

§542.43 What are the minimum internal control standards for surveillance for a-Tier C gaming operations?

Justification: The title has been modified for consistency with §542.23 and §542.33.

Written Comment (March): It is our understanding that there is the technology that would allow for remote or vpn access to the surveillance system. Therefore, we recommend introducing controls that would provide for the protection of the data on the servers that are a part of the surveillance system comparable to those found in the proposed IT section of the MICS.

Response: The Committee previously reviewed the surveillance section and did not make any recommendations that controls specific to the computerized systems utilized be considered. It is noteworthy that the MICS are intended to represent only the minimum controls necessary to assure the appropriate authorization, recognition and recordation of gaming and gaming related transactions and activities. The IT department has responsibility for systems involved in the collection of gaming related transactional data to facilitate its recognition and recordation. Not least of these functions is the collection of game performance data that revenue audit requires. If the gaming operation has server based games, not only do the IT systems collect operational data but they are also involved in the maintenance of game software directly involved in the determination of winning wagers.

Although the computer systems of the surveillance department are important to the effective operation of the facility, the systems do not rise to the level of those of the IT department and, as a result, the NIGC has determined that there is not sufficient justification to include mandatory controls in the MICS.

(a) The surveillance system shall be maintained and operated from a ~~staffed~~ surveillance room ~~and shall provide surveillance over gaming areas.~~

Justification: The deletions are considered duplications of the standards that follow.

Comment (December): The term “surveillance room” requires a definition because very few casinos use a single room. The term “Surveillance Room” could mean the room where the operators watch the cameras, the DVR room where the equipment records, a review room where Surveillance shows the video to management, Surveillance training areas, etc. This becomes an issue in other parts of this document (i.e. part (b)) because the entrance to the “Surveillance Room” cannot be readily accessible as well as in other sections as listed below. We suggest defining the rooms where the operators conduct Surveillance and the areas where DVRs and other storage equipment is located as the “Surveillance Operation Rooms” This would allow Surveillance departments to locate the review rooms and training rooms in employee hallways. Further, for Tier B we

recommend changing all references to “surveillance room” to “surveillance operation room”. For the purposes of this Section the term “surveillance operation room” means the area of the surveillance department where surveillance is taking place and/or where the surveillance equipment is located.”

Response: Agree. Below definition has been added to §542.2

Surveillance operation room means the area of the surveillance department where surveillance is taking place and/or where the surveillance equipment is located.

Revision based on December comment:

(a) The surveillance system shall be maintained and operated from a **staffed** surveillance **operation** room ~~and shall provide surveillance over gaming areas.~~

Comment (January): Add “as designated by the TGRA” at the end of the paragraph.

Response: Disagree. To be effective, the definition must establish, at a minimum, the scope of the term. The TGRA may, at its discretion, expand the definition. See below revision for additional specificity.

Comment (January): Replace “room” with “room(s)”.

Response: Agree. See below revision to the proposed regulation.

Revision based on January comments:

(a) The surveillance system shall be maintained and operated from a **staffed** surveillance **operation** room(s) ~~and shall provide surveillance over gaming areas.~~

(b) The entrance to the surveillance **operation** room shall be located so that it is not readily accessible by either gaming operation employees who work primarily on the casino floor, or the general public.

Note (January): Consider removing remainder of the paragraph after accessible.

Comment (January): Location is irrelevant to accessibility, provided the entrance is properly secured against unauthorized entry.

Response: Agree. See below revision.

Revision based on January comment and note:

(b) The entrance to the surveillance **operation** room shall **be appropriately secured to prevent unauthorized access.** ~~be located so that it is not readily accessible by either gaming operation employees who work primarily on the casino floor, or the general public.~~

(c) Access to the surveillance **operation** room shall be limited to surveillance personnel, designated employees, and other persons authorized in accordance with the surveillance department policy. ~~Such policy shall be approved by the Tribal gaming regulatory authority.~~ The surveillance department shall maintain a sign-in log of other authorized persons entering the surveillance **operation** room.

Justification: See 542.3 Compliance Section for general standard.

Comment (January): Remove (c), redundant to (b).

Response: Disagree. Paragraph (b) pertains to physical access; whereas, paragraph (c) pertains to the policy of determining who has the authority to access the room and certain documentation requirements.

Comment (January): Replace “other authorized persons” in the second sentence with “surveillance personnel”.

Response: Disagree. The intent of the sign-in log is to document extraordinary access, not routine access.

(d) Surveillance **operation** room equipment shall have total override capability over all other satellite surveillance equipment located outside the surveillance **operation** room.

(e) In the event of power loss to the surveillance system, an auxiliary or backup power source shall be available and capable of providing immediate restoration of power to all elements of the surveillance system that enable surveillance personnel to observe the table games remaining open for play and all areas covered by dedicated cameras.

Auxiliary or backup power sources such as a UPS System, backup generator, or an alternate utility supplier, satisfy this requirement.

(f) The surveillance system shall include date and time generators that possess the capability to display the date and time of recorded events on video and/or digital recordings. The displayed date and time shall not significantly obstruct the recorded view.

(g) ~~The surveillance department shall strive to ensure staff is trained in the use of the equipment, knowledge of the games, and house rules.~~

The surveillance operation room must be attended at all times by personnel trained in the use of the equipment, knowledge of the games, and house rules.

Justification: The revision is intended to add clarity.

Comment (December): Change “must” to “shall”.

Response: Agree. Proposal modified accordingly.

Revision based on December comment:

(g) ~~The surveillance department shall strive to ensure staff is trained in the use of the equipment, knowledge of the games, and house rules.~~ **The surveillance operation room shall be attended at all times by personnel trained in the use of the equipment, knowledge of the games, and house rules.**

(h) Each camera required by the standards in this section shall be installed in a manner that will prevent it from being readily obstructed, tampered with, or disabled by customers or employees.

(i) Where a PTZ camera is used to observe gaming and gaming-related activities, the camera must be placed behind a smoked dome, one-way mirror, or similar materials that conceal the camera from view.

Justification: The revision is intended to establish the standard requiring PTZ cameras to be concealed, thereby precluding employees and customers from being able to detect the area being observed/recorded.

Comment (December): Could be interpreted as a PTZ camera requirement. Replace “observe gaming and gaming-related activities” with “satisfy requirements of this part”.

Response: Disagree with regard to interpretation. The standard is sufficiently clear that it does not require PTZ cameras to be used. Agree with regard to suggested replacement language, as modified.

Revision based on December comment:

(i) Where a PTZ camera is used to satisfy coverage requirements of this part, the camera must be placed behind a smoked dome, one-way mirror, or similar materials that conceal the camera from view.

Comment (December): A smoked dome can reduce clarity in low-light areas.

Response: Disagree. The objective of the control is to prevent patrons and employees from being able to determine the direction of the camera. A smoked dome was only one of the suggested means to satisfy the regulation.

Comment (January): Any concealing material will reduce clarity.

Comment (January): Concealing the direction of the camera plays a minimal role in reducing risk.

Comment (January): Coverage and clarity concerns greatly supersede any benefit of concealing direction.

Response: On reconsideration, agree. Proposed standard will be struck.

Revision based on January comments:

~~(i) Where a PTZ camera is used to satisfy coverage requirements of this part, the camera must be placed behind a smoked dome, one-way mirror, or similar materials that conceal the camera from view.~~

(i) Each camera required by the standards in this section shall possess the capability of having its picture displayed on a monitor and recorded. The surveillance system shall include sufficient numbers of monitors and recorders to simultaneously display and record multiple gaming and count room activities, and **shall** record the views of all dedicated cameras and motion activated dedicated cameras.

(j) Reasonable effort shall be made to repair each malfunction of surveillance system equipment required by the standards in this section within seventy-two (72) hours after the malfunction is discovered. ~~The Tribal gaming regulatory authority shall be notified of any camera(s) that has malfunctioned for more than twenty-four (24) hours.~~

Justification: The standard was moved to (j) (2).

(1) In the event of a dedicated camera malfunction, the gaming operation and/or the surveillance department shall immediately provide alternative camera coverage or other security measures, such as additional supervisory or security personnel, to protect the subject activity.

(2) **The Tribal gaming regulatory authority shall be notified of any camera(s) that has malfunctioned for more than twenty-four (24) hours.**

Comment (December): The notification threshold should be determined by the TGRA. Replace “for more than twenty-four (24) hours” with “in accordance with a time schedule established by the TGRA”.

Response: Disagree. The MICS should be specific and, to the extent possible, incorporate objective criteria for determining compliance. To ensure that

notification is made to the TGRA in a timely manner when a camera cannot be repaired, the regulation needs to specify a time period.

Comment (December): Insert “required” to clarify that the standard applies only to cameras required by the standards in this section.

Response: Agree. Proposed revision is as follows:

Revision based on December comments:

(2) **The Tribal gaming regulatory authority shall be notified of any required camera(s) that has malfunctioned for more than twenty-four (24) hours.**

Comment (January): Include alternative shorter period as determined by the TGRA.

Response: Agree. See below revision to the proposed regulation.

Comment (January): Standard does not specify when notification is to occur.

Response: Agree. See below revision to the proposed regulation.

Comment (January): Insert “within twenty-four (24) hours” after notified.

Response: Disagree. See below revision that is intended to add clarity.

Comment (January): Limit notification requirement to malfunctions resulting in inadequate coverage and clarity.

Response: Agree. See below revision to the proposed regulation.

Comment (January): Insert “immediately” after notified.

Response: Agree. See below revision to the proposed regulation.

Revision based on January comments:

(2) **The Tribal gaming regulatory authority shall be notified immediately of any required camera(s) that has malfunctioned for more than twenty-four (24) hours (or a shorter period as determined by the Tribal gaming regulatory authority) resulting in coverage or clarity that does not meet the requirements of this part.**

~~(k) *Bingo.* (1) The surveillance system shall possess the capability to monitor the bingo ball drawing device or random number generator, which shall be recorded during the course of the draw by a dedicated camera with sufficient clarity to identify the balls drawn or numbers selected.~~

~~(2) The surveillance system shall monitor and record the game board and the activities of the employees responsible for drawing, calling, and entering the balls drawn or numbers selected.~~

Justification: Surveillance standards for Bingo will be addressed in 543.

~~(k) (4) *Card games.* The surveillance system shall monitor and record general activities in each card room with sufficient clarity to identify the employees performing the different functions. view customers, dealers, and activities on the card table surfaces.~~

Justification: The revisions are intended to clarify that the requirement extends to customers and the table surfaces.

Comment (December): Here and throughout this section, is compliance determined by the identification requirements specified in the standard, or must the operation also meet the technical requirements in the Section 542.2 definition of sufficient clarity and in new paragraph (x)(1)(i)?

Response: When the term “sufficient clarity” is used in the surveillance section, the technical requirements at 542.2 must be satisfied (digital – 30 fps and 4 CIF) and the coverage requirement must also be satisfied (customers, dealers, and table surface).

~~(m) *Progressive card games.* (1) Progressive card games with a progressive jackpot of \$25,000 or more shall be monitored and recorded by dedicated cameras that provide coverage of:~~

~~(i) The table surface, sufficient that the card values and card suits can be clearly identified;~~

~~(ii) An overall view of the entire table with sufficient clarity to identify customers and dealer; and~~

~~(iii) A view of the posted jackpot amount.~~

~~(2) [Reserved]~~

Justification: The surveillance standards for progressive card games are being deleted as a result of enhancements to the Card Games section specific to controls governing the accounting for and the auditing of card game room activities.

~~(1)(n) Keno. (1) The surveillance system shall possess the capability to monitor the keno ball drawing device or random number generator, which shall be recorded during the course of the draw by a dedicated camera with sufficient clarity to identify the balls drawn or numbers selected.~~

(1) A dedicated or motion-activated dedicated camera shall be utilized to monitor and record the following, both prior to and subsequent to the calling of a game:

(A) Empty rabbit ears or wheel;

(B) Date and time;

(C) Game number; and

(D) Full rabbit ears or wheel;

(2) The recording of the rabbit ears or wheel during the course of the draw shall

provide a legible identification of the numbers on the balls drawn.

Justification: To revise the regulation to recognize that motion-activated dedicated cameras can satisfy the standard.

~~(3) (2) The surveillance system shall record the keno ball drawing device and the general activities in each keno game area and be capable of identifying with sufficient clarity to identify~~ the employees performing the different functions.

~~(m)(e)~~ *Pari-mutuel*. The surveillance system shall monitor and record general activities in the pari-mutuel area, to include the ticket writer and cashier areas, with sufficient clarity to identify the employees performing the different functions.

~~(n)(p)~~ *Table games*. (1) Operations with ~~four (4)~~ three (3) or more table games shall monitor and record the following: Except as otherwise provided in paragraphs (p)(3), (p)(4), and (p)(5) of this section, the surveillance system of gaming operations operating four (4) or more table games shall provide at a minimum one (1) pan-tilt-zoom camera per two (2) tables and surveillance must be capable of taping:

Comment (December): Remove reference to number of table games. There are no separate standards for operations with fewer than 3 table games in the proposed standards.

Response: Disagree. The number of tables defines the applicability of the rule. If the gaming operation has fewer than three tables, the following standards do not apply. Striking the number would result in the regulation being applicable to properties that have less than three tables.

- (i) Each table game area, ~~W~~with sufficient clarity to identify customers and dealers; and
- (ii) Each table game surface, with sufficient coverage and clarity to simultaneously view the table bank and determine the configuration of wagers, card values, and game outcome.

Comment (December): Strike “simultaneously”. As written the standard could be interpreted to require a single high performance camera.

Response: Disagree. Although the coverage requirement is typically satisfied with one overhead camera, the following is an amended proposed revision intended to add clarity:

Revision based on December comment:

- (ii) Each table game surface, with sufficient coverage and clarity to simultaneously view the table bank and determine the configuration of wagers, card values, and game

outcome. Satisfaction of the coverage requirement may require multiple cameras of different types.

~~(iii) One (1) dedicated camera per table and one (1) pan-tilt-zoom camera per four (4) tables may be an acceptable alternative procedure to satisfy the requirements of this paragraph.~~

~~(2) Operations with three (3) or fewer table games. The surveillance system of gaming operations operating three (3) or fewer table games shall:~~

~~(i) Comply with the requirements of paragraph (p) (1) of this section; or~~

~~(ii) Have one (1) overhead camera at each table.~~

~~(3) Craps. All craps tables shall have two (2) dedicated cross view cameras covering both ends of the table.~~

~~(4) Roulette. All roulette areas shall have one (1) overhead dedicated camera covering the roulette wheel and shall also have one (1) dedicated camera covering the play of the table.~~

~~(5) Big wheel. All big wheel games shall have one (1) dedicated camera viewing the wheel.~~

Justification: The proposed standards are intended to provide greater latitude to gaming operations regarding the number, type and placement of surveillance cameras needed to provide sufficient coverage and clarity over the bank and table wagering activity.

~~(o)(q)~~ *Progressive table games.* (1) **Each P**progressive table games with a progressive jackpot of \$25,000 or more shall be monitored and recorded by dedicated cameras that provide coverage of:

Comment (December): Reconsider the reasonability of the \$25,000 threshold.

Response: Disagree. The threshold is derived from a similar standard in the Nevada MICS.

- (i) The table surface, sufficient that the card values and card suits can be clearly identified;
- (ii) An overall view of the entire table with sufficient clarity to identify customers and dealer; and
- (iii) A view of the progressive meter jackpot amount. If several tables are linked to the same progressive jackpot meter, only one meter need be recorded.

(2) [Reserved]

~~(p) (q) (r)~~ *Gaming machines*. (1) ~~Except as otherwise provided in paragraphs (r)(2) and (r)(3) of this section,~~ **Each** gaming machine offering a payout of more than \$250,000 shall be monitored and recorded by a dedicated camera(s) to provide coverage of:

Comment (December): Strike “Each”, make “Gaming machine” plural.

Response: Agree. Proposed revision amended as follows.

Revision based on December comment:

(1) ~~Except as otherwise provided in paragraphs (r)(2) and (r)(3) of this section,~~ ~~gaming machine~~ **Gaming machines** offering a payout of more than \$250,000 shall be monitored and recorded by a dedicated camera(s) to provide coverage of:

- (i) All customers and employees at the gaming machine, and
- (ii) The face of the gaming machine, with sufficient clarity to identify the payout line(s) of the gaming machine.

(iii) The above requirements do not apply to wide area progressive gaming machines offering a payout of less than \$3,000,000 and monitored by an independent vendor utilizing a linked, on-line progressive computer system.

Comment (December): By this language every machine that pays above \$3 million requires the dedicated cameras. The problem is that most machines with low base payouts of say \$50k can still progress to well over \$3 million. This exception would only apply to machines that ONLY pay up to and not beyond \$2,999,999. All the machines that progress higher than that would require the additional coverage and that is a whole lot of machines!! See the next comment below for more clarity. Does the NIGC mean a BASE payout of \$3 million? If so, that will work still because most machines' base amount is less than \$3 million.

In our opinion this says is that if a machine pays less than \$3 million the enhancements are not required but if the machine pays \$3 million or more they are required. Well, this does not suit the industry at all. The machines start at a number much lower than \$3 million and are able to progress to much more than \$3 million. Thus, the Surveillance departments are not going to watch the progressive meters and install cameras when they reach \$3 million, they must install cameras on ALL machines that can possibly progress to \$3 million or more. That means two cameras for virtually every progressive machine in the every casino. It does not seem probable that a facility would install a camera when the threshold is met or only begin recording when it reaches the threshold. Either it is hung and recording or it is not.

Response: Agree. The following amended revision is intended more clearly defined when the enhanced coverage would be applicable to a wide area progressive machine. Whenever the probability of the payout exceeding the threshold is 25% or greater, the surveillance coverage will apply. Utilizing the formula that the Agency will provide, management will be able to determine at the time the device is put into service.

Revision based on December comment:

(2) The requirements in paragraph (q)(1) do not apply to wide area progressive gaming machines that are monitored by an independent vendor utilizing a linked on-line progressive computer system that have at least less than a 25% probability for a payout of \$3,000,000 or more.

(3) The requirements in paragraph (q)(1) do not apply to in-house progressive gaming machines that have less than a 25% probability for a payout of \$250,000 or more.

(4) Probability calculations for paragraphs (q)(2) and (q)(3) shall be performed using a formula provided by the Commission.

Comment (January): Clarify that the standard is not necessarily a one camera/one machine requirement.

Response: Agree. See below additional standard.

Comment (January): Remove “by a dedicated camera(s)”. The coverage and clarity standards in the subsequent paragraphs are sufficient.

Response: Disagree. Dedicated cameras ensure that a video record of the activity being observed will always be created.

Comment (January): Machine electronic records and verification procedures greatly reduce the relevance of large payout surveillance controls.

Response: Disagree. The control is common to the established gaming jurisdictions and recognizes that a corresponding relationship exist between the risk of compromise and the potential reward. Because of the size of the payouts in question, additional controls are warranted.

Comment (January): Add paragraph (p)(1)(iii): “The coverage required in paragraphs (p)(1)(i) and (p)(1)(ii) does not require one dedicated camera per gaming machine if one dedicated camera is able to provide the required coverage for more than one gaming machine”.

Response: Agree. The following standard is proposed to be added to the proposed revisions to section (p) (1):

Added as a result of January comment:

(iii) The coverage required in paragraphs (p)(1)(i) and (p)(1)(ii) does not require one dedicated camera per gaming machine if one dedicated camera is able to provide the required coverage for more than one gaming machine.

(2) The requirements in paragraph (p)(1) do not apply to wide area progressive gaming machines that are monitored by an independent vendor utilizing a linked on-line progressive computer system that have less than a 25% probability for a payout of \$3,000,000 or more.

Comment (January): Standard appears to reduce risk for the vendor rather than the gaming operation.

Response: Disagree. The controls are relevant to the gaming operation, which, notwithstanding any agreements that may exist between the gaming operation and a vendor, is ultimately responsible for making all wagering payouts to patrons.

(3) The requirements in paragraph (p)(1) do not apply to in-house progressive gaming machines that have less than a 25% probability for a payout of \$250,000 or more.

(4) Probability calculations for paragraphs (p) (2) and (p) (3) shall be performed using a formula provided by the Commission.

Comment (December): The risk associated wide area progressive machines belongs to the vendor, but compliance responsibility and costs are the responsibility of the gaming operation.

Response: Disagree. The vendor has a contractual relationship with the gaming operation. Likewise, the patron enters into a wager with the gaming operation. Should the vendor fail to honor its commitment to the casino to pay a progressive jackpot, the casino is still obligated to make good the payout to the patron.

Except for tribal gaming, the state gaming regulatory authorities typically require strict conditions are satisfied by the wide area progressive vendors, such as a minimum liquidity standard.

Written Comment (March): Put the formula in the regulation; it is our opinion that this formula needs to have the same formal comment period.

Response: The standard was proposed to the Committee and a comment was received that NIGC staff addressed. With regard to the formula being included in the regulation, it was anticipated that the complexity of paytables will evolve and the formula may need to be modified or additional calculations provided; therefore, the ability to readily change the formula needs to be afforded. Furthermore, it is important to recognize that the MICS does not preclude a tribe from developing an alternative method of confirming the 25% probability that is equivalent to the NIGC formula, refer Part 542.3(c) (1).

~~(2) In-house progressive machine. In-house progressive gaming machines offering a base payout amount (jackpot reset amount) of more than \$100,000 shall be monitored and recorded by a dedicated camera(s) to provide coverage of:~~

~~(i) All customers and employees at the gaming machine; and~~

~~(ii) The face of the gaming machine, with sufficient clarity to identify the payout line(s) of the gaming machine.~~

~~(3) Wide-area progressive machine. Wide-area progressive gaming machines offering a base payout amount of \$1 million or more and monitored by an independent vendor utilizing an on-line progressive computer system shall be recorded by a dedicated camera(s) to provide coverage of: (Revised August 12, 2005)~~

~~(i) All customers and employees at the gaming machine; and~~

~~(ii) The face of the gaming machine, with sufficient clarity to identify the payout line(s) of the gaming machine.~~

Justification: The revision is to reduce the surveillance requirements specific to in-house gaming machines without regard to whether the devices are linked to a wide area network. Specifically, the required dedicated camera coverage for large gaming machine payouts is being increased from \$100,000 to \$250,000, which is more consistent with other jurisdictions.

Additionally, to clarify the exemption relevant to wide area progressive systems, the enhanced surveillance requirements are not applicable to actual payouts of less than \$3,000,000 if the device is monitored by an independent vendor utilizing a linked, on-line progressive computer system.

It is noteworthy that under the proposed standards for progressives, no enhanced monitoring or recording is required until such time as the progressive payout amount reaches the specified threshold.

~~(4) Notwithstanding paragraph (r)(1) of this section, if the gaming machine is a multi-game machine, the Tribal gaming regulatory authority, or the gaming~~

~~operation subject to the approval of the Tribal gaming regulatory authority, may develop and implement alternative procedures to verify payouts.~~

Justification: It is proposed that the standard be struck due to its ambiguity.

(q) ~~(s)~~ *Cage and vault.* (1) The surveillance system shall monitor and record a general overview of activities occurring in each cage and vault area with sufficient clarity to identify employees within the cage and customers and employees at the counter areas.

Comment (December): Add identification of currency denominations to the sufficient clarity requirement.

Comment (December): Add verification of transactions to the sufficient clarity requirement.

Response: Agree

Revision based on December comments:

(1) The surveillance system shall monitor and record a general overview of activities occurring in each cage and vault area with sufficient clarity to identify employees within the cage and customers and employees at the counter areas **and to confirm cash transactions occurring between employees and between employees and customers.**

Note (May): In the course of a discussion of another section, it became apparent that there was some confusion as to the meaning of the proposed addition to (q) (1). The standard has been revised to improve clarity.

Revision based on May note:

(1) The surveillance system shall monitor and record a general overview of activities occurring in each cage and vault area with sufficient clarity to identify employees within the cage and customers and employees at the counter areas **and to confirm the amount of each cash transaction occurring between employees and between employees and customers.**

(2) Each cashier station shall be equipped with one (1) dedicated overhead camera covering the transaction area.

~~(3) The surveillance system shall provide an overview of cash transactions. This overview should include the customer, the employee, and the surrounding area.~~

Justification: It is proposed that the standard be struck to eliminate redundancy with (q) (1) and (2) above.

(3) The cage or vault area in which fills and credits are transacted shall be monitored and recorded by a dedicated camera or motion activated dedicated camera that provides coverage with sufficient clarity to identify the chip values and the amounts on the fill and credit slips. Controls provided by a computerized fill and credit system may constitute an adequate alternative to viewing the amounts on the fill and credit slips.

~~(t) Fills and credits.~~

Justification: The separate sub-section for fills and credits has been incorporated into the Cage and Vault requirements.

~~(1) The cage or vault area in which fills and credits are transacted shall be monitored and recorded by a dedicated camera or motion activated dedicated camera that provides coverage with sufficient clarity to identify the chip values and the amounts on the fill and credit slips.~~

~~(2) Controls provided by a computerized fill and credit system maybe deemed an adequate alternative to viewing the fill and credit slips.~~

Justification: The proposed revision is to facilitate clarity by consolidation of (2) into new (3) above.

(r) ~~(u)~~ Currency and coin. Count rooms

Justification: The title has been changed to provide clarity.

(1) The surveillance system shall monitor and record with sufficient clarity all areas where ~~currency or~~ coin may be stored or counted, **including the hard count room, all doors to the hard count room, all scales and wrapping machines, and all areas where uncounted coin may be stored during the drop and count process.**

Justification: The proposed revision is intended to better organize related standards by moving former (u) (3) (iii) to new (s) (1).

~~(2) Audio capability of the soft count room shall also be maintained.~~

Justification: The above standard is proposed to be struck due to its inconsistency with the requirements of the established gaming jurisdictions.

~~(3) The surveillance system shall provide for:~~

~~(2)-(i) The surveillance system shall provide coverage of scales ~~shall be~~ of sufficient clarity to view any attempted manipulation of the recorded data.~~

~~(ii) Monitoring and recording of the table game drop box storage rack or area by either a dedicated camera or a motion-detector activated camera.~~

Justification: To provide clarity regarding the applicability of the rule to all drop boxes, the above standard is being struck and consolidated into (2) (iii).

~~(iii) Monitoring and recording of all areas where coin may be stored or counted, including the hard count room, all doors to the hard count room, all scales and wrapping machines, and all areas where uncounted coin may be stored during the drop and count process.~~

~~(iv) Monitoring and recording of soft count room, including all doors to the room, all table game drop boxes, safes, and counting surfaces, and all count team~~

~~personnel. The counting surface area must be continuously monitored and recorded by a dedicated camera during the soft count.~~

~~(v) Monitoring and recording of all areas where currency is sorted, stacked, counted, verified, or stored during the soft count process.~~

(3)The surveillance system shall monitor and record with sufficient clarity all areas where currency may be stored or counted, and shall include the following:

Justification: To improve organization and clarity, the count room standards have been separated into those related to currency and to coin. The above standard represents, in part, a transfer from (u) (1).

Comment (December): Sufficient clarity for this standard is not sufficiently defined.

Comment (December): Propose separate standards for currency storage areas and currency counting areas.

Response: Disagree with regard to sufficient clarity. The subsections (i) through (iv) define the coverage required.

Disagree with regard to the separating of the standards applicable to storage and counting areas. The standards are sufficiently clear in defining the coverage applicable to each.

(i) (iv) Soft count room Monitoring and recording of soft count room including all doors to the room, all ~~game~~ drop boxes, safes, ~~and~~ counting surfaces, and all count team personnel.

Justification: The proposed revisions are intended to eliminate repetition and to include all types of drop boxes.

(ii) The counting surface area must be continuously monitored and recorded by a dedicated camera during the soft count.

Comment (December): Replace “monitored” with “displayed”.

Response: Agree. Suggest the regulation include both terms to ensure no misunderstanding.

Revision based on December comments:

(ii) The counting surface area must be continuously monitored/**displayed** and recorded by a dedicated camera during the soft count.

(iii) The drop box storage rack or area by either a dedicated camera or a motion-activated dedicated camera.

Justification: To provide clarity regarding the applicability of the rule to all drop boxes, the above standard is being struck from former (3) (ii) and consolidated into new (2) (iii).

(iv) For count rooms utilizing currency counters and currency sorters, the surveillance system must possess the capability to monitor and record all areas where currency is sorted, stacked, counted, verified or stored during the count process. Coverage of the currency counting machines and currency sorting machines must be sufficiently clear to view the currency input, output and reject areas.

Justification: The MICS is currently silent on surveillance of currency counters and sorters. Accordingly, the above standards are intended to identify the relevant minimum surveillance standards.

Comment (December): Testing, maintenance, and repair activities should be excluded from the standard.

Response: Disagree. The proposed standard does not impose a surveillance coverage requirement specific to testing, maintenance and repair.

~~**(v) Monitoring and recording of all areas where currency is sorted, stacked, counted, verified, or stored during the soft count process.**~~

Justification for original revisions: The above standard was moved and incorporated into new (2) (iv).

~~**(v) Change booths. The surveillance system shall monitor and record a general overview of the activities occurring in each gaming machine change booth.**~~

Justification: The above standard is proposed for deletion due to its diminished applicability in tribal gaming.

(s) (w) Video recording and/or digital record retention. (1) All video recordings and/or digital records of coverage provided by ~~the~~ dedicated cameras or motion-activated dedicated cameras required by the standards in this section shall be retained for a minimum of seven (7) days.

Comment (December): Add “or such longer period as required by the TGRA”.

Response: Agree.

Revision based on December comment:

(s) (w) Video recording and/or digital record retention. (1) All video recordings and/or digital records of coverage provided by ~~the~~ dedicated cameras or motion-activated dedicated cameras required by the standards in this section shall be retained for a minimum of seven (7) days, **or such longer period that may be required by the Tribal gaming regulatory authority.**

(2) Recordings involving suspected or confirmed gaming crimes, unlawful activity, or detentions by security personnel, must be retained for a minimum of thirty (30) days.

Comment (December): Add “or such longer period as required by the Tribal gaming regulatory authority”.

Response: Agree.

Revision based on December comment:

(2) Recordings involving suspected or confirmed gaming crimes, unlawful activity, or detentions by security personnel, must be retained for a minimum of thirty (30) days, **or such longer period that may be required by the Tribal gaming regulatory authority.**

(3) Duly authenticated copies of video recordings and/or digital records shall be provided to the Commission upon request.

~~(t)(x)~~ *Video library log.* A video library log, or comparable alternative procedure **approved by the Tribal gaming regulatory authority**, shall be maintained to demonstrate compliance with the storage, identification, and retention standards required in this section.

~~(u)(y)~~ *Malfunction and repair log.* (1) Surveillance personnel shall maintain a log or alternative procedure **approved by the Tribal gaming regulatory authority** that documents each malfunction and repair of the surveillance system as defined in this section.

Justification: Above revisions are relevant to the general recommendation proposed for 542.3.

(2) The log shall state the time, date, and nature of each malfunction, the efforts expended to repair the malfunction and the date of each effort, the reasons for any delays in repairing the malfunction, the date the malfunction is repaired, and where applicable, any alternative security measures that were taken.

(3) The log must be retained for a minimum of 1 year after the date of the last entry in it.

Justification: The MICS are currently silent regarding the retention period for surveillance equipment malfunction logs. The above standard is intended to establish a one year retention period.

~~(v)(z)~~ *Surveillance log.* (1) Surveillance personnel shall maintain a log of all surveillance activities.

(2) Such log shall be maintained by surveillance **operation** room personnel and shall be stored securely within the surveillance department.

(3) At a minimum, the following information shall be recorded in a surveillance log:

(i) Date;

- (ii) Time commenced and terminated;
- (iii) Activity observed or performed; and
- (iv) The name or license credential number of each person who initiates, performs, or supervises the surveillance.

(4) Surveillance personnel shall also record a summary of the results of the surveillance of any suspicious activity. This summary may be maintained in a separate log.

(5) The log must be retained for a minimum of 1 year after the date of the last entry in it.

Justification: The MICS are currently silent regarding the retention period for surveillance incident and activity logs. The above standard is intended to establish a one year retention period.

(w) ~~(x)~~ Digital Surveillance System Standards (1) The digital surveillance equipment used to satisfy the surveillance standards in this Section must:

Comment (December): Replace “must” with “shall”.

Response: Agree.

Revision based on December comment:

(1) The digital surveillance equipment used to satisfy the surveillance standards in this Section shall:

(i) Record and play back video at a minimum of 30 frames per second (FPS), full screen (4 common intermediate format CIF), in real time.

(ii) Produce visual resolution that is adequate to satisfy the sufficient clarity standards in this Section.

(iii) Have adequate storage capacity to maintain for a period of not less than seven (7) days, all images obtained from the video cameras.

(iv) Have a failure notification system that provides audible and visual notification of any failure in the surveillance system or the Digital Video Recording (DVR) media storage system.

Comment (December): Camera failures are not always tied to alarms and this requirement might require major system installations. Provide an alternative such as daily verification of camera and DVR operation.

Response: Disagree. The requirement is not inconsistent with gaming regulatory standards and the capability is common to most digital surveillance systems. Essentially involves the activation or deactivation of a parameter option. The standard should not impose an undue hardship on tribes with digital surveillance systems.

Comment (January): The response does not adequately address the concerns expressed in the comment from the December meeting. Camera failures are not always tied to alarms and this requirement might require major system installations. Provide an alternative such as daily verification of camera and DVR operation.

Response: Agree. Proposed regulation has been amended as follows.

Revision based on January comment:

(iv) Have a failure notification system that provides audible and visual notification of any failure in the surveillance system or the Digital Video Recording (DVR) media storage system. Alternatively, a daily verification of the effective operation of the surveillance system and DVR media storage system components is acceptable.

(v) Have a media storage system that is configured so that a failure of any single component will result in no loss of data from the media storage system.

(2) Access, or the ability to access, a digital surveillance system from any location outside of the surveillance operation room, must be approved by the Tribal gaming regulatory authority. Such transmissions shall be effectively encrypted, firewalled on both ends, and password protected.

Comment (January): Replace “must” with “shall”.

Response: Agree. Proposed regulation is amended as follows.

Revision based on January comment:

(2) Access, or the ability to access, a digital surveillance system from any location outside of the surveillance operation room, shall be approved by the Tribal gaming regulatory authority. Such transmissions shall be effectively encrypted, firewalled on both ends, and password protected.

(3) All digital video disks or other storage media produced from the DVR system must contain the data with the time and date it was recorded superimposed, the media player and the software necessary to view the DVR images, as well as a video verification encryption code (also known as a watermark).

Comment (January): Replace “must” with “shall”.

Response: Agree. Proposed regulation is amended as follows.

Revision based on January comment:

(3) All digital video disks or other storage media produced from the DVR system shall contain the data with the time and date it was recorded superimposed, the media player and the software necessary to view the DVR images, as well as a video verification encryption code (also known as a watermark).

(4) Any failure of a DVR storage media system must be repaired or replaced within 8 hours of the failure.

Comment (December): This standard is unreasonable and nearly impossible to meet. It requires that a qualified repair person be available and both begin and complete the repair within 8 hours, and requires that every facility have replacement components on site for any system failures because ordering and shipping would certainly take the repair outside of the listed time period. Also, it is not limited to “equipment used to satisfy the standards in this section” and

therefore includes DVR's recording cameras that are not even MICS required, such as parking lot cameras.

Comment (December): Add emphasis that the standard applies to total system failure, not individual component failure.

Response: Agree

Revision based on December comments:

(4) In the event of a failure of a DVR storage media system (total system failure), the gaming operation should strive to repair or replace the equipment within 8 hours of the failure.

(5) All DVR equipment must be located in the surveillance operation room and the Surveillance Department shall be ultimately responsible for its proper operation and maintenance.

Justification: The MICS is currently silent regarding digital surveillance system standards. The NIGC surveillance standards within the MICS have not been updated to any material extent since 1999. The above standards are intended to codify the technical specifications that would be consistent with those of the established gaming jurisdictions.

Comment (December): Make "surveillance operation room" plural.

Response: Agree.

Comment (December): Strike responsibility requirement. A vendor can share responsibility for operation, and the IT department can have maintenance responsibilities.

Response: Disagree. Although the surveillance department may engage an external party to perform maintenance and make repairs, responsibility for the department's operation should rest with the management and staff of the surveillance department.

Revision based on December comment:

(5) All DVR equipment must be located in a surveillance operation room(s) and the Surveillance Department shall be ultimately responsible for its proper operation and maintenance.

Written Comment (March): We recommend removing the words “surveillance operation room” and replacing them with “a secure area” in order to avoid any potential conflicts with the proposed definition for “SOR”. Also, as this standard currently reads, it may also prevent the sharing of resources with an IT server locations as both are secure areas with the same level of security and climate control issues, fire suppression, etc.

Response: The Committee reviewed the proposed regulation and had no comment. The physical location of Surveillance equipment does not preclude such equipment from sharing floor space resources with the operation's Information Technology equipment. Due to space limitations, both Surveillance and IT hardware, as well as select operations, may inevitably share the same secured, climate-controlled physical environment. However, the surveillance equipment, operations and management, as well as IT equipment, and its operations and management, shall reside under each function's respective Departments. As such, “surveillance operation room” may correspondingly be considered an “IT operation room”.

Note (May): Following discussion during the conference call, it was decided to change “a surveillance operation room” to “a secured area”.

Proposed revision as a result of May note:

(5) All DVR equipment must be located in a secured area and the Surveillance Department shall be ultimately responsible for its proper operation and maintenance.