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NATIONAL INDIAN GAMING COMMISSION
PUBLIC CONSULTATION
TAKEN ON
WEDNESDAY, APRIL 12, 2017
SAN DIEGO CONVENTION CENTER, ROOM 25
111 WEST HARBOR DRIVE
SAN DIEGO, CALIFORNIA 92101
DAY 1

Reported by: Kimberly S. Hanna
CSR No. 12230

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- I. Welcoming and Opening prayer/Blessing
- II. Introduction of Commission and brief
- III. Introduction of NIGC Staff and Tribal Leadership representatives
- IV. Discussed format for the consultation
Questions and comments
- V. Opening Statements for those who cannot stay
for entire consultation
- VI. Housekeeping Items
- VII. Topic Order: 25C.F.R. Part 547 Grandfathered
Class II Gaming System
- VIII. Closing

1 SAN DIEGO, CALIFORNIA, WEDNESDAY, APRIL 12, 2017

2 AT 10:30 O'CLOCK A.M.

3

4

5 JONODEV CHAUDHURI: Thank you all for being
6 here. I appreciate everybody's flexibility. We
7 definitely want to accommodate. Thankfully, Ms. Devon
8 Lomayesva has agreed to open us up.

9 Thank you, very much, very much.

10 DEVON LOMAYESVA: Hello everyone. How are
11 you? I absolutely would defer to any elders from the
12 Kumaya Nations because that the territory we are in
13 today. Seeing that no one is here, I will very humbly
14 accept this. My name is Devon Lomayesva. I'm a member
15 of the Saint Isabella tribe here in San Diego. I am
16 here on behalf of Soboba band. As we enter this
17 meeting, I hope we have good participation, welcome
18 everyone's thoughts in a good way, and that as we go
19 through, keep that open mind for positive outcomes for
20 our communities and the tribes that we serve.

21 And, with that, once again, good blessings and
22 travels to everyone that is attending the conference.

23 JONODEV CHAUDHURI: Thank you so much.

24 Good morning. And thank you to everyone who
25 is taking the time to be here. We are here to discuss

1 some important issues affecting a very sizable segment
2 of the Indian gaming industry.

3 Although the issues we are here to discuss
4 today are pretty narrow in terms of their regulatory
5 scope, we recognize the profound impact that these
6 discussions may have on real lives on the ground. So,
7 with that in mind, thank you so much for taking the time
8 to be here.

9 My name is, Jonodev Chaudhuri. I'm a proud
10 member of Mississippi Creek Nation. I am also proud to
11 be Indian on my father's side from India. And, again, I
12 thank you Ms. Lomayesva for opening up today's
13 consultation because, really, we are here in the spirit
14 of true communications.

15 So I am going to turn it over to my fellow
16 Commissioners. We have the full Commission here today.
17 Before moving forward with some housekeeping items that
18 then will frame our discussions here today.

19 But I'll turn it over to Vice Chair, Ms.
20 Kathryn Isom-Claus. Introduce yourself and talk a
21 little about the about Consultation.

22 KATHRYN ISOM-CLAUS: Good morning. I am
23 Kathryn Isom-Claus. I am Vice Chair of the Commission.
24 I would like to thank you all for being here with us
25 today. I appreciate you for being committed to the

1 topic and bringing your thoughts and spending time with
2 us.

3 We are here today to honor the
4 government-to-government relationship between the
5 Federal Government and Tribal Governments.

6 As partners in gaming regulations, Tribal
7 voices are essential to our work. The ongoing dialogue
8 is one of the most important tools that we have for
9 building a strong policy and regulation in NIGC.

10 We are here at today's discussion with an open
11 mind. And I would like to thank you all for comments we
12 are going to adhere to. And, with that, I'll turn it
13 over to Commissioner Simermeyer.

14 SEQUOYAH SIMERMEYER: Good morning. I want to
15 join my colleagues in thanking everyone for being here.
16 My name is Sequoyah Simermeyer. I am with the Coharie
17 Indian tribe, Northern Carolina. I am Associate
18 Commissioner for NIGC. I join my colleagues also in
19 having appreciation for the Consultation process and
20 time and everything that goes into the Tribal side and
21 Federal side as well.

22 I think, in my experience, that Consultation
23 serves really positive purposes. One is, it helps to
24 verify and maintain government to government
25 relationship, which is unique to tribes and government.

1 It also provides an opportunity for us to make
2 more informed decisions at a Federal level to better
3 serve the people that we are charged to serve.

4 I also think that it provides a platform for
5 Tribal leadership to communicate their vision for how
6 they are serving their citizens in their leadership
7 role, and how we, as Federal partners, should help them.
8 So I want to thank everyone for their time and I look
9 forward to their comments that we will have today.
10 Thank you.

11 JONODEV CHAUDHURI: Thank you, Commissioner.
12 Thank you Vice Chair. So as we begin our NIGC Tribal
13 Nations Consultation, let me just set out some
14 structural ideas. We always try to recognize our former
15 colleagues, NIGC alumni. And we have Dan Little at the
16 end of the room here today, who is a former
17 Commissioner.

18 I just want to say, you know, save the best
19 for last. You know, so we have Dan Little here, former
20 Commissioner as well as Ms. Liz Homer, former Vice
21 Chair. Am I missing anybody?

22 But we thank you for your past service and
23 your past service at NIGC and your continued service to
24 the Indian Gaming Industry.

25 So with that, introductions are an important

1 part of this process. Let me talk about what we are
2 going to do with your comments.

3 We have a transcriber here with us. At the
4 end of today's consultation, all comments will be
5 transcribed and ultimately available for public review.

6 But introductions are beneficial because we
7 all have much to learn from each other. And so knowing
8 who is in the room together is just as important as any
9 of the dialogs between Tribal Nations and NIGC.

10 I have heard many times that some of the best
11 parts of these Consultations are the cross-conversations
12 that occur.

13 So we always start off with introductions. We
14 will do that in a moment. We are scheduled to go until
15 12:30 today. I, again, thank everyone for their
16 flexibility in starting a little late. We did want to
17 accommodate the organization who scheduled this
18 consultation in conjunction with NIGA's schedule.

19 But, if we finish early, there's is no crime
20 in finishing early. We want to make sure that everybody
21 has a true and fair opportunity to present their
22 thoughts.

23 With that in mind, we recognize that these are
24 ongoing evolving discussions. So if in five minutes
25 after we finish, you have an additional comment that you

1 want to provide, we want to assure everybody that there
2 will be ample opportunities to provide additional
3 comments.

4 We have upcoming consultations that additional
5 comments can be made in person at. And those upcoming
6 consultations are, first and foremost, here tomorrow,
7 from 8:30 to 12:30, in the same room.

8 And those consultations cover a wide array of
9 topics. Next week, April 20th, we have a consultation
10 in Billings, Montana, 1:00 p.m. to 5:00 p.m. Details
11 are on the website. nigncnet.gov. May 4th, we have a
12 consultation in Biloxi, Mississippi.

13 And the week of May 23rd, at a date and time
14 to be determined, we will be hosting a consultation in
15 conjunction with the affiliated tribes, Northwest
16 Indians Annual Conference.

17 So there are multiple opportunities to present
18 comments in person. Beyond that, there are always
19 opportunities to submit comments in writing.

20 And these are, as I mentioned, evolving
21 comment periods. At the end of June, we will be
22 compiling all comments that are received for further
23 consideration.

24 But I want to assure you that we are listening
25 as we go along and trying to work with all voices in

1 this discussion to continually review positive measures.

2 And so that's especially true with regard to
3 the Grandfathering Privileges of CLASS II. And so we
4 welcome that ongoing dialog.

5 So, one final point: This is a
6 Nation-to-Nation consultation. So our Consultation is
7 really between NIGC and Tribal Nations and regulatory
8 bodies or their designees.

9 If you're not a Tribal Nation Representative,
10 or a regulator, please inform us who has designated you
11 to speak for the nation.

12 If we have heard all comments and concerns
13 from Tribal Representatives, we would welcome any
14 additional comments from other interested parties.

15 But this is, first and foremost, a Tribal
16 Nation Consultation. And so if there's any objections
17 or concerns raised by the Tribal Leadership regarding
18 any non Tribal representative in the room, we will be
19 sensitive to that. And we will discuss clearing the
20 room.

21 That said, this is a closed session. Even
22 though the discussion here today will be transcribed,
23 for public review, media Not part of this consultation.
24 We do want people to feel free to engage in open and
25 meaningful dialog. So this is a closed session.

1 So with that, we have a number of subject
2 matter experts with us today, who will discuss the topic
3 of consultation in more detail. I'll let them introduce
4 themselves in their own fashion.

5 But maybe we could just go around the room.
6 We are heavily represented by NIGC staff here today.
7 But that is by design. We do value our day-to-day
8 outreach with our partners.

9 And so we will just go around the room and get
10 to know each other a little bit better. So maybe we
11 will start with our General Counsel.

12 MICHAEL HOENIG: Good morning everybody. I am
13 Michael Hoenig. I am General Counsel for NIGC. And I
14 am happy to be here today.

15 JONODEV CHAUDHURI: And I'm sorry. I should
16 have added, because this is transcribed, please state
17 the nation or organization you represent.

18 And if your name, like mine, has a lot of
19 syllables in it, please feel free to spell your name for
20 the benefit of the transcriptionist.

21 TRAVIS WALDO: Good morning everyone. I am
22 Travis Waldo, Director of Technology for NIGC.

23 FRANK HERNANDEZ: Good morning. Frank
24 Hernandez, NIGC, Sacramento Region, Temecula.

25 MICHAEL RUST: Good morning. Mike Rust from

1 San Manuel Band Mission.

2 EDWINA BUTLER WOLFE: Good morning everyone.

3 Edwina Butler -- Edwina Butler Wolfe, Governor of the
4 Absentee Shawnee Tribe.

5 LESLIE TANYAN: Hi. I'm Leslie Tanyan.

6 Absentee Shawnee Gaming Commission, Executive Director.

7 KELLY SWITCH: Good morning everybody. My
8 name is Kelly Switch from Absentee Shawnee Gaming
9 Commission. Commissioner of Absentee Shawnee.

10 CELESTE HUGHES: Good morning everybody.

11 Celeste Hughes, representing Soboba Band. Gaming
12 Commission Chair.

13 DEVON LOMAYESVA: Good morning.

14 Devon Lomayesva, Tribal attorney with the Soboba Band.

15 FEMALE SPEAKER: Good morning. (Inaudible)

16 MALE SPEAKER: (Inaudible)

17 ELIZABETH HOMER: Elizabeth Homer. I am
18 principal attorney for Charter.

19 BARBARA COLLIER: Good morning.

20 Barbara Collier, the Executive Director of the Quapaw
21 Tribal Gaming Agency, Quapaw Tribal member from
22 Oklahoma.

23 NANCY GREEN: Good morning. I'm Nancy Green,
24 here on behalf of the Senequot Bay Nation.

25 KERRY HOLTON: Good morning. I'm

1 Kerry Holton, President of the Delaware Nation.

2 KENNETH ERMATINGER: Good morning. Kenneth
3 Ermatinger. I'm Executive Director of the Sault Ste.
4 Marie Tribe.

5 SHEILA MORAGO: Good morning. Sheila Morago.
6 Executive Director of Oklahoma Gaming Association.

7 MATTHEW MORGAN: Matthew Moragan, Director of
8 Gaming Affairs for Chickasaw Nation. And I also served
9 as Chairperson for NIGA subcommittee.

10 SHAWN HOUSTON: I.T. Auditor at NIGC.

11 LAEL ECHO-HAWK: I'm Lael Echo-Hawk.

12 DANIEL LITTLE: Vice President of relations.

13 KEVEN BUNTROCK: Keven Buntrock. (Inaudible).

14 JOSH BENEFIL: With the NIGC Office of Audits.

15 STEVE BREWER: Steve Brewer Manager of
16 National Indian Gaming Commission.

17 WILLIAM WALKER: William Walker, here with
18 Absentee Shawnee Gaming Commission.

19 TOM CUNNINGHAM: Tom Cunningham (Inaudible)

20 BADGER AUSTIN: Badger Austin. Staff attorney
21 for NIGC.

22 STEVE BREWER: Good morning, Compliance Officer
23 for gaming commission.

24 DUSTIN THOMAS: Good morning. Dustin Thomas,
25 Assistant director of Compliance NIGC.

1 TRACI SANTILLANES: Traci Santillanes, Audit
2 Manager, NIGC. And member of tribes Idaho.

3 LISA DECOTEAU: Lisa Decoteau representing the
4 United Gaming Commission.

5 YVONEE LEE: Yvonne Lee, Director of Finance
6 of NIGC.

7 JONODEV CHAUDHURI: Okay. I think that's
8 everybody. Eric and his team here in the Sacramento
9 region, as well as folks that help set up this
10 consultation, many of the folks from the agency here
11 today have been actively involved in trainings this
12 week.

13 We have been doing quite a few trainings in
14 conjunction with NIGA. And I thank you for that. Most
15 importantly, many thanks for Kumeyaay people for
16 allowing us into their territory. Many, many thanks.

17 I have started to notice a trend. There is a
18 person here named Ms. Echo-Hawk, who likes to make a
19 fashionably late appearance after we introduce all NIGC
20 alumni so she gets her own introduction.

21 We do recognize that. And we appreciate that
22 opportunity to honor you individually. So an
23 additional, alumnus, Ms. Echo-Hawk, former counselor to
24 the Chair. We want to thank her for her prior service.

25 So with that, we will begin the Consultation.

1 For the subject matter background, we have our first
2 Director of our Technology Division, Mr. Travis Waldo
3 here, to talk a little bit about what we are here to
4 consult on today. Mr. Waldo.

5 TRAVIS WALDO: Thank you, Chairman.

6 Again, my name is Travis Waldo. I'm Director
7 of Technology for the National Indian Gaming Commission.
8 Our subject for today is Grandfathered Class II Gaming
9 Systems.

10 The NIGC has an ongoing commitment with Tribal
11 Leadership and Tribal Regulatory Partners to balance a
12 reasonable regulation of Indian gaming with the need to
13 avoid unnecessary or artificial road blocks to impede on
14 the development.

15 The Sunset Provision for the Grandfather Class
16 II Gaming Systems is an opportunity for all of us to
17 understand where the Grandfathered Systems pose
18 potential risk in the integrity of Indian Gaming and
19 consult on an appropriate solution if needed.

20 The development of Class II Minimum Technical
21 Standards began in 2004 as a collaborative effort
22 between the National Indian Gaming Commission, tribes,
23 and manufacturers to mitigate certain risks that need to
24 exist in the ever advancing Class II gaming system
25 technology.

1 The NIGC initially implemented the technical
2 standards In 2008. The technical standards require that
3 before the Class II Gaming Systems may be placed on the
4 floor and offered to the public for play, it must be
5 submitted to an independent game laboratory, which would
6 test the system against the technical standards.

7 It was recognized by tribes in the industry
8 and NIGC that the implementation of technical standards
9 would come at a financial cost to gaming industry and to
10 tribes.

11 A particular concern, however, was the
12 potential financial burden on bringing gaming systems
13 that had already been manufactured and were put into
14 play and compliant with applicable law in absence of
15 technical standards into compliance with the new the
16 2008 rule.

17 Thus, to reduce that cost, the NIGC provided
18 an that gaming systems manufactured prior to the
19 issuance of standards of 2008 could be certified to an
20 alternate minimum standard as Grandfathered systems.

21 To be offered for play as a Grandfathered
22 system, the Tribal Gaming Regulatory Authority is
23 required to submit the pre 2008 system to a testing
24 laboratory for certification within a 120 day window
25 after the 2008 technical standards were issued.

1 All systems manufactured after 2008 would be
2 required to meet full technical standards.
3 Grandfathered systems would be permitted to be continued
4 to be offered to play during the five-year Grandfathered
5 period.

6 By 2013, all Grandfathered systems would be
7 required to be removed from operation. It was thought
8 at the time that the national market for system cause
9 the fully compliant systems to replace the old
10 Grandfathered systems and that the looming sunset of the
11 grandfather period would otherwise (inaudible) the
12 industry to transition to fully compliant systems.

13 Technical standards further provide the
14 Grandfathered systems to be modified to become fully
15 compliant with those standards, and thus be removed from
16 grandfather status and continue to operate after 2013.

17 By 2012, however, it was clear that the
18 industry would be unable to bring all Class II Gaming
19 Systems into full compliance of technical standards.
20 Through consultation with its tribal partners, the NIGC
21 extended the grandfather period an additional five years
22 to November 10, 2018.

23 In July of 2016, recognizing that the NIGC
24 tribal regulators would again have to deal with this
25 issue, in keeping with our efforts to ensure gaming

1 integrity, while avoiding unnecessary road blocks to
2 tribal economic development, the NIGC proactively
3 reached out to tribes to gather input and information.

4 Also, NIGC staff from it's Office of General
5 Counsel and Technology Division have been working with
6 NIGA sub committee on grandfathering issue as well.

7 If we look at the technical standards, you can
8 see that only 12 of the total 56 technical standards for
9 547 are required to be tested in order for a game to be
10 a Grandfathered system.

11 In addition to the technical standards provide
12 that modifications to grandfather systems, such as
13 replacing a component, are not required to meet fully
14 compliant system standards so long as the modification
15 maintains or advances the grandfather's overall
16 compliance.

17 I want to focus our risk analysis on 44
18 technical standards that are not included as part of the
19 Grandfathered system.

20 A Grandfathered system that was manufactured
21 before 2008 that remains in play today has had many of
22 its original components replaced with components
23 manufactured after 2008.

24 These new components were likely designed to
25 meet fully compliant system standards, but are not

1 required to be tested as such because they resolve into
2 the Grandfathered system.

3 Of the 44 technical standards that are not
4 included as part of the Grandfathered system, what is
5 still outstanding and what risks, if any, remains to
6 those outstanding areas.

7 The NIGC is interested in consulting on this
8 topic, including, but not limited to obtaining 1) any
9 information related to the steps tribes take to comply
10 with the Grandfathered provision and any difficulties in
11 implementing those provisions; and 2) What risks, if
12 any, the Grandfather games may pose to gaming operation
13 and the gaming public; and, finally, (3) How those risks
14 may be mitigated by means other than part 547.

15 Thank you.

16 JONOVDEV CHAUDHURI: Thank you, Mr. Waldo.

17 It's an important point that was made that our
18 approach to the consultation is really looking to
19 discuss potential solutions in keeping with one of our
20 founding principles, and that is certain adherence to
21 regulatory responsibilities, while not unnecessarily
22 inhibiting the intrapleural spirit of tribes.

23 So I know many folks in this room working
24 quite hard on compiling information about potential
25 solutions. And I thank you for that work.

1 We have Mr. Schalansky with the microphone
2 here. We don't have any time constraints on comments.
3 But I trust that we will all be respectful of each
4 other's times. That said, we will move forward to
5 formal comment period.

6 This is a two-way dialogue. We are here to
7 address questions as well, if we can. If not, we are
8 always happy to go back and see how we can best provide
9 the information that is requested.

10 So with that, the floor is yours. And
11 Mr. Schalansky will work the field in questions, or
12 comments. And I also would like to thank Ms. Echo-hawk
13 for her prior service to NIGC. Thank you.

14 MATTHEW MORGAN: Matthew Morgan, Chickasaw
15 nation, here on behalf of National Gaming Association,
16 sub committee on Tribal Authority, Tribal Leadership.
17 Department of Commerce.

18 As you know, NIGA, (inaudible). We have been
19 working diligently on trying to address some of the
20 questions surrounding the Class II issue. I'll be
21 brief. We have talked about this in other sessions here
22 at the NIGA.

23 So one of the things that we have done is we
24 have engaged (inaudible). I have some preliminary
25 numbers. Once we finalize those numbers, I'll gladly

1 submit those for the record.

2 So what we have so far, we have responses from
3 29 tribes in 12 states representing 106 casinos. So
4 far, we have encompassed 28,800 gaming units. And of
5 those, 45 percent are Grandfathered. Of those 29
6 tribes -- 55 percent of the tribes and 78 percent of the
7 casinos still have Grandfathered systems in play. Each
8 of those have an average of 3.3 Grandfathered systems on
9 the floor currently.

10 86 percent of those tribes have had some sort
11 of modification through the years to update those in
12 different ways. So, clearly, they are taking advantage
13 of 547 to upgrade some of the components.

14 On the systems, through those 29 tribes, we
15 have not found one breach yet through the Grandfathered
16 system. Nobody has reported a breach. On the
17 Grandfathered machines, 55 percent of tribes represented
18 78 casinos had Grandfathered machines. And, again, no
19 breaches have been reported on any machine units.

20 On the non-Grandfathered side, though, there
21 have been two reported breeches on the gaming system and
22 one reported breach on gaming units. And that has been
23 over a five-year period. So three breeches in five
24 years. Like I said, preliminary, and we still have
25 ongoing results coming in. And we look forward to

1 wrapping that up soon. We want to make sure we provide
2 you with as much information as we can.

3 Secondarily, we worked with National
4 Congregating Regulatory Association to go through with
5 your staff to look at risk associated with the
6 Grandfathered System.

7 And as Mr. Waldo indicated, we went
8 through and -- and Mr. Hummingbird, Chairperson in the
9 audience here -- 56 technical standards of 547, and
10 broke it down into high, medium and low risk issues.
11 High, means a compliance risk; cheating, misleading or
12 integrity issues; medium, being minimal compliance risk
13 that don't affect integrity issues; and low means of
14 little or no consequences.

15 Of those standards, we have 28 high-risk
16 standards being involved with the 547 testing. But all
17 of those being within the Grandfather Section. But
18 there are other sections of 547 that we have to look at
19 in order to test those from a lab perspective, either 26
20 of the 28 (inaudible). And the other thing we are
21 currently exploring is some of the additional
22 things because 93 percent is from testing lab
23 perspective.

24 We all know that once the lab (inaudible), The
25 Tribal Gaming Commission does more testing. And by way

1 of example, live verifications, signature testing,
2 currency testing, online monitoring system, MICS audits.
3 And then there are other tribes that do their own
4 additional testing.

5 We are trying to answer you on what is that
6 risk associated with that out there, and we think we
7 have a pretty good handle on it. But, again, we are
8 still having on going discussions to make sure we can
9 present you with documented evidence that we feel make
10 our case.

11 And our case is this: We feel like there's
12 nothing wrong with the machines. Over a ten-year
13 period, if there had been something wrong, we would have
14 heard about it. It's not out there. We can't find it.
15 We talked to the lab, we talked to the tribe to find out
16 where is there a risk.

17 We would ask that you leave the job of
18 regulating the machines on the floor. Let it be an
19 economic and Tribal regulatory decision, not a Federal
20 Government decision. And don't cause unnecessary
21 economic harm where risk that does doesn't exist.

22 The only other thing I think I can probably
23 add today other than that, is I notice on your time line
24 you were talking about July 1st. Because this issue is
25 on a separate tribe from the other ones, I would ask if

1 we could rule this as quickly as possible.

2 That would be very advantageous to tribes out
3 there who are caught right now, trying to make sure they
4 know how to plan their businesses for the next fiscal
5 year. The sooner we have some guidance on the issue,
6 which would help a lot our businesses and tribes plan
7 for that next year. Thank you for your time. And thank
8 you for having this consultation discussion.

9 JONOVDEV CHAUDHURI: Thank you, Mr. Morgan.
10 Many, many thanks to the subcommittee. I know that this
11 was somewhat in response to the statements that we made
12 that we appreciate the economic impact of these games.

13 But as regulators mandated to ensure the
14 integrity of Indian Gaming, we want to hear more about
15 the risks involved in these systems.

16 And I very much appreciate the analysis. We
17 understand a little more information is on its way. But
18 to your point about the timing of this, these are
19 revolving consultations. Yes, we have a schedule that
20 involve closing the comments at the end of June.
21 However, our analysis of potential solutions is ongoing
22 and active right now.

23 So if there's additional ideas that come to
24 mind, we have no problem engaging in further dialog,
25 whether it is on draft or a draft presented by a

1 subcommittee, we are happy to move this as quickly as we
2 can. We know 2018 is going come one way or another.

3 So I thank you. Does anybody have anything
4 they want to add to that.

5 We thank you for that input Mr. Morgan. And
6 certainly the balance of the economic impact and risk is
7 very important to us.

8 SEQUOYAH SIMERMEYER: I just want to ask for
9 clarification. Your preference is that there be
10 resolution to this before the end of the year?

11 MATTHEW MORGAN: Yes. As tribes try to
12 forecast what their budget and revenues are,
13 understanding that should this Sunset Provision stand,
14 they're going to have to make necessary decisions. And
15 the sooner they can understand what that landscape looks
16 like, the sooner they can make better decisions. We
17 prefer this discussion of subcommittee, that be taken
18 care of sooner than later if at all possible.

19 JONODEV CHAUDHURI: Excellent point. Thanks
20 for making that point.

21 EDWINIA BUTLER-WOLF: Good morning again. I
22 always have to make sure everyone is recognized. And
23 the two young ladies on the end that introduced
24 themselves. I always have to make sure everyone's
25 recognized.

1 JONODEV CHAUDHURI: Thank you. How did we
2 miss that?

3 CHRISTINA THOMPSON: We were thinking it was
4 okay. We didn't need to do it. Christina Thompson,
5 Deputy Chief of staff with NIGC.

6 SHANNON O'LOUGHLIN: Shannon O'Loughlin,
7 Oklahoma. And I am the Chief of Staff at NIGC.

8 EDWINA BUTLER-WOLFE. That's just my fashion.
9 You have to make sure everyone is recognized. I'm
10 Edwina Butler-Wolfe, Governor of the Absentee Shawnee
11 Tribe in Oklahoma. We are a small tribe which is a
12 little over 4000. And we have two casinos in our area.

13 In talking with (inaudible) and gaming
14 commission Kelly Switch and our Executive Director
15 Leslie Tanyan, who keeps me updated on all the gaming
16 procedures and what is happening in Indian Gaming, so as
17 Governor, I've got many items on my plate to look at.
18 So I wanted to express my good thoughts to Leslie.

19 I just wanted to put it out there that these
20 Grandfather games do not pose a risk to us.
21 Grandfathered games remain some of the most popular and
22 profitable games in our casinos.

23 Removing Grandfathered games will hurt tribes
24 economically. The Grandfathered language should be
25 removed.

1 And I know I'm echoing a lot of my comments
2 when I was in Tulsa, Oklahoma. And I wanted to thank
3 you for allowing Tribal leaders and representatives from
4 the tribes to express our sentiments on what works for
5 us as a tribe.

6 And this would not work for us. Like I said,
7 we are a small tribe. And I think that would hurt us
8 economically.

9 So I wanted to express that again. And I know
10 that I have said in Tulsa that I would bring my
11 comments. And it's a beautiful state, California. And
12 you've got a very beautiful area here. So I enjoy
13 coming out here. It's my first time out here in San
14 Diego. So I wanted to thank you for allowing us to
15 express our concerns for this issue.

16 It is a vital issue that we as tribes look at
17 and to think about our people. Because we have to think
18 about our people. And we have got to look at them and
19 there well-being. So it's a lot of stress on the
20 leaders and all of our people that work under us. So I
21 want to thank you for being allowed to do that.

22 JONODEV CHAUDHURI: Thank you, Governor.
23 Thank you for your advocacy for your nation.

24 NANCY GREEN: Nancy Green again. Green Law
25 firm. I don't know if I mentioned that earlier.

1 You know, I wanted to say, you know, thank you
2 to the NIGC for considering this. I know that you have
3 been in receipt of many comments surrounding these games
4 before. And so I won't regurgitate those for this
5 morning.

6 But, also, I would like to say thanks to Mike
7 and Mr. Morgan and Mr. Little, and those folks that are
8 working together for the real data for this that will,
9 help, I hope, make an educated decision on whether or
10 not Sunset Provision on this be removed.

11 And also just for clarification purposes, when
12 are we expecting, you know, to conclude the comment
13 period on this?

14 JONODEV CHAUDHURI: Well, as I mentioned
15 before, at the end of June, we haven't called it a
16 deadline, because we do welcome comments that are
17 relevant at all times. But at the end of June, we will
18 be compiling all comments.

19 With that said, I don't want to get ahead of
20 ourselves, but depending on additional data that comes
21 in, we will consider the benefit of having an initial
22 discussion document prepared before that. But we
23 understand that the time sensitive nature of some of the
24 these discussions. And we want it to move as quickly as
25 we can.

1 NANCY GREEN: Yeah. And I appreciate that.

2 JONODEV CHAUDHURI: The end of June is the
3 comment period end. But I wouldn't be surprised if we
4 produce something before that for discussion purposes.

5 NANCY GREEN: Okay. Thank you.

6 JONODEV CHAUDHURI: That report is very
7 important. We welcome data. And we want our analysis
8 to be data driven. And we appreciate you doing your own
9 independent analysis. We appreciate the hard work that
10 is going into analyzing the risk from the perspective as
11 well.

12 MS. GREEN: Just one more question in regard
13 to that comment. You mentioned that you're pursuing your
14 own data. Is there any ETA when that might be published
15 so that the tribes will have an opportunity to look at
16 your findings?

17 JONODEV CHAUDHURI: You know, I think that
18 good ideas come from multiple sources. So the
19 comparisons of Grandfathered Systems and the controls
20 that apply to them against non Grandfathered Systems is
21 something that we have been looking in terms of actual
22 practice on the ground about how those concerns that
23 were reflected in non Grandfathered arena are being
24 addressed.

25 So I think that's what we talked about quite a

1 bit. I don't know -- I hate to throw Travis under the
2 bus. But whenever we start talking Technical Data,
3 there are people that can speak to this better than I
4 can.

5 NANCY GREEN: No pressure Travis. Just jump
6 on in there.

7 JONODEV CHAUDHURI: He's looking at me like --
8 But in terms of our own analysis, we have
9 compared the safeguards for Grandfathered versus non
10 Grandfathered, trying to look at the underlying rationale
11 behind those safeguards.

12 We have looked at the regulatory history of
13 that. And we are trying to have a realistic sense of
14 whether or not the public safety issues are already
15 addressed with the systems that are in place right now.

16 So in terms of data, you know, we have looked
17 at compliance issues that may have arisen because of
18 these matters. But those are the kind of things we are
19 looking at. We are looking at the underlying logic of
20 how the regulation is formatted and compared to relevant
21 risk on the ground. I think that's fair to say.

22 NANCY GREEN: Thank you.

23 SHANNON O'LOUGHLIN: So right now, we have a
24 deadline set for July 1st for all our written topics on
25 all seven topics that we have. Considering the comments

1 here today, we will do our best to work with the
2 Commission to see what would be a reasonable date for us
3 to set a deadline for written comments about this
4 subject, as well as whether we are going to be producing
5 any written document or findings from the analysis we
6 are doing work that will be a part of any kind of
7 Federal Register or any kind of public notice.

8 So give us a little time so that we can get
9 correct information on that and make sure that we are
10 all aware and on the same page as far as deadlines. We
11 are not going to move forward without back and forth.
12 So give us a little time, and we will bring this to the
13 Commission.

14 NANCY GREEN: Well, thank you for that. I was
15 really just -- given to the time-sensative nature of the
16 issue that we have all discussed and recognized. At
17 least from my part, I wanted to encourage my tribal
18 clients to, you know, get our comments prepared as soon
19 as we can, and verbally. I just didn't know. I was
20 trying to get a sense of when that might be.

21 JONODEV CHAUDHURI: Thank you Chief of Staff.

22 As I said before, don't be surprised if
23 there's a discussion draft issued -- but, again, solely
24 for discussion -- earlier than June.

25 BARBARA COLLIER: Good morning again. Barbara

1 Collier. Several things have been brought to my mind
2 going along with what Nancy what saying. Keeping item
3 seven on your agenda separate would be more costly for
4 the tribe I believe.

5 So if we could get this issue behind us as
6 quickly as possible. Not that the other six are not
7 important. But there's no time line there. If it
8 continues to stay a time line, then we are looking at
9 having to work with that.

10 So, to my knowledge, the consultations that
11 I've been privileged to be with, there have been no
12 tribes that have had any risks with these machines. So
13 I don't know what your data is showing you that you're
14 collecting.

15 But any data that we have been shown through
16 the (inaudible) or OTRGRA, Oklahoma hasn't shown any
17 risk of the compliance of these machines that are
18 Grandfathered. There are many left in Oklahoma, as
19 you've heard from the report.

20 So one of our issues is that if we do have to
21 meet this guidelines and the Sunset portion is not
22 removed or something is not done about that, then there
23 will be a hurry-up job. And you all know, or maybe you
24 don't know, front line compliance individuals often,
25 when there's a hurry-up jobs from vendors, even though

1 they don't intend for there to be, often times that
2 makes for more issues and more problems.

3 So continuing on with it as it is, there's
4 going to be thousands of machines across the United
5 States that (inaudible) before November 10, 2018. And
6 that there may lie a problem with getting them done
7 properly. You've mentioned integrity earlier, the
8 Commission having integrity of operations. Well, that's
9 too goes to the tribes. The authority that my
10 department, my agency, has over the casino, rules and
11 regulations is not just on someone that -- don't take
12 this wrong -- I know you sit behind a desk just like I
13 do. But I have people on the front line, compliance
14 agents, that open and close machines daily. They check
15 them daily. They check the software. They install the
16 software. They make sure it talks with the server.

17 They do everything that's possible to make
18 these machines -- electronic gaming machines in Oklahoma
19 because we don't have slots -- run properly.

20 And some of these machines that you're keying
21 on or being keyed on as not being acceptable, are some
22 of the most popular machines in Oklahoma. They are also
23 in other States. But in Oklahoma, the down-home red
24 neck Okalhomans like these machines. So they like to be
25 play them. And if they are not there when they come in,

1 they are mad. Or if someone is sitting at their
2 machine, they are mad. And they stand over in the
3 corner and wait and glare at them.

4 So if you think I'm joking, and that was kind
5 of a red-neck comment, but that's the truth. I have
6 seen it with my own eyes. They come in, and they are
7 very protective of what they like to play.

8 We just had a new casino open up in Kansas.
9 And they only have Class III. So guess what? Their
10 Kansas players are still coming to Oklahoma because they
11 can play what they want, class II games.

12 So here are a couple of things on the other
13 comments. But I'm not going to with dwell on those
14 consultation until I see the announcement from the NIGC
15 suspending 542, putting out a Voluntary non binding
16 Guidance Document.

17 In the past, because I've been around a long
18 time, guidance documents work well. We appreciate
19 having guidance documents that we can have thoughts and
20 comments back on. Because they don't become law, you
21 can work with them a little bit better.

22 If this had been a Guidance Document, we would
23 not be sitting here today talking about the Grandfather
24 Clause. The Technical Standards, we have a lot of
25 concern about that. We know that Travis Waldo is A-1 on

1 technical issues. And so we are not really concerned
2 about what will or won't happen.

3 But we are concerned about the future. We
4 know that electronics are the future. And me, being
5 old, I know that they have come a long ways and they are
6 going to go further.

7 And the further they go, the harder they are
8 going to be to regulate, the more difficult. And right
9 now, let them say, "Well I'm downloading so and so to
10 your sever." Well, okay. Because I can't look at that
11 and tell if they are doing that of course, the
12 technicians can. That's why we have those people. So
13 we are putting a lot of confidence in Travis to come up
14 with a solution that will be all right for everyone.

15 My comments about Grandfathered Gaming System,
16 I know there have been a lot of discussions about why we
17 should not be moving Grandfathered games off the floor
18 and the Sunset Clause.

19 Today, I would like to speak to some of the
20 positive aspects of the Grandfathered games and reasons
21 why we should be keeping them on the floor.

22 First, the very fact that the game has been
23 Grandfathered under 547, makes it undeniable that it
24 constitutes Class II gaming. This Grandfathered
25 designation can be helpful in defending the Class II

1 status of a game, especially in negotiations with the
2 State.

3 In Oklahoma, as you know, my contract is set
4 to expire on January 1, 2020. And we will need all the
5 leverage we can get to defend the status of our Class II
6 games.

7 Also, Tribal Game Regulatory Agencies have
8 greater flexibility with Grandfathered systems than they
9 do with fully compliant Systems. Under 547.555, A
10 Grandfathered system can be modified without having to
11 be submitted to a testing laboratory as long as the
12 Tribal gaming regulator authority feels the
13 modifications would maintain or advance the Class II
14 gaming system.

15 My hope is that you will take the action
16 needed to help us protect the status of Class II games.

17 These are all my comments for now on this
18 issue. I'll be submitting in more detail the formal
19 comment in coming months.

20 But please keep in mind that we are on the
21 floor, my people are in and out of machines every day,
22 testing software, making sure that the integrity of
23 gaming, as well as what we report to NIGC gaming
24 commission is topnotch.

25 And I think that most of all, all gaming

1 agencies or gaming commissions that I know, in my area
2 anyway, do the same or are the same. And I'll stand
3 behind them as I do my own. So we do our very best to
4 make sure that our people are not going to be conflicted
5 by any machine. The switch on these machines, most of
6 them, are going to have to be updated, and because it's
7 already talking with the systems, seems to be just
8 something that does not need to be done.

9 So with those comments, I appreciate you
10 letting us speak with you today. It's a pleasure to get
11 to see you all as we do when we have these occasions.
12 And have a safe trip home. Thank you.

13 JONODEV CHAUDHURI: Thank you Ms. Collier for
14 your comments and your valuable perspective. We
15 absolutely respect the role of these games and the role
16 that you played in making this industry what it is. So
17 thank you.

18 Ms. Homer.

19 ELIZABETH HOMER: Thank you.

20 Liz Homer. Thank you for conveying these
21 consultations. I think the NIGC's continuing
22 demonstration of consultation is very encouraging to
23 Indian country.

24 But I also commend you for saying -- now, I
25 believe I heard you correctly when you said you were

1 going to review the rational that was underlying the
2 original rule making for this part 547.

3 JONODEV CHAUDHURI: Certainly. I mean, part
4 of the process is figuring out where we are going. And
5 risk is part of every analysis that we have. So I
6 assume -- and if there is insight that you have, given
7 your past experience with the commission, please share
8 it. But I assume that the reason for the provisions as
9 they are written right now wouldn't be helpful for our
10 discussions. So we haven't been talking about what was
11 trying to be achieved by a past commission when these
12 Grandfather provisions were instituted in the first
13 place. Because, again, we are about sound regulations,
14 which involves doing your job, but also not creating
15 artificial roadblocks.

16 ELIZABETH HOMER: Thank you for that. I think
17 it's really important because I think that part 547 was
18 created for another purpose that, you know, morphed into
19 these technical standards.

20 And a lot of my colleagues are here at the
21 table today. And we all participated in those
22 consultations pertaining to 547. And it was really
23 pretty -- wouldn't you say -- there's a lot of back and
24 forth animated discussion about it.

25 But part of the problem was -- and this is

1 also why I'm really glad you all updated your technical
2 staff and that we have good folks to take a look at
3 these. Because I think in that very first team, there
4 really was not a good understanding about the Class II
5 gaming technology.

6 And I think that it was, with respect to some
7 decision makers, whose idea was that the Class II gaming
8 technology, that these are just slot machines that we
9 call Bingo. We spend a lot of time disproving that
10 notion, that these not slot machines that we call Bingo.
11 These are Bingo based server-based gaming systems.

12 So if you go back through your records,
13 through your administrative records through this rule,
14 you'll see that very easily, that a lot of things that
15 got deleted out of the original proposal on part 547 is
16 really because it did not fit for Class II.

17 It was like slot machine standards. So we
18 have that issue. We also -- and I think I pointed this
19 out before but it bears repeating. All these
20 regulations on the CLASS II issue. But, initially, the
21 idea of part 547 was because we could not ever agree,
22 tribes in NIGC could never agree on classification
23 regulation.

24 You know, so it was the Chairman's idea that
25 with part 547, we will just send it to the laboratory.

1 Then we will know it's Class II math, Class II game
2 architecture. And then we won't have to worry about
3 game classification that's been in controversy since I
4 was on the commission a thousand years ago. That was
5 one of our very first regulations that was on my desk.

6 So bear in mind this history because it's
7 really important because I think it justifies your
8 reconsideration of this Sunset provision. You know,
9 things get in place and morph over time. But if you go
10 back in the history and look, this is not necessarily
11 what was intended here.

12 The other issue is, really, to set product
13 standards, you know, I wouldn't say to the product
14 safety standards, more like product integrity standards.

15 We all want integrity. Nobody is arguing
16 against integrity. Nobody wants any kind of game
17 machine on their floor that is either going to cheat the
18 house or cheat the players. Nobody wants that.

19 So everyone is not up here going, "Oh, gosh,
20 this is terrible. We are being forced to have
21 integrity. So we want the NIGC not to do that." That
22 is a backwards and upside down way of looking at what
23 everyone is saying.

24 And I think what everyone is saying is we are
25 looking at this, and we are still looking at this very

1 hard. And we are not finding any integrity issues. And
2 these games have had the status for ten years. In ten
3 years, if there was some big scandal out there, it would
4 have erupted. We would have had that scandal. So is
5 there really any continuing justification for a sunset?
6 Rather, doesn't it be make more sense just to have it
7 Grandfathered? And Federal agencies, when they are
8 making rules in areas that have a significant economic
9 impact, you know, under the regulations governing
10 regulators, they are supposed to tread softly. You
11 know, tread softly. Don't do economic harm, especially
12 needlessly. The burden is really on the agency to
13 justify these kinds of rules.

14 I know we have a gaming commission that is
15 acting in good faith. So these are not intended to be
16 criticisms of you or any member of the staff. I know
17 you're in good faith. I know you take this seriously.

18 But I also just want to point out that we
19 should also be looking specifically, you know, at the
20 details. But we also need to keep in mind the
21 principals of good governments and the boundaries that
22 Federal agencies and adhere to in making these kind of
23 decisions that affect the market place. Thank you.

24 JONODEV CHAUDHURI: Thank you Ms. Homer. You
25 can probably anticipate the following in this statement.

1 I just want to clarify, for us, this is not a
2 classification discussion at all.

3 We are trying to come up with a rational
4 approach to an existing regulation that is currently
5 part of the status quo.

6 And so the status quo is what existed, exists
7 now, based on decisions that have been made before. And
8 we respect the decision making process that led to those
9 decisions.

10 But, if anything, any potential agency action
11 we are considering, it involves having a reasonable
12 approach to possibly improving the regulations on the
13 books now.

14 So I definitely appreciate the -- I think the
15 well-founded statement that agencies should take impacts
16 into account when making new law. But what we are doing
17 is, we are trying to address something that is part of
18 status quo.

19 So I do want to make that point because, you
20 know, my hats off to our team, the NIGC, who worked with
21 Indian country to say, "Let's look at what is already on
22 the books and discuss if there are ways to make it
23 better" because for better, for worse, I don't think any
24 of us were around when the Sunset Provisions were
25 drafted in the first place. But we do welcome this

1 dialogue.

2 ELIZABETH HOMER: I was there.

3 JONODEV CHAUDHURI: Well, I know you were,
4 Liz. But we do welcome this dialogue and all
5 of the data all of you are working so hard to present.

6 I do want to mention to Ms. Collier's comment.
7 We don't want a hurry up job either. We want to take a
8 sober look at how we got to where we are, where the
9 industry is going, and how to balance our job in support
10 of the primary regulators of Indian gaming to maintain
11 integrity of operations while balancing risks and
12 concerns.

13 We want to look at those together. And I
14 think that's what we are doing. Thank you so much for
15 your comments.

16 ELIZABETH HOMER: Let me just point out one
17 more thing. I don't want it to sound like I alone was
18 there. Matthew Morgan was there. Sheila Morago was
19 there. Nancy Green was there. Kathy Odas was there. A
20 lot of people in this room were there and can testify as
21 to the accuracy of my statement is that this thing
22 morphed and became something else. And I hope you take
23 that into account.

24 JONODEV CHAUDHURI: And it's very appreciated,
25 because I want to make clear, this is not classification

1 discussion for us. This is just an approach to figure
2 out a sound resolution to something that is already on
3 the books, that's all.

4 ELIZABETH HOMER: The point of raising the
5 classification is just to point out -- I'm not
6 suggesting that that's part of this discussion. It's to
7 point out that is how this regulation was conceived. It
8 was some kind of an answer to the classification
9 regulations.

10 JONODEV CHAUDHURI: And that very well may be
11 the case. And so here we are. We have got it on the
12 books. And we are open to doing something about it.

13 BARBARA COLLIER: Also, just to clarify, your
14 comment about the hurry-up issue that I was referring to
15 is not you hurrying up to make a decision -- although, I
16 am hoping that you do. After all of the consultations
17 that I've attended and that you have planned, I hope
18 that it does come to an end one day.

19 But, you know, it has trickled over from last
20 year and on and on, for ten years now, I guess you could
21 say. My expedient process was, if we do -- if the
22 Sunset Clause is not removed, we have no problem on my
23 end anyway upgrading the machines. It's just time frame
24 now that we are up against.

25 I don't want that to be a hurry-up job like

1 for one company to come in and have to completely close
2 down the casino. But then they have to hurry up and get
3 this installed so they can go somewhere else and
4 somewhere else and somewhere else.

5 That was the hurry-up job I'm talking about.
6 Because whenever you do that, you get mistakes, human
7 error. Because they are trying to hurry up, and they
8 are trying to get your machines back up on your floor
9 and not be detained. That was my issue. The more
10 courage you get, the more mistakes you make.

11 JONODEV CHAUDHURI: Excellent point,
12 Ms. Collier. Not to direct comments in any way. But
13 for the sake of argument, say, the agency makes a
14 decision that the risk levels are such that the
15 integrity concerns are minimal, to say the least, with
16 these games. That would lead us to the next question:
17 Well, where do we go from there? There are different
18 models that have been proposed.

19 As I said, please don't be surprised if there
20 is some discussion documents in the future. But
21 Mr. Morgan had mentioned empowering TGRA's to make some
22 of those cuts. You, know, we are about empowering
23 primary regulators as much as possible.

24 But if there specific comments folks have
25 about models that may be, you know, may be suggested,

1 please feel free to suggest those as well. Like I said,
2 we may issue something solely for discussion purposes.
3 But we are not going to finalize anything until we have
4 all had a chance to collaborate and discuss.

5 Thank you Ms. Collier and Ms. Homer.

6 SEQUOYAH SIMERMEYER: Having the opportunity
7 to look back at the history and evolution of this issue,
8 one thing that does it for me is, in 2008, in the
9 preamble for the regulations, the commission at that
10 time stated saying that the purpose of it is to provide
11 a viable means for TGRA operators to ensure the
12 standards of Class II game is played with technological
13 aids are fully audible.

14 And that is something that in 2012, the
15 commission did not reverse back. So perhaps on the same
16 lines, the Chairman feels getting feedback on economic
17 process is again important.

18 CELEST HUGHES: I want to thank NIGC for the
19 opportunity to participate in this very important
20 consultation. I want to thank Yvonne for her blessing
21 and for saving me and to Echo-Hawk for extending her
22 thoughts to all tribal leaders and to representatives.

23 I stated earlier I representing the Soboba
24 Band of Indians as Chair Commissioner. I also serve as
25 Secretary for National Gaming Commission.

1 I am here today to listen to the tribal
2 leadership, to listen to their concerns and to obtain
3 information from NIGA sub committee and thank them for
4 the work.

5 Again, I want to understand the economic
6 impasse that are going to be impacting tribes. I urge
7 NIGC to allow prior regulators to turn in if and when
8 any impact needs to be removed from the floor based on
9 proven integrity issues. I look forward to the special
10 draft. And I would want to apologize for having to
11 leave early. Thank you.

12 JONODEV CHAUDHURI: Thank you for that.

13 We have about 45 minutes left in our scheduled
14 time. But I wanted to make sure everyone has the
15 opportunities to be heard. No shame in finishing early.

16 SEQUOYAH SIMERMEYER: I want to say that in my
17 experience in consultations from the Federal side. The
18 process is a really important consideration in
19 consultation. And to great extent as possible making
20 consultation bilateral back and forth.

21 It makes consultation something different than
22 administrative rule making. So this employing comments
23 between the government is important to be as bilateral
24 as possible. On Indian country so I would appreciate
25 the effort folks make in keeping that dialog going.

1 BARBARA COLLIER: Thank you for your comments.
2 But earlier on, when you made your comment about 2008,
3 2012, making the machines auditable, I don't think
4 there's ever been a question about them being auditable.
5 And I have been through the machine inside and out. So
6 maybe there's a question here that is not being covered.
7 If there's a question about auditable. The machines
8 that are in question, have met that issue.

9 SEQUOYAH SIMERMEYER: Not to say that it's
10 established. I am just saying that in looking at the
11 letter.

12 ELIZABETH HOMER: Thank you for raising that
13 point. That verifies what I was saying is that there
14 wasn't a good understanding of the technology. This was
15 this belief that these CLASS II games are just slot
16 machines that the Indians are calling Bingo. It's a
17 server-based gaming system. It was brand new. Now the
18 bigger roles of gaming and Class II world, they have a
19 server that's following the Class II technology.

20 So it might be worth while to look at the
21 technical standards to even review some of those
22 standards, you know, because there are new standards for
23 server-based gaming that both laboratory have, you know,
24 issued since then.

25 So you know, I am realist here. I am not

1 saying "Open the whole regulation back up. Get rid of
2 the Sunset provision." And I think no one is
3 really complaining. We have technical standards. But
4 it's just that the Sunset provision didn't make good
5 sense. But I hear you. And I just want to reiterate.
6 There was serious misunderstanding about the technology
7 at the time.

8 JONODEV CHAUDHURI: We have I'll turn it over
9 to my fellow Commissioners for final statement if there
10 are no additional comments or questions.

11 KATHRYN ISOM-CLAUS: This is the last time for
12 any purpose on this topic. Thank you for the topics,
13 and we look forward. Thank you.

14 SEQUOYAH SIMERMEYER: I want to state my
15 appreciation for that and what we can do to make
16 bilateral process a better result in the end. And say
17 that I appreciate the work. This would not be possible
18 without the expertise at the regional level. We have a
19 lot of the ground experience on the regulation. So I
20 don't think any of our Federal agencies will be affected
21 unless we have on the ground perspective with partners.

22 JONODEV CHAUDHURI: Thank you.

23 Thank you all for taking the time to be here
24 today. I think everybody recognizes the impact of these
25 issues. While they may involve some very dry regulatory

1 language, we all do recognize the impact that these
2 matters have on real lives on the ground.

3 So thank you for taking the time to be here.
4 Thank you for any comments that you'll be submitting
5 after this. And I just really wish you the best of luck
6 as we move forward.

7 We do have a consultation tomorrow on other
8 topics. I hope everyone here will attend that
9 consultation as well. And thank you for those who are
10 heading home.

11 Safe travels.

12 (The consultation concluded at 11:50 a.m.)

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1 STATE OF CALIFORNIA)
2 COUNTY OF SAN DIEGO) SS.
3)

4 I, KIMBERLY S. HANNA, CSR NO. 12230, a certified
5 shorthand reporter for the State of California, do
6 hereby certify:

7 That said Hearing was taken down by me in
8 stenographic writing at the time and place therein named
9 and thereafter reduced to computer-aided transcription
10 under my direction;

11 That the foregoing transcript, as typed, is a
12 true and accurate record of the proceedings;

13 I further certify that I am not interested in
14 the event of the action.

15
16 Witness my hand this 31st day of May, 2017.

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18 _____
19 KIMBERLY S. HANNA, CSR NO. 12230

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