GILA RIVER INDIAN COMMUNITY
Stephen R. Lewis
Governor
P.O. Box 97, Sacaton, AZ 85147

April 30, 2026

Submitted via the CFTC Portal to receive comments
https://Comments.CFTC.gov

Christopher J. Kirkpatrick
Secretary of the Commission
Commodity Futures Trading Commission
Three Lafayette Centre
1155 21st Street, NW
Washington, D.C. 20581

RE: Comments in Response to Advance Notice of Proposed Rulemaking, 91 Fed. Reg. 12516 (March 26, 2026)

Dear Secretary Kirkpatrick,

The Gila River Indian Community has reviewed, endorses, and hereby submits the written comments submitted online this date by the National Congress of American Indians and the comments by the Indian Gaming Association in response to the Commodity Futures Trading Commission's (CFTC) Advanced Notice of Proposed Rule Making (ANPRM) regarding event contract derivatives traded on prediction markets.

These comments are submitted by the Gila River Indian Community ("Community"), a federally recognized Indian tribe and sovereign nation whose Indian lands are located within the exterior boundaries of the State of Arizona. The Gila River Indian Community operates four casinos on its Indian lands by its Gila River Gaming Enterprises, Inc., dba, Gila River Resorts and Casinos (GRGE), a tribal corporation chartered and wholly owned by the Gila River Indian Community. The Community is organized under the Constitution and Bylaws of the Gila River Indian Community, Arizona approved on March 17, 1960 by the United States Secretary of the Interior (Secretary) and codified by the Community Council on July 7, 2021. The Community exercises governmental authority over its Indian lands, the Gila River Indian Reservation, located entirely within the exterior boundaries of the State of Arizona.

GRGE has operated its gaming operation at retail casinos pursuant to the 1993 Arizona and Gila River Community Class III Gaming Compact since it opened in 1993 and consistently through the present. *See* Gila River Indian Community and State of Arizona gaming compact, 1993.

GRGE now conducts retail gaming operations at four casinos located entirely on the Community's Indian lands within the Reservation. GRGE's gaming operations are authorized by the laws of the Community[1] and by the Indian Gaming Regulatory Act ("IGRA").[2] In 2021, the State of Arizona and the Community entered into an Amended and Restated Class III Gaming Compact (the "Amended Compact"),[3] which authorizes the Community to operate event wagering.[4] The Amended Compact was amended in 2022 (the "2022 Amendment") with On-Reservation Event Wagering provisions that authorize GRGE to accept mobile event wagers from patrons located anywhere on the Tribe's Indian lands.[5]

The Community conducts its gaming activity, including retail and mobile wagering, on its Indian lands as provided under federal law, principally IGRA, which governs Class III gaming on Indian lands. The Community conducts its Class III gaming under its Gaming Ordinance, approved by the NIGC, and the Amended Compact and the 2022 Amendment, approved by the Secretary as set forth above. The Amended Compact was affirmatively approved by the Secretary and became effective upon its publication in the Federal Register on May 24, 2021. The 2022 Amendment was also affirmatively approved by the Secretary and became effective upon its publication in the Federal Register on June 14, 2022.

The actions of the CFTC in failing to enforce its regulations and statutes has harmed the opportunities for the Gila River Indian Community to provide services to its Community members as intended by the Indian Gaming Regulatory Act.

As more fully described in the comments submitted today by the National Congress of American Indians and the Indian Gaming Association the CFTC is not authorized to extend its jurisdiction over gaming and sports event contracts in an effort to legalize illegal gambling on Indian lands. These contracts compete directly with the lawful gaming operations of the

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[1] The current Gila River Indian Community Gaming Ordinance was last approved by the National Indian Gaming Commission on June 26, 2025, a copy of which is available upon request.

[2] 25 U.S.C. §§ 2701-2721. Under IGRA, an Indian tribe may conduct a casino-style ("Class III") gaming operation only if such operation is conducted "in conformance" with a gaming compact negotiated between the tribe and the State, *see* 25 U.S.C. § 2710(d)(1)(C), and approved by the Secretary of the Interior. *See* 25 U.S.C. § 2710(d)(8). Before conducting such an operation, a tribe must also adopt a gaming ordinance and obtain approval for the ordinance from the National Indian Gaming Commission ("NIGC"). *See* 25 U.S.C. § 2710(d)(1)(A).

[3] *See* Letter from Bryan Newland, Assistant secretary Indian Affairs to Stephen Lewis (date May 21, 2021), https://www.bia.gov/sites/default/files/dup/assets/as-ia/oig/pdf/508%20Compliant%202021.05.24%20Gila%20River%20Indian%20Community%20Tribal%20State%20Gaming%20Compact.pdf. The Amended Compact became effective on May 24, 2021, upon its publication in the Federal Register in accordance with 25 U.S.C. § 2710(d)(8)(D). *Indian Gaming; Approval of Tribal-State Class III Gaming Compacts in the State of Arizona,* 86 Fed. Reg. 27889 (May 24, 2021) (Notice).

[4] Amended Compact § 3(a)(1)(14) ("Tribe is authorized to operate . . . event wagering")

[5] Letter from Bryan Newland, Assistant Secretary Indian Affairs to Stephen Lewis (date June 9, 2022), https://www.bia.gov/sites/default/files/dup/assets/as-ia/oig/pdf/508_compliant_2022.06.14_gila_river_indian_community_tribal_state_gaming_compact_0.pdf

Community and other tribal nations operating in compliance with the Indian Gaming Regulatory Act.

We urge this CFTC to retain and enforce its regulations that correctly ensure compliance with existing State and Federal laws.

Very truly yours,

/S/

Stephen R. Lewis, Governor
Gila River Indian Community