



WHITE EARTH RESERVATION

CHAIRMAN Michael Fairbanks **SECRETARY-TREASURER** Michael LaRoque
DISTRICT I Henry Fox **DISTRICT II** Eugene Sommers **DISTRICT III** Cheryl "Annie" Jackson

July 28, 2022

VIA ELECTRONIC AND U.S. MAIL
information@nigc.gov

Mr. E. Sequoyah Simermeyer, Chair
National Indian Gaming Commission
1849 C. Street NW
Mail Stop #1621
Washington, D.C. 20240

*Re: Comments on proposed rule creating 3rd Tier financial reporting
for charitable gaming operations*

Dear Chairman, Simermeyer & Members of the Commission:

The White Earth Tribal Gaming Commission ("WE Gaming Commission") supports the proposed rule creating a third tier financial reporting for charitable gaming operations. The current regulations create insurmountable burdens on small and charitable gaming activities within the exterior boundaries of the White Earth Reservation. Most bingo nights and other small charitable events generate less than \$5,000 in net revenue on an annual basis. The cost of complying with current audit requirements exceed the net revenue generated from such events. The result is that most small charitable events have ceased within White Earth's jurisdiction. This is unfortunate because these activities support important cultural events such as school trips, church fundraisers, and community celebrations. The proposed rule change should encourage the resumption of small and charitable gaming events at White Earth.

Notwithstanding the foregoing, the WE Gaming Commission is concerned that the proposed rule gives unilateral authority to the NIGC Chair to revoke the status of a charitable gaming operation that otherwise meets the requirements for third tier financial reporting should (a) the assets of the charitable operation fail to be "appropriately safeguarded" or should (b) revenue be "misused under IGRA". Additional clarification as to the highlighted terms will create more certainty as to causes for a revocation and would lessen the possibility of arbitrary and capricious decision making.

Thank you for opportunity to submit these comments for your consideration.

Sincerely,

Chris Londo

CHAIRMAN

WHITE EARTH TRIBAL GAMING COMMISSION

Cc: Christie Haverkamp
Leif E. Rasmussen
White Earth RBC