated Persons, pursuant to Michigan law (MCL 432.225). Participation in the Disassociated Persons program is completely voluntary - no one but the voluntary participant may be added to the list. Persons placed on the List voluntarily pledge never to visit a Detroit casino.

*If You Have a Gambling Problem, You Can Request the Michigan Gaming Control Board to Permanently Bar You From the Licensed Detroit Casinos. Call 1-888-223-3044 for application information.*

Sec. 25. (1) The board shall create a list of disassociated persons. The board shall, with the assistance of casino licensees, inform each patron of the list of disassociated persons and explain how the patron may add his or her name to the list.

(2) The board may add an individual's name to the list of disassociated persons if the individual has notified the board in writing of his or her pledge not to visit a casino in this state by filing an application for placement on the list of disassociated persons with the board.

(3) The board shall create and make available an application for placement on the list of disassociated persons. The application shall include all of the following information about the individual who is applying:

- (a) Full name and all aliases
- (b) Physical description including height, weight, hair and eye color, skin color, and any other noticeable physical characteristics.
- (c) Occupation.
- (d) Current home and work addresses and phone numbers.
- (e) Social security number.
- (f) Date of birth.
- (g) Statement that the individual believes he or she is a problem gambler and is seeking treatment.
- (h) A photograph suitable for the board and casino licensees to use to identify the individual.
- (i) Other information that the board considers necessary.

(4) An individual's name shall be placed on the list of disassociated persons after all of the following have occurred:

- (a) The individual has submitted an application to be placed on the list of disassociated persons to the Michigan gaming control board.
- (b) The application has been verified by a representative of the board.
- (c) The individual has signed an affidavit in which he or she affirms that he or she wishes to be placed on the list of disassociated persons and authorizing the board to release the contents of his or her application to all casino licensees in this state
- (d) The individual signs a form releasing the state of Michigan, the board, and the casino licensees from any injury the individual suffers as a consequence of placing his or her name on the list of disassociated persons.
- (e) The individual signs a form stating that he or she understands and authorizes all of the following:
  - (i) That a criminal complaint for trespassing will be filed against him or her if he or she is found on the premises of a casino in this state and he or she will be immediately removed from the casino premises.
  - (ii) That if he or she enters a casino and wins any money, the board will confiscate the winnings.

(5) An individual who has his or her name placed on the list of disassociated persons shall remain on the list for the remainder of his or her life.

(6) After an application has been submitted to the board, the chairperson of the board shall file a notice of placement on the list of disassociated persons with the board at the next closed session. Information contained in an application under subsection (4) is exempt from disclosure under section

4c of this act and is not open for public inspection. The information shall be disclosed to the board, each casino licensee in this state, the department of attorney general, and the department of state police.

(7) The list of disassociated persons shall be provided to each casino licensee, the department of attorney general, and the department of state police.

(8) Each casino licensee in this state shall submit to the board a plan for disseminating the information contained in the applications for placement on the list of disassociated persons. The board shall approve the plan. The plan shall be designed to safeguard the confidentiality of the information but shall include dissemination to all of the following:

- (a) The general casino manager or the managerial employee who has responsibility over the entire casino operations.
- (b) All security and surveillance personnel.
- (c) The department of state police.

(9) A casino licensee shall not extend credit, offer check cashing privileges, offer coupons, market its services, or send advertisements to, or otherwise solicit the patronage of, those persons whose names are on the list of disassociated persons.

(10) The casino licensee shall keep a computer record of each individual whose name is on the list of disassociated persons. If a casino licensee identifies a person on the premises of a casino, the licensee shall immediately notify the board, a representative of the board, or a representative of the department of state police who is on the premises of the casino. After the licensee confirms that the individual has filed an affidavit under this section, the licensee shall do all of the following:

- (a) Immediately remove the individual from the casino premises.
- (b) Report the incident to the prosecutor for the county in which the casino is located.

(11) A casino licensee who violates this act is subject to disciplinary action by the board.

(12) The board shall promulgate rules to implement and administer this act.

(13) An individual who has placed his or her name on the list of disassociated persons who enters a casino in this state is guilty of criminal trespassing punishable by imprisonment for not more than 1 year, a fine of not more than \$1,000.00, or both.

(14) This act does not create any right or cause of action on behalf of the individual whose name is placed on the list of disassociated persons against the state of Michigan, the board, or a casino licensee.

(15) Any winnings collected by the board under this act shall be deposited into the compulsive gaming prevention fund.

Copyright © 2006 State of Michigan

RECEIVED

APR 03 2006

Bruce Barron  
President. No Dice



**Topic: draft regulations on self-exclusion**

The Pennsylvania Gaming Control Board's ability to make self-exclusion a useful tool in reducing the devastation caused by casino gambling is sadly limited by the language in Act 71, Pennsylvania's slots law. The law's provisions on self-exclusion could only have been written by casino lobbyists. Casinos have no motivation to enforce self-exclusion, because they cannot be held liable for letting a self-excluded gambler sneak in, nor do they have to give back the money taken from the gambler. Addicted gamblers have little motivation to pursue self-exclusion, because if they are then caught gambling they can neither keep any winnings nor recover the money they have lost.

Despite these most unfortunate aspects of Pennsylvania's most unfortunate law, the Gaming Control Board could still take several steps to make self-exclusion more meaningful and effective. These include:

1. **Broaden the wording in the affidavit.** The proposed draft regulations require a person requesting self-exclusion to certify that "I am a problem gambler." This approach is consistent with the casino industry's approach to helping compulsive gamblers, which could generally be described as "Lose \$50,000 to us first and then we'll make sure you get help." Many victims of gambling addiction have testified that they did not think they were vulnerable until they entered a casino and began to feel a rush of excitement about risking their money.

**The PGCB should not require citizens to become problem gamblers first and they request self-exclusion. Rather, while remaining consistent with the intent of Act 71, the PGCB can and should ask people seeking self-exclusion to affirm that "I am, or I believe I have the potential to become, a problem gambler."**

2. **Check everyone's ID.** The easiest way to catch most self-excluded gamblers at the entrance to the casino is to require all patrons to show photo identification before entering. This step will not pose serious inconvenience to anyone while enabling casino staff to compare IDs to the file of self-excluded persons. It may also help to keep underage persons out of casinos. **If the PGCB does not already intend to require that casinos check all entering patrons' IDs, it should do so as a means of making self-exclusion more effective.**

3. **Require the use of image recognition software.** A presenter at the recent Pennsylvania Gaming Congress indicated that image recognition software used to spot suspicious activity in casinos can also be used to identify, at the casino entrance, patrons who look like persons on the self-excluded list. The PGCB should require the use of this software as an additional means to catch self-excluded persons who attempt to enter a casino using false identification.

None of these provisions would be nearly as effective in getting casinos to keep self-excluded gamblers out as the fear of liability would be. But the PGCB could still act, within the boundaries of the present Act 71, to reduce somewhat the inevitable social and economic carnage casinos will bring to Pennsylvania.

-END-



RECEIVED

APR 03 2006



March 29, 2006

COMMONWEALTH OF PENNSYLVANIA  
Pennsylvania Gaming Control Board  
Attn: Public Comment  
P.O. Box 69060  
Harrisburg, PA 17106-9060

Re: Draft Regulations for Self-Exclusion/Exclusion

Dear Chairman Decker:

On behalf of International Game Technology (IGT) and its subsidiaries we would like to thank you for the opportunity to comment in writing on the Pennsylvania Gaming Control Board's draft regulations concerning self-exclusion and exclusion.

We have reviewed the draft regulations and commend the Board's efforts to remain consistent with industry wide accepted standards while endeavoring to meet those unique requirements set out in the legislation for the Commonwealth. Our response to the draft regulations concerns the display of personal information on Board-issued credentials and clarification regarding photograph standards. As requested, our comments are attached on the form prescribed by the Board.

Thank you, again, for the opportunity to comment. Please feel free to contact me by telephone at  
by e-mail at

Sincerely,

A handwritten signature in black ink, appearing to read 'Sandra McKinley', is written over the typed name.

Sandra McKinley  
Regulatory Compliance Supervisor

**International Game Technology**

Regulatory Compliance

## DRAFT REGULATIONS COMMENT FORM

**Please complete all of the fields below before printing:**

|  |                                |
|--|--------------------------------|
| DATE <input type="text" value="7/15/05"/>                                    | ADDRESS 1 <input type="text"/> |
| SECTION # OR SUBJECT <input type="text" value="Regional Supplier Proposal"/> | ADDRESS 2 <input type="text"/> |
| FIRST NAME <input type="text" value="Sandra"/>                               | CITY <input type="text"/>      |
| LAST NAME <input type="text" value="McKinley"/>                              | STATE <input type="text"/>     |
| ORGANIZATION NAME <input type="text" value="International Game Technology"/> | ZIP CODE <input type="text"/>  |
| EMAIL ADDRESS <input type="text"/>   | COUNTY <input type="text"/>    |
|  | TELEPHONE <input type="text"/> |

COMMENTS

§435.6. Credentials generally.

This subsection identifies specific information that shall be included on all Board-issued credentials. In accordance with subsection 435.7, these credentials are to be displayed at all times while engaged in the performance of duties on the premises of a licensed facility. IGT fully supports and understands the importance of ensuring that all individuals performing services at licensed facilities are able to provide proof of licensure at all times. However, two of the informational items listed in 435.6.(a)(1) that will appear on the credential, do cause some concern.

IGT feels strongly that an individual's date of birth and personal address should be protected from public release in an effort to deter identity theft. We respectfully request the Board consider eliminating the date of birth element, or at a minimum, placing the date in a discreet location, for example on the back of the credential. IGT also requests the Board consider allowing the use of the employer's address rather than a personal address on the credential, to further respect privacy concerns and alleviate additional distress over potentially lost or stolen credentials.

Additionally, IGT respectfully requests clarification on the "standards of the Commonwealth Photograph Imaging Network" as referenced under (a)(2) of this subsection. During a previous commenting period, the Board agreed to altar a similar requirement under §435.2(b) to read "a photograph that meets the requirements prescribed by the Board;" IGT respectfully requests the same consideration be given to this statement.

Comments may be submitted to the Board by U.S. Mail at the following address:

Pennsylvania Gaming Control Board  
 P.O. Box 69060  
 Harrisburg, PA 17106-9060  
 Attn: Public Comment

**WolfBlock**

RECEIVED

APR 03 2006

March 31, 2006

Pennsylvania Gaming Control Board  
PO Box 69060  
Harrisburg, PA 69060

Attn: Public Comments

Re: In re: Promulgation of Temporary Regulations Under Title  
58 of the Pennsylvania Code, Chapters 435, 503 and 511

Dear Sir or Madam:

Enclosed please find an original and three copies of the Comments of Downs Racing,  
L.P. in regard to the above-referenced matter.

If you have any questions regarding this submission, please contact me.

Sincerely,



Renee C. Mattei Myers

For WOLF, BLOCK, SCHORR and SOLIS-COHEN LLP

/smw

Enclosures

HAR:65052.1/MOH005-222463

Exclusion/Credentials - 5.1  
Boston, MA ■ Cherry Hill, NJ ■ Harrisburg, PA ■ New York, NY ■ Norristown, PA ■ Philadelphia, PA ■ Roseland, NJ ■ Wilmington, DE

WolfBlock Government Relations - Harrisburg, PA ■ WolfBlock Public Strategies - Boston, MA and Washington, DC

Wolf, Block, Schorr and Solis-Cohen LLP, a Pennsylvania Limited Liability Partnership

## DRAFT REGULATIONS COMMENT FORM

Please complete all of the fields below before printing:

|                         |                           |           |   |
|-------------------------|---------------------------|-----------|---|
| DATE                    | 03/31/2006                | ADDRESS 1 | : |
| SECTION # OR<br>SUBJECT | Sections 435, 503 and 511 | ADDRESS 2 |   |
| FIRST NAME              | Renee                     | CITY      |   |
| LAST NAME               | Myers                     | STATE     |   |
| ORGANIZATION<br>NAME    | Downs Racing, L.P.        | ZIP CODE  |   |
| EMAIL ADDRESS           |                           | COUNTY    |   |
|                         |                           | TELEPHONE |   |
| COMMENTS                |                           |           |   |

**BEFORE THE  
PENNSYLVANIA GAMING CONTROL BOARD**

---

In re: Promulgation of Temporary  
Regulations Under Title 58 of the  
Pennsylvania Code, Chapters 435, 503 and  
511

---

:  
:  
:  
:  
:  
:  
:

**DOWNES RACING, L.P. COMMENTS TO DRAFT EMPLOYEE CREDENTIALS AND  
SELF EXCLUSION REGULATIONS**

Downes Racing, L.P. ("Pocono Downes") respectfully submits these comments to the Pennsylvania Gaming Control Board ("PGCB" or "Board") to its draft regulations published on March 17, 2006, regarding Employee Credentials and Compulsive and Problem Gambling Requirements-Exclusion of Persons.

**1. Sections 435.6(a)(1) and 435.7**

These sections require that full Board issued credentials including personal information, specifically address, date of birth and physical characteristics be displayed on an employee's credentials. Having personal information viewable by the general public is intrusive to employees. In addition, requiring that full Board issued credentials be displayed is inefficient and burdensome to employees during the performance of their duties and detracts from a desired refined, professional image as it relates to customer service and interaction with guests.

It is recommended that the New Jersey requirement be implemented whereby each employee, once they have obtained satisfactory credentials, be permitted to simply display a name tag which indicates their name and employee number and carry their official credentials on their person. The complete credentials would be produced when required to do so by an

appropriate official. Each employee would always be in possession of proper credentials and would also present the best appearance to the public.

To the extent that personal information is otherwise required to be part of the credentials and said credentials are required to be worn, personal information should be provided on the reverse side of the credentials and the credentials should be of minimal size to achieve the professional image described above.

## **2 Section 503.2(b)**

This section states that any person requesting placement on the self-exclusion list shall submit, in person, a completed request for self-exclusion as required by subsection (c).

While it is appropriate to allow people to personally submit requests for self-exclusion, it is recommended that there also be an allowance for situations in which exclusion can occur without the person's personal appearance. An example is a situation in which a person's treating physician or mental health professional, after interaction with the person in question, desires to contact the proper authorities and place the person on a self-exclusion list. In this situation, the person cannot personally appear, but the need for self-exclusion is clear, and the Board should revise the section to allow for circumstances of this nature. Also, it is not clear whether the self-excluded individuals will be recorded on one master list, or a series of lists related to each licensee. Finally, it is not clear where individuals would need to appear to request placement on the self-exclusion list, i.e., the Board offices or some designated location at a licensee's facility. These issues should be further clarified.

### **3. Section 503.5**

This section allows individuals to remove themselves from the self-exclusion list upon expiration of the self-exclusion period.

It is recommended that once individuals place themselves on a self-exclusion list that such exclusion be permanent. In the alternative, licensees should be permitted to determine the exclusion period that applies to its facility.

### **4. Section 511 Generally**

The proposed regulations do not appear to address whether a licensee may exclude an individual, both temporarily and permanently, independent of Board involvement.

It is recommended that the Board specify that it will allow for licensees to exclude individuals independent of Board involvement.

### **5. Section 511.2**

Section 511.2(b) states that the list of individuals who are mandatorily excluded shall be open to public inspection in addition to distribution to every slot machine licensee.

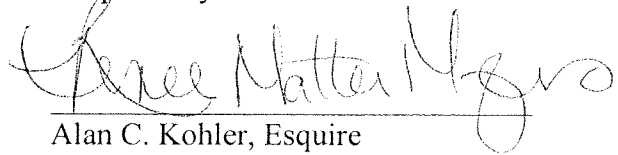
There is a concern that the availability of this list to the general public may impede upon the privacy rights of certain excluded individuals. There is also a question as to whether or not the requirement that the list be open to public inspection means that every slot machine licensee has to make the list in their possession available for public inspection by persons who appear on their property and request to inspect the list.

It is recommended that the list not be available for public inspection due to concerns over privacy rights of individuals appearing on the list. In the alternative, it is recommended that if

the list is designated to be available for public inspection that such inspection may take place only at gaming board offices and not at licensed gaming facilities.

WHEREFORE, Downs Racing, L.P. respectfully requests that the Pennsylvania Gaming Control Board include the modifications discussed above in its final Chapter 435, 503 and 511 regulations.

Respectfully submitted:



Alan C. Kohler, Esquire  
Renee Mattei Myers, Esquire  
Wolf, Block, Schorr and Solis-Cohen LLP

Counsel for Downs Racing, L.P.

Date: March 31, 2006



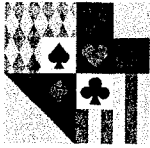
RECEIVED

APR 03 2006

## DRAFT REGULATIONS COMMENT FORM

Please complete all of the fields below before printing:

|                      |   |           |
|----------------------|---|-----------|
| DATE                 | 03/29/2006                              | ADDRESS 1 |
| SECTION # OR SUBJECT | Credentials, Self-Exclusion & Exclusion | ADDRESS 2 |
| FIRST NAME           | John                                    | CITY      |
| LAST NAME            | deGrasse                                | STATE     |
| ORGANIZATION NAME    | Mountainview Thoroughbred Racing Associ | ZIP CODE  |
| EMAIL ADDRESS        |   | COUNTY    |
|                      |   | TELEPHONE |
| COMMENTS             | Please see the attached memo.           |           |



**PENN NATIONAL**  
GAMING, INC.

## Memorandum

---

**To:** Pennsylvania Gaming Control Board

**From:** John deGrasse

**Date:** March 29, 2006

**RE:** Comments: Credentials, Self-Exclusion & Exclusion draft regulations

The following are Mountainview Thoroughbred Racing Association's comments to the draft regulations regarding credentials, self-exclusion and exclusion:

### CREDENTIALS

#### **§435.6**

(1) Applicant recommends two changes to this Section. First, allow the credential to be carried on the employee's person rather than be publicly displayed. The gaming employees will be required by each slot machine licensee to wear an identifying badge. This badge will suffice to provide identification of the employee should the need arise. Should the badge be insufficient to allow for identification of the employee, the gaming agent need simply ask the employee to produce his or her credentials. The sufficiency of a badge is reinforced by the fact that no other major gaming jurisdiction has a requirement for the display of such extensive information.

Second, Applicant recommends that the Board not require certain sensitive information (such as address and date of birth) to be included on the credential, particularly if the Board decides to require the public display of the credential. Such information is not necessary for the purpose of establishing the identification of the employee and the inclusion of such information only enhances the possibility of identity theft.

(2) Additionally, it should be noted that the Pennsylvania State Horse Racing Commission may also require identification to be worn or carried by a licensed individual. This raises two issues. First, will the Board and the Commission develop one form of identification for those individuals who must be licensed by both agencies? Second, if separate identification is required for each agency, it would support the recommendation to require individuals to carry, rather than display, the identification.

(3) Finally, please confirm that (a) the Board will issue the credentials and (b) the credentials will be issued at each property rather than from a central location.

**§435.8(a)**

Please clarify that the format of the emergency credential, rather than the actual credential, is what must be approved in writing by the Board.

**§435.8(a)(4)**

- (1) Should “emergency” replace the word “temporary” in this subparagraph?
- (2) What happens if 12 or more emergency credentials have been issued to an employee during the last 12 months?
- (3) What does the Board anticipate will occur if a credential is lost? If the employee must receive an emergency credential every day until another permanent credential is issued, it is possible that 12 or more emergency credentials will be issued to the employee for the same lost credential.

**§435.8(a)(5)**

Immediate notification is not feasible unless it is allowed to be made electronically.

**§435.8(a)(6)**

Please clarify the website to be used. It may be more secure to allow the use of an alternative electronic media to submit the information.

**SELF-EXCLUSION**

**General Questions**

- (1) Is it the Board’s intention that anyone who is on the self-exclusion list is excluded not only from the gaming area but also from the racing area and the area where lottery tickets are sold? Does this also include non-gaming areas such as restaurants and hotels?
- (2) Is it the Board’s intention that all individuals who advise the slot machine licensee that they wish to self-exclude be referred to Board personnel for placement on the state self-exclusion list? Will the slot machine licensee have the option to have a

concurrent program to allow an individual to self-exclude only from that licensee's facility? Will the Board require the slot machine licensee to have such a concurrent program?

- (3) Based on its prior experience with statewide exclusion programs, Applicant anticipates that an individual who seeks to be placed on the statewide exclusion list will be brought to a Board agent for processing. It is during the processing that the individual is advised of the various problem gambling resources available. Therefore, Applicant assumes the Board agent will provide this information and refer the individual to a source for assistance. If the Board anticipates that the Applicant will do so, please clarify where in the process this should occur.

### **§503.2(e)(2)**

- (1) Who is responsible for requesting and processing these updates?
- (2) Who is responsible for validating the information received?
- (3) What happens if the individual refuses to update his or her information?

### **§503.3(b)**

Please clarify the Board's use of the phrase "appropriate employees and agents" in this paragraph. It is unclear whether the Board has an expectation that certain personnel will be notified or if the Board is leaving it to the slot machine licensee to determine the individuals who must be notified.

### **§503.3(d)**

- (1) Disclosure of this information to affiliates of the slot machine licensee should be allowed. This is particularly true for parent companies so that the slot machine licensee can report incidents involving self-excluded individuals.
- (2) Disclosure of this information to an individual's immediate family should be allowed for two reasons. First, there may be instances where a husband and wife patronize a facility. In this instance, both spouses may receive mailings from the slot machine licensee. If the husband self-excludes, it is Applicant's understanding that the Board expects no mailings to be sent to the husband's address. This would require the licensee also to cease sending materials to the wife. Under the proposed regulations, the licensee would be prohibited from advising the wife why she is no longer receiving communications from the licensee. Second, in many instances a person self-excludes at the urging of an immediate family member. If the Board expects the licensee to work with such

concerned family members in their efforts to have the individual self-exclude, it does not make sense to preclude the licensee from divulging to those family members that the individual is on the self-excluded list.

**§503.4(a)(3)**

Please clarify the use of the term “credit” in this Section.

**§503.4(a)(6)**

Will providing information regarding a problem gambling hotline satisfy this requirement? The Board’s expectation regarding qualified treatment professionals is unclear at this time.

**§503.4(a)(7)(ii) and (iv)**

Consistent with the introductory paragraph of this section, each subparagraph should begin: “Procedures designed to prevent...”.

**§503.4(a)(7)(iii)**

Will these materials be standardized by the Board for the statewide self-exclusion program or will each licensee be required to create its own materials regarding the program?

**§503.4(b)**

Please clarify which provisions are being referenced in this paragraph. Applicant believes two of the intended references are to 503.3(b) (as opposed to 503.3(d)) and to 503.4(a). However, it is not clear to which provision “subsection (b)” refers as 503.4(b) does not require any procedures to be established.

**§503.4(d)**

This paragraph should also exempt the slot machine licensee from liability for disclosing the identity of a self-excluded person to someone other than those authorized by the regulations.

**EXCLUSION****§511.9(a)(2)**

This provision should be stricken for two reasons. First, it grants to a slot machine licensee more authority than the Board has in such matters. Under the proposed regulations, the Bureau must apply to the Board for a preliminary placement of an individual on the exclusion list. Without such a preliminary finding, the Board cannot exclude the individual. However, the proposed regulations require a slot machine licensee – which does not have the law enforcement knowledge or resources of the Board - to exclude the individual immediately without the benefit of a similar preliminary process. Second, the proposed regulation assumes that a slot machine licensee will know with certainty whether an individual satisfies the criteria for exclusion. This is clearly wrong as a licensee's employee may recall facts in error or may accurately recall a matter that subsequent to the event changed (such as the overturning or expungement of a criminal conviction). Additionally, certain criteria set forth in these regulations require a subjective judgment which can only be believed by the licensee, not known.

**§511.9(e)**

This paragraph should also exempt the slot machine licensee from liability for excluding a person from the property due to regulatory requirements and for recommending that the Board exclude an individual pursuant to the regulations.



RECEIVED

APR 05 2006

March 31, 2006



HARRAH'S  
ENTERTAINMENT,  
INC.

Pennsylvania Gaming Control Board  
P.O. Box 69060  
Harrisburg, PA 17106-9060

Attention: Public Comment

**Re: Comments on Exclusion/Self-Exclusion Draft Regulations**

Dear Chairman Decker and Board Members:

The following comments regarding the Exclusion/Self-Exclusion Draft Regulations are offered for your consideration by the operating subsidiaries of Harrah's Entertainment, Inc. (collectively "Harrah's").

- Section 435.9 Temporary credential.

The draft provides that a temporary credential is valid for 30 days and provides that a renewal application may be filed within 10 days of its expiration. To reduce the amount of paperwork and lessen the potential burdens on staff, perhaps the Board should consider changing the period in which a temporary credential is valid to 60 or 90 days.

- Section 503(2) Request for self-exclusion.

The information required by a person wishing to self-exclude should include a driver's license number or similar identifier which should be provided to licensees. This information would be used to properly identify and code the correct individual in the system used by the licensee to track excluded persons.



**Dennis Gallagher**  
Vice President Legal Affairs  
Central & Western Divisions

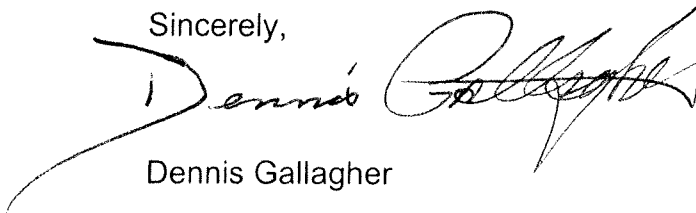
Pennsylvania Gaming Control Board  
March 31, 2006  
Page 2

- Section 503(3) Self-exclusion list.

Licensees should be permitted to share exclusion information with its affiliates in other jurisdictions. This will facilitate the public policy of this proposed regulation. It would also be consistent with the vast majority of responsible gaming regulations in other jurisdictions as well as the programs used by most companies with multijurisdiction operations.

Harrah's appreciates the opportunity to provide these comments to the Board. Thank you for your time and consideration in this matter.

Sincerely,

A handwritten signature in black ink, appearing to read "Dennis Gallagher". The signature is written in a cursive style with a large initial "D" and a long horizontal stroke extending to the right.

Dennis Gallagher

DG:pjr