



National Indian Gaming Commission

NIGC Information Session

15 December 2016



Objective

- *Introduce Consultation process and value*
- *Share NIGC's 2015-16 Consultation topics and accomplishments*
- *Discuss 2017 Consultation topics*
- *Receive feedback from Tribal Leaders and representatives*



Overview

- The Commission will provide the current results from the 2015-16 Consultation Topics:
 - Privacy Act changes
 - Buy Indian Goods and Services (BIGS)
 - NEPA Categorical Exclusion (CATEX)
 - Class III MICS Guidance
- Open lines for any questions or comments
- 2017 Consultation Topics
- Open lines for any questions or comments



Ground Rules

- Information Session scheduled for 3 hours until 4:00 pm (EST).
- This is an informational session and not a consultation, so this event will not be transcribed. However, the call is being recorded.
- We will conclude early if no outstanding questions remain.
- Questions will be handled by the call moderator.



2015-2016 Consultation Topics

- Privacy Act
 - 2015-2016 Consultation Update
 - August 26, 2016, the NIGC published a notice of proposed rulemaking requesting comments on the updated Privacy Act procedures.
 - Comment period was open from August 26, 2016 through October 11, 2016.
 - Publication of the final rule is currently pending.



2015-2016 Consultation Topics

- **Buying Indian Goods and Services (BIGS)**
 - Commission has determined that it will adopt a BIGS agency policy.
 - Currently in the process of drafting policy.
 - The proposed policy is for the Commission's own procurement of goods and services only; the proposed agency policy will not mandate Indian tribes to purchase only from Indian-owned businesses.



2015-2016 Consultation Topics

- How to become a qualified Indian-owned business and assistance can be found at:
 - System for Award Management www.sam.gov
 - Once successful review by GSA request for proposal or request for quote through GSA at www.fbo.gov



2015-2016 Consultation Topics

- National Environmental Policy Act (NEPA)
Categorical Exclusion (CATEX)
 - The Commission is moving forward with a CATEX for management contracts that do not include construction.
 - Working to finalize it with the Council of Environmental Quality.
 - Once finalized, it will be published in the Federal Register and tribes and the public will be able to weigh in with comments.



2015-2016 Consultation Topics

- **Class III MICS Consultation**
 - The Commission has decided to;
 - issue updated non-binding guidance for Class III MICS and;
 - suspend the existing 25 C.F.R. part 542 regulations.
 - The suspension will leave the existing regulations “on the books,” but with an editorial note stating that they are not enforceable.



2015-2016 Consultation Topics

Questions?



2017 Consultation Topics

1. Class III MICS
2. Rural Outreach
3. Developing a Strong Tribal Workforce
4. Management Contracts
5. Technical Standards for Mobile Gaming Devices
6. Fees
7. 547 Grandfathered Class II Gaming Systems



2017 Consultation Topics

1. Class III MICS

- The Commission has developed the first draft and plans to publish it for comment.
- Although the guidance document is not a regulation requiring notice and comment, the Commission recognizes the value of input and intends to follow the formal process as closely as possible.
- A draft guidance document will be available on our website at least 30 days prior to the first consultation date.



2017 Consultation Topics

2. Rural Outreach

- The Commission would like to hear ideas about how the NIGC can best provide technical assistance and training to smaller, rural operations.
- In addition, the NIGC seeks specific feedback on whether it should create an eighth region by expanding its Rapid City satellite office.



2017 Consultation Topics

3. Developing a Strong Tribal Workforce

- The NIGC strives to ensure that tribes receive substantive and valuable training to ensure the integrity of their gaming operations.
- The NIGC welcomes any and all feedback with respect to the NIGC Training Program.



2017 Consultation Topics

4. Management Contracts and Background Investigations

- The Commission is seeking feedback on any recommended changes to the management contract and background investigation regulations.
- These regulations are located at 25 C.F.R. Parts 531, 533, 535 and 537 and you can find the regulations on our website.
- The NIGC especially seeks any input that may improve NIGC's efficiency in processing management agreements and background investigations.



2017 Consultation Topics

5. Technical Standards for Mobile Gaming Devices

- Draft technical standards for mobile gaming devices will be the basis for our discussions.
- These draft technical standards will only address handheld mobile devices within tribal lands and will not authorize internet gaming.
- The drafted and proposed technical standards will be available on our website at least 30 days prior to the first consultation.



2017 Consultation Topics

6. Fees

- The Commission is considering amending the language to 25 C.F.R. Part 514 to do two things:
 1. remove the requirement to adopt a preliminary fee rate and fingerprint rate on March 1, and
 2. change the announcement date for the final fee rate and fingerprint rate from June 1 to November 1 of every year.
- A draft of the proposed amendments will be available on our website at least 30 days prior to the first consultation.



2017 Consultation Topics

7. 547 Grandfathered Class II Gaming Systems

- Separate times during the March session in Tulsa Oklahoma and April in San Diego, California have been scheduled for this topic.
- The Grandfathering period is set to expire on November 10, 2018.
- Due to the expiration of grandfathered systems we ask for feedback on the following:
 - information related to the steps tribes have taken to comply with the grandfathering provision and any difficulties in implementing those provisions;
 - what risks, if any, the grandfathered games may pose to a gaming operation or the gaming public; and
 - how those risks may be mitigated by means other than Part 547.



2017 Consultation Topics

Questions?



2017 Consultation Topics

- **2017 Consultation Schedule**

1. March TBD, 2017, Isleta Pueblo, New Mexico
2. The third week of March in conjunction with NTGCR in Tulsa, Oklahoma (specific date TBD)
3. April 10, 2017 in conjunction with NIGA in San Diego, California
4. April 20, 2017, in Billings, Montana during our regional training
5. May 4, 2017 in or near Biloxi, Mississippi during the Southern Gaming Summit
6. May TBD, 2017 in the Northwest area, in conjunction with The Affiliated Tribes of Northwest Indians conference

* These dates and locations are subject to change with proper notice.



2017 Consultation Topics

Please visit our website at

[http://www.nigc.gov/commission/
tribal-consultation-2017](http://www.nigc.gov/commission/tribal-consultation-2017)

For Consultation updates



2017 Consultation Topics

- Written comments can be sent:
 - By e-mail to Vannice_Doulou@nigc.gov
 - By mail to NIGC, Attn: Vannice McCoy, C/O Department of the Interior, 1849 C St. NW, Mail Stop # 1621, Washington, DC 20240

Thank You!