



May 8, 2006

Financial Crimes Enforcement Network
P.O. Box 39
Vienna, VA 22183

Reference: 1506-AA84

To Whom It May Concern:

Our casino has reviewed the proposed regulatory amendments proposed by Financial Crimes Enforcement Network for "Casino Recordkeeping and Reporting Requirements" and is expressing concern and request further clarification of the proposed amendments.

Initially, when FinCEN had proposed the implementation of the regulations concerning suspicious activity reporting, which happened in the late '90's, they accepted written comments but also held meetings that industry representatives could attend and voice their concerns directly to FinCEN officials. The industry appreciated such meetings. Thus, we request that FinCEN again hold public meetings throughout the United States, which industry representatives can similarly attend and share their concerns regarding the proposed regulations.

These comments will focus on each proposed amendment.

A. Jackpots from Slot Machines and Video Lottery Terminals, 103.22(b)(2)(ii) and 103.22(b)(2)(iii)

Further clarification is requested:

- Is the definition of "slot jackpot" inclusive of all cash payouts and "gaming instruments"? (Example: hand pays and tickets)

C1. Gaming Instruments – 103.22(b)(2)(i)(A)

Our property agrees with the proposed amendment. However, further clarification is requested:

- Would "stored value cards" be considered "cash in" only at the time of purchase with cash? If true, we have no objection. What if not true?

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C2. Money plays as bets of currency – 103.22(b)(2)(i)(E)

Our property agrees with the proposed amendment. However, we request clarification of “bets of currency” and the definition of currency and money.

C3 Bills inserted into electronic gaming devices – 103.22(b)(2)(i)(I)

Our property does not currently have a computerized slot data system capable of tracking every bill inserted into a slot machine, which would summarize by player the “cash in”. The information is not available for this without either vast industry wide development and testing or an extensive burden on the property for labor and hardware would be required to assimilate this data into a useful form. Concerns and additional property specific details are noted below.

- The required retention of 5 years for Title 31 would equate to approximately 1.6 TB of computerized storage based on our current data numbers. Clarification is requested in regards to record retention.
- Filtering the cash transactions would involve a massive stored procedure to filter through the millions of records accrued daily and our casino operating system would be slowed or not function properly. Industry vendor software development would be needed.
- The computerized slot data system vendor has verified that the “bills in” tracking on the games by denomination is not truly accurate.
- Player tracking information may not contain accurate address or even the Social Security Number leading to filing of inaccurate information or incomplete CTRC’s. What FinCEN requirements would there be for player account information to be gathered and kept up to date?
- When the computerized slot data system is not currently capable of accurately reporting, “bills inserted into electronic gaming devices”, by player what happens with this amendment?
- Currently a small percentage of our overall players are carded and members of our players club. If a card is not inserted into the machine, there is no way to assign the currency-in to a specific individual. Is it the intent of this law to require that all casino play in the United States be carded? Or is the intent that we only report this information on the customers that voluntarily identify themselves by using a player club card?
- It would be almost impossible to identify if the person using a card to play at a machine was the person the card was assigned to without requesting identification. Has consideration been given to lost or stolen cards?

C4. Tickets and other gaming instruments -103.22(b)(2)(ii)(A)

Our property does not disagree with the reporting of tickets and other gaming instruments as "cash in" when we have "knowledge" and complete the transaction in person. Further clarification and concerns are noted:

- Clarification of redemption is requested. Data may be accrued in tables that would link the ticket printed from a slot to the guest. With redemption at a kiosk, it could be assumed to be by that guest. The same concerns would then be expressed as in C3.

*C6. Travel and complimentary expenses and gaming incentives –
103.22(b)(2)(ii)(I)*

Our property agrees with this amendment to the extent if "currency" is transferred to our guests; it is reportable as "cash out". Further clarification and concerns are noted:

- The definition of currency is requested to clarify the exclusion of player meal comps, coupons, and redemption of club points for merchandise.

C7. Tournaments, contests or promotions – 103.22(b)(2)(ii)(J)

Our property agrees with this amendment to the extent that they are made in currency. We are currently recording tournament, contest and promotion "cash paid outs" for Title 31. Again, clarification is requested from FinCEN in regards to the definition of "currency".

As a single casino in the gaming industry, we appreciate this opportunity to provide our comments and concerns on these proposed amendments. We recognize that these proposed amendments are in relation to the evolution of technological advances in our industry. Collectively these amendments address many issues but also launch many questions.

Sincerely,


Jack Bishop
Interim CEO

JB/sd