

LTBB Gaming Regulatory Commission
911 Spring St., Petoskey MI, 49770

September 8, 2022

Chairman E. Sequoyah Simermeyer
National Indian Gaming Commission
90 K Street NE Ste 200
Washington DC 20002

Dear Chairman Simermeyer,

The Tribal Gaming Regulatory Commission of the Little Traverse Bay Bands of Odawa Indians is submitting the following comments on the proposed revisions to 25 CFR 502.

Section 502.14:

502.14 (b) We disagree with the Key Employee definition proposed revision which adds "Any person with unescorted access to restricted areas". This language is too broad without a definition. The back of the house break room, offices and hallways are all considered restricted areas as they are not open to the general public but all employees have general access to these areas.

Areas such as the Count Room, Cage, Information Technology Rack Room and Surveillance for example are considered "Secured Areas" and as such unescorted access is not allowed. All employees with unescorted access to these areas work in these areas and are required to be licensed as key.

We believe another definition should be added that will more clearly include additional employees that should be licensed as Key.

- Custodians of confidential or proprietary information. The addition of this definition for example would include Human Resources, Marketing, Information Technology, Accounting and Surveillance.

502.14 (d) We disagree with the removal of "Any other person designated by the Tribe as a key employee". Improved definitions such as "Custodians of confidential or proprietary information" will allow Tribes to make the determination as to which positions this will apply to.

The revision which states: "Any other employee of the gaming enterprise designated by the Tribe as a key employee in its gaming ordinance" is too restrictive. The Gaming Industry is constantly changing and as such the Tribal Gaming Regulatory Authorities need the ability to quickly change with the industry. This change will require Tribes to change their Gaming Ordinance prior to licensing a new position as key. This will restrict TGRA's ability to quickly adjust to changes in the gaming industry.

502.19 (b) (3) We disagree with this proposed addition for Primary Management Official "Any person who has the authority; (3) To supervise a key employee of the gaming operation."

It is our opinion, the current definition clearly defines duties that qualify a position to be classified as a Primary Management Official. The ability to hire and fire and the ability to set up working policy for the gaming operation. These two definitions give the Tribal Gaming Regulatory Authority the ability to identify gaming management positions that should be licensed as Primary Management Officials.

Supervisors do not have the ability to hire and fire or set up working policies and as such should not be licensed as Primary Management Officials. It is our opinion that the intent for this license is for Gaming Management to undergo a more thorough background investigation due to their level of authority and responsibility.

This change would require approximately 60 employees to be reclassified as Primary Management Officials. It is our opinion that since a Supervisory role is not managerial this definition should not be added.

502.25 We agree with this revision. This definition of "Gaming Enterprise" will give Tribes the ability to conduct a thorough background investigation and license Regulatory staff.

Respectfully Submitted,

A handwritten signature in black ink, appearing to read "David Dominic", written over a horizontal line.

David Dominic
LTBB Gaming Commission Chairman