

# Memo

**To:** NIGC Outreach  
**From:** Vince Cook  
**CC:** Chairperson Gasco-Bentley, Gaming Regulatory Commission  
**Date:** 08-11-21  
**Re:** Comments on NIGC Proposed Revisions

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The NIGC proposed revisions posted for comment have been reviewed. Little Traverse Bay Bands of Odawa Indians (LTBB) has drafted comments on the proposed changes and submit them for your review and consideration. The comments are below. Please contact Gaming Regulatory Commission Director Vince Cook if there are any questions or if more information is needed.

## **25 CFR Part 522 – Submission of a Gaming Ordinance or Resolution**

522.2 (h) This should state “Identification of a law enforcement agency or process used for taking fingerprints and a copy of the procedures for conducting a criminal history check.

LTBB utilizes the Cross match Fingerprint system approved by the NIGC and the FBI to process fingerprints and does not utilize a law enforcement agency.

## **25 CFR Parts 502, 556, & 558 – Primary Management Official and Key Employee Definitions and Licensing Requirements**

### 502.14 Key Employee

(a) (9) This should read “Custodians of gambling devices, gaming supplies, cash and accounting records within such devices, or Custodians of confidential or proprietary information or records.

Just stating “cash” in this section can lead to confusion in regard to custodians of cash such as food and beverage cashiers or bartenders, or hotel front desk clerks and could result in these positions being classified as Key Employees. Recommend using “Gaming Cash” to cover other employee such as Cage employees and Count Room Employees.

Custodians of confidential or proprietary information or records should be included in this section and classified as key employees.

(a) (11) Recommend this language, “Tribal Gaming Regulatory Commission and/or staff when required by Tribal Ordinance or Regulations”

LTBB currently classifies the Gaming Regulatory Commission and Regulatory Managers as Primary and staff as Key, as they have the ability to hire and fire and set/approve working policies for the gaming operation, have access to all areas and records.

- (b) Disagree - Unescorted access to secured areas should not be allowed.
- (c) Agree – Current amount of \$50,000 is to low and increase in this amount is overdue.
- (d) Agree – With addition

(d) Disagree with this deletion – Disagree with this deletion – The gaming industry is constantly changing. New areas of growth and changes in technology require Tribes to have the ability to quickly make changes to effectively regulate

502.19 Primary Management Official

(b) (3) Disagree – (1) and (2) are very clear, Supervisors should only be classified as Primary if they have the authority under (1) and (2).

(d) Agree with the addition

556.4 Background Investigations – Agree

556.6 Report to the Commission – Agree

556.8 Compliance with this Part – Agree with date updated

558.3 Notification to the NIGC of license decisions and retention obligations – Agree

558.4 Notice of information impacting eligibility and licensee’s right to a hearing – Agree

558.6 Compliance with this part – Agree with date updated

**25 CFR 514.4**

(f) Agree

**25 CFR 559.2**

(b) (1) Agree

**25 CFR Part 537**

Not Applicable – LTBB Gaming Regulatory Statute currently prohibits Management Contracts