

1

2

3

4 NATIONAL INDIAN GAMING COMMISSION

5 CLASS II CLASSIFICATION STANDARDS

6 GOVERNMENT-TO-GOVERNMENT CONSULTATION MEETING

7 WITH THE WYANDOTTE NATION

8

9 HELD IN OKLAHOMA CITY, OKLAHOMA

10 ON AUGUST 8, 2006

11

12

13

14

15

16

17

18

19

20

21

22

23

24

25 REPORTED BY: TRENA K. BLOYE, CSR

NIGC CONSULTATIONS - WYANDOTTE NATION

2

1 APPEARANCES

2

3

4 NATIONAL INDIAN GAMING COMMISSION:

5

6 Philip N. Hogen, Chairman

7 Cloyce "Chuck" V. Choney, Commissioner

8 Natalie Hemlock, Special Assistant to the

9 Commission

10 Penny Coleman, Acting General Counsel

11 Michael Gross, Senior Attorney

12 John R. Hay, Staff Attorney

13 Joseph M. Valandra, Chief of Staff

14 Tim Harper, Region Chief, Region V

15 Marcy Pate Olber, Senior Field Investigator

16

17

18 ON BEHALF OF THE WYANDOTTE TRIBE:

19

20 Dennis Smotherman

21 Earline Roskob

22 Dennis Pontierre

23 Dan Captain

24 David McCullough, Attorney

25

NIGC CONSULTATIONS - WYANDOTTE NATION

3

1 COMMISSIONER CHONEY: Welcome to

2 this NIGC Class II consultation meeting. For

3 the record, these proceedings will be

4 recorded. We have a court reporter here. And

5 this matter, meeting is a matter of public

6 record. And eventually we are going to put

7 this meeting and all other consultation

8 meetings and the previous meetings we have had

9 for the last four weeks, we are going to put

10 them on our website.

11 And there will also be

12 transcripts, so if you ever wish to get a copy

13 of that, just write in for it. We have a

14 suspicion that there are some organizations
15 that's going to probably obtain all of these
16 written transcripts.

17 For the record, my name is Chuck
18 Choney. I'm a commissioner with the National
19 Indian Gaming Commission. I would like to
20 introduce Phil Hogen, chairman for the
21 National Indian Gaming Commission. Seated
22 next to Phil is Penny Coleman, our acting head
23 of our division counsel. Tim Harper is our
24 region director from Tulsa. Sitting next to
25 me is Joe Valandra, our chief of staff.

NIGC CONSULTATIONS - WYANDOTTE NATION

4

1 Seated next to him is John Hay, senior
2 attorney for the Office of General Counsel.

3 Brian Moody, senior field
4 investigator from our Tulsa region. Seated
5 next to me will be Natalie Hemlock. She is
6 our special assistant. She had to step out a
7 moment. We have other of our staff members,
8 they will be in and out. So, if you could
9 introduce yourself for the record.

10 MR. McCULLOUGH: I will start and
11 go this way. My name is David McCullough.
12 I'm the attorney for the Wyandotte Nation.

13 MR. PONTIERRE: I'm Dennis
14 Pontierre. I am the head of Economic
15 Development for the Wyandotte Nation.

16 MR. CAPTAIN: Dan Captain, general
17 manager for the casino.

18 MS. ROSKOB: Earline Roskob,
19 Second Chief, Wyandotte Nation.

20 MR. SMOTHERMAN: Dennis
21 Smotherman, gaming commissioner.

22 CHAIRMAN HOGEN: Well, welcome.
23 And thank you for coming to consult with us on
24 a government to government basis. We are
25 gathered here pursuant to regulations that

NIGC CONSULTATIONS - WYANDOTTE NATION

5

1 have been proposed and put into the "Federal
2 Register" on the 25th of May relating to a
3 matter distinguishing between the Class II
4 technologic aids tribes can use to play Class
5 II games and those electronic facsimiles of

6 games of chance that require a private state
7 compact to play as Class III.

8 In addition to publishing those we
9 have been on the consultation trail. And this
10 Friday we will publish a set of proposed
11 technical standards. Technical standards and
12 classifications standards started out kind of
13 as a package. But when we decided to go
14 forward this spring, we realized those
15 technical standards have been on the shelf so
16 long they were a little bit obsolete, given
17 the advances of technology. So we fine-tuned
18 them and addressed those concerns and they
19 will be out here. And, hopefully, thereafter,
20 these will kind of proceed as a package.

21 We are very interested to hear
22 what the Wyandotte Tribe has to say about what
23 we have got on the drawing board. We know you
24 have multiple approaches to gaming. You're
25 kind of rolling through the court system in

NIGC CONSULTATIONS - WYANDOTTE NATION

1 one of those phases. We wish you well in

2 connection with that. We know that you have
3 an existing Oklahoma operation here. And
4 probably Class II is of interest in all of
5 your focus.

6 We think the tribe will be better
7 served if and when the day comes as to when
8 there is some clarity what you can do without
9 a compact and what you can't do. If you want
10 to invest millions of the tribes dollars you
11 want to do it in a way that someone isn't
12 going to come along the next day and say,
13 "Hey, you can't do that." So we hope to get
14 to the right place. We are getting a lot of
15 good advice to help us get there.

16 So having said that, we invite
17 your questions, comments, concerns about what
18 we propose.

19 MR. McCULLOUGH: Who wants to go
20 first?

21 MS. ROSKOB: Go ahead.

22 MR. McCULLOUGH: I think they are
23 going to defer to me. We have had some
24 general discussions with the tribe and I want

25 to discuss this particular tribe's feelings on

NIGC CONSULTATIONS - WYANDOTTE NATION

7

1 the issues. I think there certainly are some
2 issues that probably --I don't know how many
3 consultations you have had today, but we have
4 talked about those same things over and over
5 again, and we probably will.

6 But several I think the tribe is
7 concerned about as a general concept, the way
8 that they perceive these regulations as in
9 place now is that, one, it's very limiting as
10 to -- this is kind of reverse what we are
11 talking about, but it's very limited as to
12 what is a Class II game. I only say that to
13 lay the context of a couple of things that the
14 tribe is concerned about.

15 When you say it gives more clarity
16 in the compacting environment, the tribe's
17 concern is that if these regs go into effect,
18 that the quality of game that's available
19 under the Class II definitions are, really, a
20 game that's not profitable. It's takes out

21 the profitability of the games. And that
22 causes the tribe a concern.

23 As you may be aware, the tribe is
24 expanding its facilities now. Part of that
25 business plan was always a good mix of Class

NIGC CONSULTATIONS - WYANDOTTE NATION

8

1 II and Class III games. Obviously, Class III
2 games, the state, obviously, takes a percent
3 of those games. Within the business plan, a
4 good mix of Class II and Class III, the tribe
5 believes, help it in maximizing its profit.
6 We don't share in all of those.

7 And the regs as written, which,
8 quite honestly, my opinion is would virtually
9 remove all games, all electronic games that
10 are profitable, which essentially put the
11 tribe in a position of putting all Class III
12 compact games in there, which puts them at the
13 mercy of the state on several levels,
14 obviously, the state's definitions of what
15 compact games are. I am going to call them
16 compact games as opposed to Class III, because

17 they are whatever the state defines.

18 And the state, with a competitive
19 Class II environment -- which is what we're
20 interested in -- with a competitive Class II
21 environment then I believe the state gaming
22 association is going to be probably much more
23 creative in what games, or what specifications
24 those compact games are.

25 Without that -- I don't want to

NIGC CONSULTATIONS - WYANDOTTE NATION

9

1 use the word leverage, but I will for right
2 now. Without the leverage of good Class II
3 games in the arena of play, we feel like it
4 puts us in a very competitive disadvantage.
5 It's kind of hard to say disadvantage, but it
6 certainly doesn't give us the model, the
7 business model we believe we have with a good
8 Class II mix.

9 And from a financial position,
10 that's our concern. And the example that,
11 certainly, a lot of attorneys in Oklahoma have
12 talked about is if these regs had been enacted

13 three years ago, very few of us believe we
14 would have compacts today. Because we didn't
15 have -- if we were playing the games that a
16 lot of us envisioned, we would be playing as a
17 result of these regs, I don't think the state
18 would have ever come to the table in the
19 compact environment. They were -- it was our
20 leverage. We lost the leverage to sue.
21 Basically, that's gone if they fail to
22 negotiate in good faith.

23 And our leverage was we had a good
24 mix of good Class II games as the regulations
25 are and the case law now has in effect. And

NIGC CONSULTATIONS - WYANDOTTE NATION

10

1 I'm just -- this is an overall, not addressing
2 any particular part of it. But the way we see
3 as a matter of policy it impacts a tribe is
4 that this takes away all the leverage that the
5 tribe has in negotiating these compacts.

6 Now, you can say, "Well, we've got
7 compacts until 2020, so what's the problem?"

8 Well, the tribe has been here 400 years and

9 expects to be here 400 year more. So in a
10 short 14 years of the next 400, we're going to
11 be at the table with the state again.

12 And it's difficult to see under
13 these regulations what leverage we have in
14 these negotiations. And I think that should
15 be a concern of the NIGC. Maybe it's
16 perceived it's not, but I think it should be,
17 is how does this impact the tribe's
18 competitive advantage in the gaming
19 environment.

20 And that's one of the concerns
21 that the tribe has expressed. And, again,
22 this is becoming a very competitive
23 environment even among the tribes now as we
24 move to compact. Obviously, you more or less
25 alluded to it. The compacts do provide some

NIGC CONSULTATIONS - WYANDOTTE NATION

11

1 certainty. And tribes are making larger
2 investments in Oklahoma now and there are
3 larger facilities coming up, which, you know,
4 we don't know what the saturation point is if

5 we all start developing our business models
6 now. And the Wyandotte's stay in the
7 northeastern part of the state in not a large
8 populated area.

9 So all of these things track in.
10 And, obviously, with the Class II machines and
11 the ability to retain all of those profits,
12 whatever business model we have regardless of
13 the size we ultimately have in our facility,
14 it has a -- the regs as we see them now and
15 the type of games that we would envision those
16 regs allow would simply put us in a pure
17 compact machine environment, and we don't
18 think that's in the best interest of the
19 tribe.

20 CHAIRMAN HOGEN: Well, let me
21 pursue a couple of points that you made.

22 MR. McCULLOUGH: Sure.

23 CHAIRMAN HOGEN: If I were asked
24 to characterize the approach the State of
25 Oklahoma took when it insisted on what it

NIGC CONSULTATIONS - WYANDOTTE NATION

1 insisted on as far as defining the compact of
2 games, I would say that was pretty
3 conservative. They didn't allow a big variety
4 of Class III games in the compact.

5 MR. McCULLOUGH: And some would
6 say they actually took what we would call
7 Class II games and defined them as compact
8 games.

9 CHAIRMAN HOGEN: Okay. But for
10 whatever reasons, probably in part the stream
11 of revenue they were looking at didn't
12 materialize. I think their application of
13 those has been somewhat liberal. That is, I
14 was surprised that they said some of these
15 games they deemed to be compatible with the
16 compact were put into that category, because I
17 thought if they were going to stay
18 conservative, they might have narrowed that.

19 But would you agree or disagree
20 with that perception? And I can't remember
21 the game in question, but there were some of
22 those that --

23 MR. McCULLOUGH: Right. I think I

24 would agree that there has been some surprise

25 as to on the specifications and the type of

NIGC CONSULTATIONS - WYANDOTTE NATION

13

1 games that were allowed in. And I do -- your

2 choice of words there I think is correct. I

3 think a lot of that is related to the stream

4 of revenue.

5 And, of course, let's say these

6 regs go in place and it plays out the way we

7 see it does to where we are all, obviously,

8 all in compact games, the stream of revenue

9 increases. As the stream of revenue

10 increases -- and part of this is my perception

11 of Oklahoma public policy. And the stream of

12 revenue increases I seriously doubt we would

13 see that creativity in it. I think it would

14 revert to the -- I think it would tend to go

15 more conservative as that happened.

16 But also, I think the stream of

17 revenue is a large part of that. Part of that

18 was no one was prepared when this compact went

19 into place. The state had made political

20 projections to pass this compact. And there
21 was no way, and everyone knew, that they could
22 meet those projections in the first year or
23 so, because the ones who understand the
24 business knew it wasn't going to go to a pure
25 compact environment.

NIGC CONSULTATIONS - WYANDOTTE NATION

14

1 But there were certainly a lot of
2 us who believed that the state was compacting
3 and anticipating that regulations like the one
4 the NIGC has now on the table, that those
5 regulations would go into place
6 contemporaneous with the passage of the
7 legislation or soon thereafter. Because I
8 think the state understood, at least I picked
9 this up from the governor's negotiator several
10 times, that the more restrictive the Class II
11 definition was, the more the tribes had to
12 move into the compact games.

13 And I think they were looking to
14 the NIGC to get these -- not that the state
15 and the NIGC were working together -- but the

16 state was obviously aware what was going on.
17 I mean, this is a long process and everyone
18 was aware. I think they were anticipating
19 that the NIGC would come out with these
20 regulations and get them in place so they
21 could impose their will on the compact games
22 and that would be it.

23 And if that had happened at that
24 time, I don't think the state would be as
25 creative. Now we're talking my opinion. So I

NIGC CONSULTATIONS - WYANDOTTE NATION

15

1 don't want to put everything on the tribe at
2 this time.

3 CHAIRMAN HOGEN: And we certainly
4 are concerned about not just what's going to
5 happen between now and 2020. We are trying to
6 take care of a long view. And there are times
7 when uncertainty contributes to successful
8 negotiations and probably times when it
9 doesn't. If you are going to trial you can
10 settle the case for a known quantity or you
11 can roll the dice and let the jury decide.

12 And that's unpredictable.
13 You know, but the Indian gaming
14 regulatory head created the National Indian
15 Gaming Commission, and it mandated that we
16 promulgate some federal standards. I didn't
17 say exactly where we promulgate those
18 standards. But it seems to me this is
19 certainly an area that cries out for some
20 clarity.

21 I think that if at the end of the
22 day we promulgate a standard that's defensible
23 as being consistent with the Indian Gaming
24 Regulatory Act and its legislative history
25 and the case law that's been developed since

NIGC CONSULTATIONS - WYANDOTTE NATION

16

1 that time, and we come up with a fun,
2 profitable, attractive Class II game or games
3 that can be played pursuant to that, the
4 tribes will be well served when they go to
5 negotiate with states, as the states will say,
6 "Well, if we don't cut a deal with them, they
7 can go do Class II, so we better come to the

8 table." And I understand what you're saying,
9 it's not fast and fun enough and it's not
10 profitable enough under the way we have got it
11 designed right now.

12 You know, the case law focused
13 largely on these Mega Mania bingo games that
14 started here in Oklahoma. And those were
15 played on a clunky computer table that had
16 four bingo cards on it. You couldn't start
17 playing that game until twelve people were
18 playing, and it took a minute to play the
19 game.

20 And the proposals that we have got
21 on the drawing board, you can start the game
22 with as few as two people, and you can play
23 the game in ten seconds. We're not trying to
24 say go back to the stone age. We are saying
25 use technology.

NIGC CONSULTATIONS - WYANDOTTE NATION

17

1 But what I read in these cases is
2 you can't be all in the machine. You can't
3 have the machine automate everything or it

4 becomes a facsimile of a game of chance. You
5 have got to have player participation. Well,
6 if you are going to have player participation,
7 you have to have a little interval there to
8 participate. You have to have some time to
9 get in there and do it. Just like at a paper
10 bingo game, if you are not paying attention,
11 if you are not participating, you can lose
12 your opportunity to win, you can sleep your
13 bingo. So we say in that little ten second or
14 whatever window, you have got to be involved
15 in the game.

16 I think the courts would say,
17 "Yeah, that's consistent with the theory we
18 developed in the Mega Mania cases, so forth,
19 and consistent with that player participation
20 that the Indian Gaming Regulatory Act either
21 said or alluded to.

22 So, just what is the right mix,
23 that's what we're trying to come up with. But
24 in terms of explaining why we're going in the
25 direction we're going, that, in part, reflects

1 my thought.

2 MR. McCULLOUGH: And I think that
3 just in picking up a couple of things, just in
4 terms of player participation, if it's 10
5 seconds or 30 seconds or two seconds or one
6 second, what's the difference there? How is
7 that determined? The fact that I'm looking up
8 at the -- the fact that -- I mean, we all
9 agree -- the tribe will agree that congress
10 could not have envisioned in 1998 where Class
11 II would take off to by 1988 to 1997, let's
12 say. But, there was a mechanism put in place.
13 It was bingo or electronic facsimile thereof.

14 There doesn't appear to be a --
15 and as long as it's played within the
16 parameters of bingo -- do you have two people
17 playing? If you had one buy into a paper
18 bingo game, you could have one playing. It's
19 been so long since paper bingo, I don't think
20 if that's actually possible or not.

21 But who defines the number of
22 play, who defines the patterns, that was

23 always left to the entity who was putting
24 forth the bingo game, which was left to the
25 tribe. I mean, that's another issue that the

NIGC CONSULTATIONS - WYANDOTTE NATION

19

1 tribe has, is that this whole process -- and I
2 know we're here to talk about the game
3 classification standards, but it's hard to
4 look at that without looking at some of the
5 legislation that's in place.

6 And it appears to be a whole
7 process to essentially place the entire
8 regulatory -- the entire regulation of these
9 games within the NIGC and take it totally away
10 from the tribes that the NIGC is essentially
11 defining now, except that I guess people
12 actually send it out to a private gaming lab.
13 But the NIGC is essentially defining what the
14 Class II games are and not the tribe. And
15 that appears to be a usurpation of the way
16 congress set it out.

17 Am I wrong?

18 CHAIRMAN HOGEN: No, you're not

19 wrong.

20 MR. McCULLOUGH: It's essentially
21 the entire regulatory process moves underneath
22 the NIGC.

23 CHAIRMAN HOGEN: You're not wrong
24 in that there would be limits, you know, or
25 minimums beyond where tribes couldn't go.

NIGC CONSULTATIONS - WYANDOTTE NATION

20

1 There is restraint. No doubt about that.

2 But in Oklahoma, in the late
3 1990s, we had a situation where tribes were
4 doing just that, defining what was Class II.
5 And they soon crossed the line blatantly, in
6 my view, playing stand-alone games saying,
7 "Well, we can defend this as Class II." And
8 it was indefensible. And as a result of that,
9 NIGC closed a number of facilities. NIGC
10 fined some tribes millions of dollars. And
11 that is, in my view, a terrible way to deal
12 with tribes.

13 Rather, let's say as clearly as we
14 can, this is where you can go and where you

15 can't go, as opposed to somebody sticking
16 their neck out, push the envelope and then
17 getting closed down and fined millions of
18 dollars.

19 That was part of this evolutionary
20 process that got us to where we are. But I
21 would much rather write a regulation and go to
22 court over whether that was right or wrong
23 than close the Wyandotte facility and fine you
24 \$2 million and have you defend on that basis.
25 In the first place, by the time we get done

NIGC CONSULTATIONS - WYANDOTTE NATION

21

1 the machine we were talking about is going to
2 be obsolete and we start all over again.

3 MR. McCULLOUGH: Right.

4 CHAIRMAN HOGEN: In the meantime,
5 chaos also prevailed.

6 MR. McCULLOUGH: Well, I guess you
7 would have to define chaos in whether Oklahoma
8 tribes think there has been chaos for the last
9 ten years or not. But, again, you bring up
10 another point. This is another thing that we

11 have talked about -- and most tribes in
12 Oklahoma -- and I know your regulations
13 aren't. You didn't go to the State of
14 Oklahoma and say, "Let's draft up some
15 regulations." I'm going to say that you
16 didn't do that, and I know you didn't.

17 But most tribes in Oklahoma see
18 this as almost in conjunction with the way
19 they see the state came up with. You know,
20 tribes didn't compact in Oklahoma. The State
21 of Oklahoma passed a piece of legislation and
22 said you either -- "Here's an offer, and you
23 either take it or you don't." So, there
24 wasn't any negotiations of these things.

25 And it's kind of the mindset of

NIGC CONSULTATIONS - WYANDOTTE NATION

22

1 Oklahoma tribes that whenever something
2 becomes profitable to the detriment of --
3 where the state can't compete, that somehow,
4 somehow, either through the courts or through
5 a federal government entity, whatever, that
6 they are interjected into the process to

7 deprive the tribe of rights they have.

8 Clearly the tribe -- Cabizon (ph.)
9 took away certain rights the tribe has. We
10 are dealing with it now. And tribes see it
11 that way. And tribes see the NIGC moving in
12 and, essentially, taking on the regulatory
13 process which does, obviously, impacts the
14 management and thus potentially impacts the
15 profitability.

16 Whether or not they are profitable
17 can depend on now what the NIGC regulates as
18 opposed to what internally, they are
19 regulating through their own commission. They
20 see that as no different than that the state
21 has done in the past on cigarette -- when the
22 tribes became profitable in the cigarette tax
23 area, when they became profitable in motor
24 fuel.

25 Anything else where they become

NIGC CONSULTATIONS - WYANDOTTE NATION

1 profitable, there is always some governmental
2 entity to come in and pull them back to a more

3 level playing field, which is always
4 interesting in Oklahoma. We never talk level
5 playing field unless the tribe is up here and
6 the state is here, and then we have got to
7 level it. (Indicating)

8 And I know we are talking about
9 concepts. And I know a lot of people are
10 going to sit in here and talk about, well, if
11 it's three in a row, why can't it be two in a
12 row? I do have a question about that, but
13 we're not talking about that now.

14 But from the tribal perspective,
15 that's what they see, is this is just another
16 governmental entity coming in and attempting
17 to pull back an unjustly -- in the tribe's
18 position, unjustly so. Because, you know, the
19 Wyandotte Tribe in Oklahoma gaming has just
20 established their own little operation and
21 they are expanding it now, so they are
22 successful at it. And they haven't had any
23 problems.

24 Sure, I think there are problems.
25 There is problems in every state with one or

NIGC CONSULTATIONS - WYANDOTTE NATION

24

1 two tribes. But to deprive each tribe of
2 their regulatory authority because of some
3 perceived and some actual, that problems. The
4 tribe sees that as an overbroad sweep. I
5 might get some reaction there, but an
6 overbroad sweep of a governmental entity
7 focusing on Oklahoma gaming.

8 MR. SMOTHERMAN: I'm sitting here
9 going through it, and you basically put all
10 our positions on the table.

11 MR. McCULLOUGH: I think that one
12 thing we have talked about, and again, this
13 goes to level playing field. We just see this
14 as the old concept of you follow the money.
15 Well, the money is going to the tribes right
16 now. And this whole environment that's being
17 created is guaranteed to allow the states to
18 cut, to take a greater cut of tribal profits.
19 I don't want to hog you all up.

20 Ms. ROSKOB: You're doing fine.

21 MR. PONTIERRE: Just from an

22 operator's view, I'm not even sure I could run
23 paper bingo on some of the rules you have put
24 in place, as far as time constraints and
25 stuff.

NIGC CONSULTATIONS - WYANDOTTE NATION

25

1 MS. COLEMAN: They do not apply to
2 paper bingo.

3 MR. PONTIERRE: Bingo is bingo. I
4 voice the same thing. It seems like you're
5 trying to amend the IGRA by regulations. I
6 got my two cents.

7 MR. McCULLOUGH: Anything else? I
8 can't believe we're not --

9 CHAIRMAN HOGEN: Well, if you
10 think of something later on that you want to
11 share with us, the written comment period we
12 will extend to the 30th of September. We are
13 eager to hear from you. And you we are not
14 unmindful of tribal sovereignty. That's first
15 and foremost. And that tribes are the primary
16 regulators. They do the heavy lifting. They
17 are there all day, every day.

18 But, you know, congress wrote,
19 probably imperfectly, this act. But it has
20 been an economic miracle what it brought to
21 the Indian country. We want to be part of the
22 solution and not part of the problem.

23 Indian gaming has grown to \$23
24 billion nearly, either on account of or in
25 spite of the National Gaming Commission. I

NIGC CONSULTATIONS - WYANDOTTE NATION

26

1 don't think we deserve the credit for that.
2 But I think it's obvious we haven't stood in
3 the way so much that it wasn't able to
4 blossom. Hopefully, this won't do that
5 either.

6 There always will be a place for
7 Class II gaming. It can't be so restrictive
8 that it won't be profitable or -- we know the
9 attention span of the American public is
10 changing in this electronic age and technology
11 is moving at a great pace. But we have the
12 act as written in 1988, and we have the
13 responsibility to try and keep going the way

14 it was written. We think this regulation is
15 appropriate.

16 Maybe after we get all this good
17 advice we decide, "No, we shouldn't do any
18 regulations," or maybe they will look
19 different than what we have got on the drawing
20 board now. We will take your concerns in
21 consideration before we finalize our decision.

22 MR. SMOTHERMAN: When did you say
23 the technical standards will be coming out?

24 CHAIRMAN HOGEN: Friday they will
25 be appearing in the "Federal Register".

NIGC CONSULTATIONS - WYANDOTTE NATION

27

1 MR. VALANDRA: Almost all of the
2 transcripts to this point as well, virtually
3 all of the written comments are on our web
4 page as of yesterday morning. So you can look
5 at them and download them if you would like.

6 CHAIRMAN HOGEN: I expect when you
7 read those transcripts you will say, "Why
8 can't Hogen say anything the same way twice?"
9 I will probably have said it a different way

10 with every tribe we have talked to. But,
11 hopefully, the intent of where we are trying
12 to go is consistent.

13 MR. McCULLOUGH: Well, if I can't
14 get the tribe to speak up any, we are done.

15 CHAIRMAN HOGEN: Thank you very
16 much for visiting us.

17 (Proceedings concluded.)

18

19

20

21

22

23

24

25

NIGC CONSULTATIONS - WYANDOTTE NATION

28

1 CERTIFICATE

2

3

4 STATE OF OKLAHOMA)

) SS:

5 COUNTY OF OKLAHOMA)

6 I, Trena K. Bloye, Certified Shorthand
7 Reporter for the State of Oklahoma, certify that the
8 foregoing transcript of proceedings taken by me in
9 stenotype and thereafter transcribed is a true and
10 correct transcript of the proceedings; that they
11 were taken on August 8, 2006, at the Cox Convention
12 Center, Oklahoma City, State of Oklahoma; that I am
13 not an attorney for nor a relative of any said
14 parties, or otherwise interested in the event of
15 said action.

16 IN WITNESS WHEREOF, I have hereunto set my
17 hand and seal of office on this the 11th day of
18 August, 2006.

19
20
21
22
23
24
25

Trena K. Bloye
Certified Shorthand Reporter
for the State of Oklahoma