

NATIONAL INDIAN GAMING COMMISSION
PUBLIC COMMISSION MEETING
NORMAN, OKLAHOMA
JULY 18, 2011
9:30 A.M.

THE NATIONAL INDIAN GAMING COMMISSION,
PUBLIC COMMISSION MEETING, taken on July 18, 2011,
COMMENCING AT 9:30 a.m. at the Riverwind Casino,
Norman, Oklahoma, before David G. Harjo, a Certified
Shorthand Reporter, in and for the State of
Oklahoma.

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A P P E A R A N C E S

Committee Members Present:

- Tracie Stevens, Chairwoman
- Steffani Cochran, Vice Chairwoman
- Daniel Little, Associate Commissioner
- Lael Echo-Hawk, Councilor to Chairwoman

1 P R O C E E D I N G S

2 CHAIRWOMAN STEVENS: So we're going to
3 call this meeting to order. This is an effort by
4 this Commission to open -- sort of open the doors to
5 our internal processes in decision making and having
6 public meetings out in Indian Country. This is our
7 second meeting of this Commission that is open to
8 the public. Our first meeting was in April in
9 Phoenix. This is our second meeting. We plan on
10 having these meetings quarterly. The next one will
11 probably be in the fall sometime, that date is yet
12 to be -- date and location is yet to be determined.
13 We do post this information on our website, the
14 agenda. The transcript that will come from here
15 will also be posted online.

16 And as we embark on this, we begin, we
17 are informing everyone here of what the activities
18 are of the Commission. We do do other business out
19 in Indian Country but this is separate and apart
20 from that. This meeting, like I said, is open to
21 the public. And you'll hear from the Commission --
22 the Commissioners and our staff today about general
23 information, decisions, the progress that we are
24 making on our major issues. As time goes by we may
25 be taking official action with decisions that the

1 Commission has under the statute; for example, when
2 proposing, promulgating regulations. We don't have
3 this on the agenda today but as we move forward
4 later in time as we continue our quarterly meetings
5 those may occur.

6 So my apologizes. My name is Tracie
7 Stevens, I'm the Chairwoman of the National Indian
8 Gaming Commission, I'm a member of the Tulalip
9 Tribes. I do want to offer the opportunity to the
10 other Commissioners to provide opening statements
11 and introduce themselves, so to my right is Vice
12 Chairwoman Steffani Cochran and to my left is
13 Associate Commissioner Dan Little.

14 VICE CHAIRWOMAN COCHRAN: Good morning.
15 I am Steffani Cochran, a member of the Chickasaw
16 Nation, and this is home, and it's good to be home
17 for a couple of days, even if the weather is
18 unbearably hot. I appreciate the opportunity to be
19 here today and spend some time with you, to update
20 you on some of the activities of the Commission and
21 to also hear any public comments that come in during
22 the public discussion portion of the meeting so
23 thank you for joining us this morning and we look
24 forward to speaking about the meeting. Thank you.

25 ASSOCIATE COMMISSIONER LITTLE: Good

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1 morning everyone, my name is Dan Little, I'm
2 Associate Commissioner with the NIGC. I came on
3 board in April of last year for a three-year term.
4 Originally from Connecticut prior to becoming a
5 Commissioner. I worked with the Mashantucket Pequot
6 Tribe. Very happy to be here today in order to hold
7 a conference and I'm very interesting in hearing
8 your comments today. Thank you.

9 CHAIRWOMAN STEVENS: Thank you Steffani
10 and Dan.

11 Just so you all know how this is laid
12 out, there are agendas up at the front table there
13 and anyone who wants to make public comment, there's
14 a list for people who do want to make public
15 comments. I just want to remind everybody that as
16 we move through the agenda the public comments is at
17 the end of the agenda. Prior to that there won't be
18 any participation, this will just be information
19 sharing that we'll be doing, at the Commission.

20 Again the sign-up sheet is on the back at
21 the end of the meeting, we do open for public
22 comment.

23 Before we move on to the Chief of Staff
24 report, I do want to say that our Chief of Staff was
25 unable to make it, he got stuck in Chicago, so what

1 we have done instead is, we'll divide up the Chief
2 of Staff's report. The Training and Technical
3 Assistance portion, Vice Chairwoman Steffani Cochran
4 will give you a report. And for Agency Operations
5 Review, Associate Commissioner Dan Little will give
6 that report.

7 I just want to remind everybody that this
8 Commission has embarked on four major initiatives.
9 One, to improve the Consultation and Relationship
10 with Tribes and the relationship with other -- not
11 just the Tribes but with other federal entities.
12 The second initiative is on Technical Assistance and
13 Training, which the Vice Chairwoman will speak on.
14 The third major initiative is Regulatory Review.
15 Many of you we are undertaking that endeavor now.
16 And then the fourth and final initiative of this
17 Commission is Agency Operation Review, which is a
18 look back at ourself in the mirror to see how our
19 Agency is operating on the chain and how we can best
20 improve our Agency's internal operation so that we
21 serve Tribes better. And that's an initiative that
22 Associate Commissioner Little has taken upon himself
23 to lead.

24 So those are our four major initiatives.
25 You see that we have broken them up on the agenda.

1 And as I stated earlier we will have Vice Chairwoman
2 Steffani Cochran talk to the second major
3 initiative, Technical and Training.

4 CHAIRWOMAN STEVENS: Okay. I have the
5 privilege of being tasked with being responsible for
6 the task of the Agency's initiative objectives and
7 it's really a privilege because it's such an
8 essential part of our -- an essential component I
9 should say of our mission. Training and Technical
10 Assistance is really a great way for us to show our
11 commitment to our collaboration to the Tribes.
12 Outside of it just being such, there's no other
13 component which allows us to fulfill all the other
14 Commission objectives, and so it's a real privilege
15 that I get to work in this area on a routine basis.

16 It also is the best preventive measure
17 that we have for compliance issues and enforcement
18 action in the Agency and so therefore I think it's
19 -- and the Commissioners think it's a very essential
20 part of what we do on a day to day basis, directly
21 in working with the Tribes.

22 We made -- when the three of us came
23 together at the Commission we made a commitment at
24 that time to review and to evaluate our current
25 activities. Everything that we do on the Training

1 and Technical Assistance basis, we agreed to look at
2 it and to review it to see how we could improve upon
3 the activities or create new activities which would
4 better help the Agency's obligations. And the first
5 thing that we did, as many of you know, is we
6 started with a training survey that was sent out the
7 early part of the year. And we were looking towards
8 the Tribal needs and obstacles to Tribes and in
9 meeting training needs, because of budgetary
10 constraints and other things that might be affecting
11 the Tribes, and so we had a great percentage of you
12 respond to that survey, and give us a lot of
13 feedback to help us identify what we needed to focus
14 on. And we really do appreciate the efforts of the
15 Tribes because it took time out of your busy
16 schedules, and we appreciate that time you gave us.

17 Amongst the obstacles that were
18 identified by the Tribes included distance, funding
19 or lack of funding, opportunities. It also included
20 reduction in existing funding mechanisms either to
21 get to us or to offer something on their own. And
22 the other thing that we took away from that is, we
23 also, you identified what types of courses and
24 what's important to you so that you can better
25 utilize and we can better offer courses that would

1 meet your greatest needs.

2 I'll share with you a little bit of the
3 general comments, and we put on the website the
4 results from the survey and the executive summaries.
5 I hope you will take a chance to look at it because
6 really and truly, what we do right now goes back to
7 those results. We are trying to tie everything back
8 to what the Tribes told us was important. And some
9 of the general comments on the curriculum side was,
10 included the need for more refresher courses, more
11 advanced courses, more hands-on-type training. And
12 if you've noticed this year, and particularly since
13 the springtime forward, we spent a lot of time in
14 our regional training offering courses like -- more IT
15 type courses, more advanced audited type courses.

16 We have also tried to include some
17 advanced courses and Nimish Purohit, who is our
18 Acting Director for Training and Technical
19 Assistance right now. He's also, as many of you
20 know, the gentleman who on our Game Technology
21 Training, and he is an amazing person to work with
22 this area. He's working on some advance courses to
23 offer too because there's been such high demand.
24 But we are going to do that in all areas, auditing
25 type courses.

1 We are also going to reconfigure our
2 course offerings to make a little more sense, so
3 that they are not just audit courses. That you
4 might be able to take those courses and combine them
5 with some enforcement type courses or some of the
6 legal type courses so that you gain more confidence
7 in that area. And that's one of the things that we
8 wanted to do to try to make again better use of your
9 time.

10 We -- owed. Catalog we also wanted to
11 look for ways to reduce redundancy so that we
12 weren't too many -- in duplicate or triplicate, to
13 better use our resources. And we are looking to do
14 that in a couple of different ways; through
15 cooperative efforts is one way. I need to
16 acknowledge very early on that some of the Tribes
17 have opened up their doors when they have asked for
18 individualized training, for us to come to them,
19 they have opened up their doors and said, We'll
20 allow other Tribes nearby in the area to come,
21 participate as well. And that does help, when
22 everybody is using it as well. And we are trying to
23 look at those more in collective ways so we can get
24 training out to areas that are remotely located, or
25 get to Tribes who don't have resources. One of

1 those ways is in partnerships with the Tribes
2 themselves, we believe. So that's one area that the
3 Tribes have absolutely cooperated with us. We are
4 also reaching out to federal agencies, gaming
5 associations, other experts in areas to bring into
6 our trainings as well.

7 The another thing I wanted to mention is
8 we are working very hard, as many of you know, our
9 web site is not necessarily real user friendly and
10 we have worked hard to try to get more information
11 up there, make it a useful tool for you, that
12 includes the training and the technical assistance
13 like this as well, trying to get more information
14 about what we are offering, where we are offering it,
15 to take advantage of technology, which is something
16 that we are a little behind in. That does include
17 trying to think outside the box, and whether there
18 are some things which our technology may be doing.
19 There may again be some partnerships that we can do
20 out there, to use technology to get these resources
21 out to the Tribes. And so if you will check the
22 website NIGC, I hope you will continue to see the
23 updating that we're doing. And that does include
24 updates to the catalog as well.

25 The only other thing that I wrote down to

1 mention to you is, we do have a couple of events
2 coming up and I would like to share them with you,
3 that will be on the website. We have a training
4 coming up in Tulsa at the Hard Rock on the 26th of
5 this month through the 28th, and the talks to
6 include IT events, licensing, implementation and
7 service.

8 We also have a Regional Gaming -- policy
9 training in D.C. -- excuse me -- the D.C. Region at
10 Wind Creek Casino, and that's August 9 through the
11 11.

12 And then the last one that we have, put
13 out there as well, the St. Paul Region, this is at
14 Prairie Knights Casino, by Standing Rock Sioux, and
15 that is August 23rd through the 24th, and we will be
16 doing Audit Training, Title 31 Training as well, so,
17 you know, check the website for where we are offering
18 them. We know that some of you travel quite a bit
19 so if you can attend something here that's perhaps
20 in your travels, you might be able to attend in
21 those areas. You are certainly welcome -- welcome
22 whenever it is possible for you, so --

23 Madam Chairwoman, that's my update and
24 I'll turn it over to you.

25 CHAIRWOMAN STEVENS: Thank you, Vice

1 Chairwoman Cochran.

2 I do want to turn it now over to
3 Associate Commissioner Dan Little to talk about
4 Agency Operations Review.

5 THE WITNESS:

6 ASSOCIATE COMMISSIONER LITTLE: Okay.
7 Fun stuff.

8 During the course of last year the
9 Commission has been kind of forming a type of review
10 of the internal workings of the Commission. In an
11 effort to streamline the operations, come what more
12 transparent and smarter, and better provide services
13 to the Tribes. So over the course of the last year
14 we have found a number of areas and some of the
15 areas of problems we are looking at are, in
16 particularly are our general policies and procedures
17 for the staff. You know, some of the policies that
18 our staff needs in order to perform their jobs
19 effectively, have never been updated so the
20 Commission has gone through all those.

21 Some of the specific issues that are
22 going on on the staffing front. We are in the
23 process of adding field investigators for the
24 Phoenix region probably by the end of this month.

25 As many of you are aware, in 2006 the

1 Native American Technical Corrections Act required
2 that the NIGC comply with GPAR, which is the
3 Government Performance and Results Act of 1993. As
4 a result soon after 2006 the Commission did put up
5 their strategic plan. We are in the process of
6 updating that and that should be up very shortly.
7 Another issue, as you may be aware, and we have
8 reported it in the past, the NIGC the headquarter's
9 office, the lease is coming due the end of -- or the
10 middle of 3013. We are still in the process of
11 looking for a place. Actually either relocate or
12 possibly negotiate staying in D.C. We are working
13 the GSA to insure that we are getting the best
14 price. You know, D.C. is so -- a difficult market
15 for a property and it's still not very cheap but we
16 are being very diligent. We started this process
17 very early to make sure that, you know, we do
18 negotiate the best deal. But we will report more
19 information on that when that becomes available. On
20 the technology front, as probably many of our
21 employees will attest, the NIGC is lacking when it
22 comes to IT in our internal system. We have got
23 remote offices. We have got our headquarters in
24 Washington, D.C. We have got Tribal access, you
25 know, for the Tribes to -- that, you know, utilize

1 the background information, so technology is very
2 important.

3 Now so on the training and technical
4 front, we are looking at different areas for, just
5 being, you know, more accessible for the Tribes so
6 -- one of the ways we have done that is, we have
7 tapped into -- you know, the fact that we are part
8 of the Department of the Interior and they have
9 spent millions and millions of dollars over the past
10 few years to upgrade their IT and technology areas
11 and we are looking to tap into that so stay tuned
12 for some updates on that coming soon.

13 And then the last thing I want to talk
14 about is that many -- you heard about the, the
15 Commission had solicited the support from the Office
16 of Policy and Management to do an organizational
17 assessment. Over the course of the last few months
18 they have been compiling data through employee
19 surveys and focus groups. The data is then
20 compiled. Their report is just about finalized and
21 that will be coming to the Commission real soon.

22 And the whole purpose of this is to, we want to make
23 sure that the Commission is organized properly, that
24 insures we are effective, eliminate stove pipes and
25 that there is good communication through all of our

1 divisions and with the ultimate end result that we
2 are providing the services to the Tribes, and
3 secondly is -- you know, I never want to -- you
4 know, get an opportunity to talk about this. This
5 Commission is very, very aware that we don't receive
6 a federal appropriation, that our fees are provided
7 by the Tribes through a fee assessment so we want to
8 make sure we are good stewards with those funds, so
9 the organizational assessment will allow us to, you
10 know, look at our internal process and look for any
11 way to streamline and do our job in a leaner, more
12 efficient manner. That's all I have Madam
13 Chairwoman so thank you.

14 CHAIRWOMAN STEVENS: Thank you
15 Commissioner Little. Next I would like to go to the
16 Counsel to the Chair Report. Lael Echo-Hawk is
17 counselor to the chair and there's a number of
18 issues -- one major issue that she is in charge of,
19 it's the most -- probably unreal one of all which is
20 regulatory review. I know that many of you are
21 participating in our consultations, commenting as we
22 progress through this. Look at our regulations.
23 I'm sure that they are relevant, appropriate and how
24 we can best better protect the industry through
25 regulations. Then she will also comment on where we

1 are at with our consultation policy, so I'll turn
2 over the microphone to Lael Echo-Hawk, Councilor to
3 the Chair.

4 MS. ECHO-HAWK: Thank you, Chairwoman.
5 Good morning. As you know I have been sort of
6 leading the charge on regulatory reviews, and as
7 most of the people in the audience know, we began
8 the process in November of last year when the
9 Commission issued a Notice of Inquiry asking Tribes
10 to comment on what particular regulations or issues
11 they thought are regulatory structure that they need
12 to be reviewed by the Commission. As the comments
13 came in and we summarized them, there were about 21
14 potential issues that were identified by Tribes
15 either in the form of amending regulations, current
16 regulations or potentially creating new regulation.

17 In April of this year the Commission
18 issued a regulatory review agenda and identified 33
19 consultations, beginning in April of this year and
20 continuing to February of next year. We, the
21 Commission, identified again those 21 current
22 regulations or potential regulations that could be
23 new regulations or potentially amended or created.

24 Currently we have several regulations
25 online posted as discussion drafts. Those are Fee

1 Regulations, Part 514. Written comments on that
2 discussion draft closed on May 31st of this year.

3 The Facility Licensing Regulation, Part
4 559, comments on that, the discussion draft closed
5 on June 17 of this year.

6 The Enforcement Regulation discussion
7 draft went up on June 28 of this year and written
8 comments closed August 9.

9 The pilot program as to background and
10 licensing regulations, Part 556 and 550 and 558, all
11 were posted online July 7, 2011, written comments
12 for those discussion drafts closed on August 10.

13 Background investigations, regulation
14 Part 557 and Commission Regulation 551 also on the
15 28th of June, again written comments closed on that
16 discussion draft closes on August 9, so in a couple
17 of weeks.

18 We are anticipating that the Appeals
19 section before the Commission, that those discussion
20 drafts will be posted by the end of this week.

21 Again all those regulations can be found on our
22 website, and you can contact the region that issue
23 those to you as well. These are discussion drafts
24 only and so we'll take comments on those issues.

25 We currently just completed other ninth

1 consultation on these regulations and on Wednesday
2 we have our tenth consultation in Albuquerque, on
3 Wednesday and Thursday of this week, and then next
4 week we have consultations also in D.C. Those are
5 the next two upcoming consultations that have been
6 identified by the regulatory review agenda.

7 So that's the update on where we are at
8 with the regulations, regulation review. And I will
9 move into the consultation, agenda consultation.

10 Are there any questions? No questions.

11 Okay. One of the duties by the
12 Commission was to review the consultation policy,
13 make sure that we are in line with the protective
14 order, we want to identify, and the Commission did
15 that earlier this year, and published a special
16 draft consultation policy earlier this year.
17 Written comments on that policy closed on May 31st.
18 The Commission is taking a look at that policy and
19 the comments that we received and we will be working
20 again on a draft and final policy to be put out
21 later on this year.

22 Thank you.

23 CHAIRWOMAN STEVENS: Thank you, Lael. I
24 do want to say that on the consultation policy, we
25 will need to build in time, at a point where we

1 adopt a new consultation policy. The reason is that
2 we do need to make sure that our staff and our
3 assistants workload within the agency, that we are
4 writing the consultation policy as we lay down the
5 terms of its structure and how we come up with the
6 information, so along with the adopted policy, the
7 effective date may be pushed out while we reorganize
8 the work flow within our office.

9 The next thing we would like to talk
10 about is the Tribal Gaming Report 2010. This report
11 goes out every year by the Commission getting
12 aggregate information on Indian gaming revenues and
13 I'll turn it over to Associate Commissioner Dan
14 Little to talk about this report. And you will be
15 able to see that here in a moment. So you can see
16 up on the Power Point here and I'll turn it over to
17 Dan.

18 ASSOCIATE COMMISSIONER LITTLE: Okay.
19 Thank you Madam Chairwoman.

20 Each year the Commission releases
21 industry growth gaming data. And this is done
22 through the 422 independent audit financial
23 statements that the Commission has received from 236
24 gaming tribes. Now you can see from the Power Point
25 the figures for 2010 26 -- 25 billion dollars. And

1 that is exactly the same number as in 2009. It
2 shows some stability in the industry.

3 You can go to the next slide.

4 We have geographically by the NIGC
5 regions. Now as you can see, and it's also on the
6 next slide too. Most all these will be posted on
7 our website because I don't think there's any
8 hand-outs in the back. But, you know, you can see
9 that the economy has had a -- has posed some
10 challenges for the industry overall. It's done, you
11 know, fairly well. We have got some areas of growth
12 on the last slide here. In, Oklahoma, Portland
13 Tulsa has done well. We do still see some
14 challenges in Sacramento and Phoenix but they are
15 improving as far as 2009 numbers. So overall I
16 think the industry is doing, you know, fairly well
17 considering the economy, and like I said, this
18 information will be posted on the website so you can
19 access it later today. Do you have any questions?

20 CHAIRWOMAN STEVENS: Thank you, Dan. And
21 as he said, we will have this posted. This is
22 normal course of business for the agency, to post
23 those captured numbers based on reports that are
24 submitted us to and they are aggregated and are
25 collected for the regions. We not release

1 individual tribal numbers. These are aggregates for
2 the regions, and good to see the stability of the
3 industry.

4 The last thing on our agenda today is
5 Public Comment. And if I could ask one of the staff
6 people to bring the -- the list of individuals that
7 have signed up to make public comment. I just want
8 to say that this is intended for individuals to make
9 brief statements to the Commission, it's part of our
10 facts on current issues, within the jurisdiction of
11 NIGC. It's not intended to be an open forum for
12 public debate. It's an opportunity for the public
13 to make comments to us over this area for any
14 matters that are regulatory.

15 We may or may not choose to address the
16 issues, may or may not ask clarifying questions to
17 the commentary.

18 Again, we have a sign up sheet, and --
19 now, we have some microphones, you don't have to
20 come up to the table, we'll bring the microphone to
21 you. I have a list of individuals here and we'll
22 start at the top. Please state your name,
23 organization of record before making your
24 statements.

25 I have someone from Fort Sill, Steve

1 Noble? Noble?

2 STAFF PERSON: He's going to wait.

3 CHAIRWOMAN STEVENS: I'm sorry?

4 STAFF PERSON: He's going to wait.

5 CHAIRWOMAN STEVENS: Okay. And then Beth
6 Parker, Wichita Tribe. No Beth Parker?

7 Yeah, I know that there was some
8 confusion about what the intent of this sheet was,
9 we tried to clarify that when you came in. It's
10 only for public comments to be made. I saw lots of
11 names crossed off once it was found out this was the
12 microphone sheet.

13 MR. STEVE YORK: I'm Steve York, I'm with
14 the Fort Sill Apache Gaming Commission and the
15 Executive Director of the Apache Gaming Commission.

16 I'm waiting for my friend to bring my
17 notes in but I'm going to submit my stuff to you in
18 writing because I have basically nine questions,
19 mainly dealing with some of the personnel in the
20 NIGC.

21 Currently the NRCS has twelve to fourteen
22 positions that are vacate. I think some of the
23 crucial positions are, the ones that I'm concerned
24 with, I think Indian Tribes are concerned with are
25 the field investigators and the auditors that's

1 currently vacate.

2 Back in April of 2010 the National Indian
3 Gaming Commission advertised five field
4 investigators positions. Of those five only one was
5 filled. And I think that individual went to
6 St. Paul -- Minneapolis-St. Paul region. And since
7 then no other field investigators have been put on
8 staff.

9 Now let me tell you what my basic
10 concerns are. When you have twelve to fourteen
11 positions vacate, currently vacate in the NRCS, the
12 problem is is I look at it that you have about ten
13 to twelve percent of your staffing that's vacate.
14 And the only thing I'm saying is, is something needs
15 to be explained to us. Like, say you have got all
16 the figures and stuff up there and all, June the
17 30th you passed your .00074 again, which I
18 congratulate you on because the law says .0080 is
19 the max, so -- but I'm currently worried about our
20 budgeting process.

21 And the other thing is that us as Tribes,
22 last year you did eight consultations. In my search
23 of the budget I couldn't see anything budgeted for
24 those eight consultation sessions. And this year we
25 are projecting 33 consultation sessions and I've

1 still not seen anything budgeted for it. And the
2 other problem I have is -- towards the end, like I
3 say, I'm going to submit my written comments to you
4 on this issue. But the other one is is that, my
5 understanding is that 1441 Elm Street is fixing to
6 be moved to some other location, and I want to see
7 what kind of budget is put in place for that. I
8 don't know whether you are using these vacated
9 positions in order to fund that move or what you're
10 doing, but like I say, I'm just going by what you
11 put out in your statement, that you want to be
12 accountable, transparent to Tribes, and so that's
13 reason I'm asking you some of these hard questions
14 that need to be answered or addressed to the Tribes
15 out there, showing what the NIGC is actually doing
16 for the Tribes out there that actually fund the
17 Commission to do the job of regulating the Indian
18 gaming, or being our peers to regulate Indian
19 gaming.

20 But I will submit those written comments
21 to you, Chairperson Stevens, as soon as -- as soon
22 as the person that -- my printer ink went out on my
23 printer at home so I had to sent it to another
24 location. I had them bring it so I could present it
25 to you. But I appreciate your time.

1 CHAIRWOMAN STEVENS: Thank you. Thank
2 you, Mr. York. Just so everybody knows, we look
3 forward to your submission. Yes, there were some
4 vacancies that were advertised prior to my arrival,
5 which was April of 2010. I arrived in July 2010.
6 As Dan was discussing, we are undergoing a review of
7 our efficiencies in operations at the agency by the
8 Office of Personnel Management, OPM. They are sort
9 of the HR for the federal government, and we wanted
10 to make sure that we had a full understanding of how
11 the work flow goes through the agency, and insuring
12 that we had put out the correct number of
13 advertisements, either for field investigators or
14 for audit positions. Those vacancies are not
15 intended to be funded by the move. The move -- our
16 lease expires in our current building in 2013. We
17 are looking. We have to work first with GSA,
18 Government Services Administration -- General
19 Services Administration, another arm of the federal
20 government by which we must abide. We are under
21 negotiations with the building that we are currently
22 in. Whether or not they are going to be asking to
23 renew that lease or we're going to have to look for
24 new space.

25 We do need to do a lot of planning for

1 that even though it's two years from now. And, you
2 know, those two items in particular, the rest of the
3 federal government is looking at their staffing
4 levels, they are looking at how they operate, what
5 their efficiencies are like, since we have been
6 mandated by the president through an executive
7 order, so we are glad to say we are on board with
8 the administration in terms of looking for
9 opportunities to streamline and make more efficient
10 government. And we do plan on, you know, showing
11 our homework basically in terms of budget.

12 I know you mentioned looking at the
13 budget. And we have come into -- when we came into
14 the agency we identified immediately that we needed
15 to revamp our process and make it more available.
16 We are still in that process. It's not currently
17 available but we are looking at ways to organize our
18 budget and the process that we create our budget and
19 our involve our regions in that budget. We all come
20 from Tribes. We all have our feet held to the fire
21 by our tribal councils, and we are -- you know, I'm
22 responsible for the Commission and I work for a
23 casino, and, you know, we want to -- we bring with
24 us some I think fairly good background on
25 management, organization, leadership and budgeting,

1 so we are still in the process right now and as we
2 hone basically these budget processes down into
3 something that's streamline and clear, we certainly
4 will be sharing that information. And I just think
5 in response to some of your inquiries to answer
6 those on the record.

7 Dan or Steffani, do you want to add
8 anything?

9 I appreciate that anybody that looks at
10 our budget, besides us, for the process that we come
11 into, as you know looking at the budget it is not
12 detailed in the manner that perhaps it should be. I
13 know this is something that the Chairwoman is
14 committed to also, is making sure that our systems
15 are in place, our budgeting systems reflect the
16 agency's activities, and that's an ongoing process
17 we are very committed to so I appreciate anybody
18 that looking at it other than the agency so ...

19 I do want to add that, again I want to
20 remind everybody that we do not receive federal
21 appropriations to the budgeting process. We are not
22 part of the mass system which basically the
23 budgeting and accounting system of the federal
24 government because we don't get those
25 appropriations, we are funded entirely as an

1 independent agency by those that we regulate. That
2 would be you. So what you see in Greenbooks, and
3 the Greenbook, you know, is information that
4 Interior and, you know, OMB, Office of Management
5 and Budget.

6 I want to talk about revamping our
7 systems and then contribute it for transparency.
8 That's what we are working on is, we are doing ad
9 runs and doing additional budget systems that are
10 outside of what you might see in public because of
11 where we are, our position, and where we stand in
12 our budget process, and make those available as we
13 develop them, just so you know.

14 Now, did Bet Parker come back in or did
15 she intend to make a public comment?

16 STAFF PERSON: She does not have any
17 comments.

18 CHAIRWOMAN STEVENS: Okay. Thank you.

19 MR. STEVE YORK: Yes. I mean, like I
20 say, I've got my questions on my written comments
21 that I want to provide to you. I mean, I could
22 either send it to you by e-mail but there are some
23 other questions and stuff. One of the questions is,
24 along with the twelve, fourteen positions is the --
25 let's see the positions that are vacate are the

1 Director of Audit. There's a financial analysis
2 position that has been vacated. There's, what, two
3 senior staff attorneys. Mike Gross left sometime
4 around June. And then I think you have one senior
5 staff attorney that's on a detail to DOI. And then
6 the major question is, you put on staff Ms. Lael
7 Echo-Hawk, I guess the counselor, and my question
8 is, what grade level is she? You know, whether
9 she's a senior executive service grant level or
10 GS-15? And I'm not asking that question for just
11 the mere fact that I want to put it out there but,
12 you know, you guys get money on your fee schedule
13 from us to run the operation, so alls I'm asking for
14 is for somebody to tell us, you know, what kind of
15 deal is it? Like I say, your budget, I can't see it
16 in the budget so that's -- that's the reason I'm
17 asking.

18 And then the other position that is
19 created is the Deputy Chief of Staff position, and I
20 didn't see any budget in that, and I didn't see
21 anything in your work charts for those positions.
22 So that -- them are questions I think ought to rise
23 up. They probably don't spend the time to study
24 your budget but I'm one that does. So I'm trying to
25 present those to you.

1 Like I say, I don't expect you to give me
2 an answer just like you made in your statement, but
3 I expect the transparency and accountability to take
4 place just like you made in your statement to us
5 when you put out this consultation study. That's
6 all I'm after. So -- I mean, I can go into further
7 discussion with you, I don't mind talking here, but,
8 you know, it's something I think a lot of Tribes
9 should be curious about, of how you actually manage
10 the budget.

11 Now, you did make a statement that you
12 started in July. Mr. Little said he started in
13 April so, well, to me the budgeting process, even un
14 GAAP you're supposed to submit a five-year plan so
15 that these items in there should be known in your
16 yearly budget but they should be projected
17 underneath GAAP or to somebody that's reviewing what
18 you guys do as an organization.

19 That's, like I say, them are off the cuff
20 kind of remarks too. But like I say, I will submit
21 written comments to you. Thank you.

22 CHAIRWOMAN STEVENS: All right. Thank
23 you. We look forward to your comments and
24 questions.

25 Are there any others that want to make

1 public comment? Yes. Mr. Green. It's on its way
2 down.

3 MR. JESS GREEN: Will there be any
4 discussions about the formation of a new NIGC
5 government committee to review any proposed
6 regulatory changes?

7 CHAIRWOMAN STEVENS: Do you mean like a
8 Tribal Advisory Committee? Is that what you mean?

9 MR. JESS GREEN: Yes, an impact type, a
10 similar joint committee to develop, to speed the
11 review on?

12 CHAIRWOMAN STEVENS: Well, I appreciation
13 that question and when we were in the comments it
14 came clear, we kept hearing, not just at the
15 consultations recently but through the NOI, and the
16 comments we received on the notice of inquiry, NOI,
17 that Tribes were really looking to get an advisory
18 committee back in order. We had heard plenty of
19 perspectives from Tribes on how previous advisory
20 committees operated, what their outcomes were, the
21 local dissatisfaction from Tribes, the relevancy
22 really of the product now today of those committees
23 and really the desire to reach the concept of -- in
24 a committee that represented -- that's repetitive of
25 Indian Country working in the agency to move

1 something really more detailed, regulations like
2 internal control standards, control standards down
3 in the field. Right now we have them in groups. If
4 you look at the notes in the regulatory review, what
5 became clear to me what some of the Tribes were
6 looking for and have the desire to have an advisory
7 committee. We are thinking and taking in comments
8 about past committees. And that helps inform us.
9 You should know your past before you move forward.
10 What worked and what didn't work. So we are taking
11 in comments, gathering information and asking
12 questions at consultations on how we should make up
13 an advisory committee. And running parallel tracks
14 so in fact we can get to some completion with
15 regulations that have been sitting on the front
16 burner for years, seven years.

17 We recognize the need to bring some
18 finality to those because mean while they are
19 sitting on the burner, even on the front burner,
20 even on the back burner, and as time has gone by
21 things have changed which have called into question
22 the relevancy of those regs. But the desire to get
23 those done because in the mean time you all are
24 without certainty how to run your operation, to
25 regulate your operations and bring what has been an

1 ongoing endeavor about seven years, to some finality
2 and some plan on how to manage changes in the
3 future. So we are taking in comments from Tribes.
4 But we are now pointedly asking during our
5 consultations about the regulations, how they should
6 be made up. You know, are Tribes okay with the
7 concept of only making some technical standards to
8 one side and sending it down a parallel track while
9 the other -- all the others, they all talk about
10 maybe move on separate tracks because those seem to
11 be less onerous. A little easier. Very heavily
12 detailed technical standards. And so we will be
13 asking those questions in Albuquerque, we'll be
14 asking them in D.C. next week, and at some point
15 we'll be informed enough to reach out to Tribes on
16 what the, you know, what processes there will be to
17 form the committee. And we do -- we're -- as we
18 reach that point we'll inform Tribes of, you know,
19 what the time line will be, you know, how we will
20 proceed.

21 So does that help answer your question?
22 We are considering it because the Tribes want us to,
23 and we are thinking about how we can put it together
24 and we'll let you know once we have it altogether,
25 probably in the next couple of weeks.

1 MR. JESS GREEN: The timeline issue was
2 my only thing. So you're thinking by the time you
3 complete your D.C. meeting you'll have some idea,
4 you'll make time in that week -- announce it within
5 a week or so on any rulings about nominations you're
6 going to accept and turn around in time to make
7 selections?

8 CHAIRWOMAN STEVENS: Yes.

9 MR. JESS GREEN: We are looking at three
10 weeks though at sometime and we'll have one or two
11 tribal groups together?

12 CHAIRWOMAN STEVENS: Yeah. We'll --
13 we'll have ours within a couple of weeks, actually
14 two or three weeks we'll be able to give information
15 about what process we are going to go undertake, how
16 we will gather members of the committee to Tribes,
17 and some time frames. And my hope is that we can
18 have a lot of the work ready to go for the advisory
19 committee so we can save ourselves some time and,
20 you know, basically get under way as soon as they
21 hammer out the ground rules and other things, we're
22 going to have to. But we feel it's probably the
23 best that we can do, is have the members there
24 rather than having an ad hoc group where there's a
25 lot of people who aren't in charge or having, you

1 know, one person who's in charge start making all
2 the decisions.

3 MR. JESS GREEN: I've been in one meeting
4 where it was three strikes and you're out.

5 In order for the Oklahoma area to be on
6 its toes we should be watching your website then at
7 the first of the month, sometime within the next ten
8 days, first of the month, there will be some kind of
9 announcement on your website that will tell us how
10 the committee is going to be formed, how quickly
11 it's going to be formed and how many meetings there
12 are going to be? Would that be accurate?

13 CHAIRWOMAN STEVENS: Yes. We will be
14 sending down some guidelines on how we are going to
15 select, the time frames. They are working on how
16 long they'll need. Yes. Give us three weeks.

17 MR. JESS GREEN: Previous committees have
18 gone from excluding people that were on the
19 committees, making them leave the room, to allowing
20 people be in the room, to finally allowing them to
21 be in the room at the conclusion of the meeting. Do
22 you have any concept about those of us, for instance
23 we've got an executive director of the Oklahoma
24 Indian Gaming Commission that I think might be
25 available to at least observe. A number of gaming

1 commissioners would like to go that are not members
2 and watch, and then some of us legal counsel are
3 sent to monitor. Do you have any concept about
4 whether or not we would be welcome at any of those
5 types of meetings?

6 CHAIRWOMAN STEVENS: We have heard from
7 Tribes what has and hasn't worked in previous
8 commission meetings and we want to learn from that.
9 One of the things we would like to do is make as
10 well informed decisions as we can. There are parts
11 of these regulations that are very -- you know, you
12 have to be an expert in these areas, and, you know,
13 whether it's IT, machine operations, you know,
14 accounting. We want to figure that out and build on
15 that kinds of things where we can be informed, and
16 we are talking about that internally so that I would
17 imagine there's going to be some way to do that, we
18 just don't know how that is yet, to bring people
19 into inform, to allow people to bring in whoever
20 they might be, and they have somebody that works
21 --they work with who's an expert in a field, you
22 know, what access would they have? So in a
23 nutshell, yes, are not going to be shoving people
24 out. We're talking about how we can include and how
25 this can be an inclusive process. It's just going

1 to be a question of how do we it?

2 MR. JESS GREEN: Thank you.

3 VICE CHAIRWOMAN COCHRAN: Jeff, you
4 should always check the front door to see whether or
5 not you are welcome.

6 CHAIRWOMAN STEVENS: Any other public
7 comments? Any? If not then, if there's no other
8 business I'll entertain a motion to adjourn.

9 ASSOCIATE COMMISSIONER LITTLE: I make a
10 motion to adjourn.

11 VICE CHAIRWOMAN COCHRAN: I'll second.

12 CHAIRWOMAN STEVENS: All in favor?
13 Opposed?

14 ASSOCIATE COMMISSIONER LITTLE: Aye.

15 VICE CHAIRWOMAN COCHRAN: Aye.

16 (Adjourned.)

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C E R T I F I C A T E

I, David Harjo, Certified Shorthand Reporter within and for the State of Oklahoma, do hereby certify that the foregoing proceeding was by me taken in shorthand and thereafter transcribed; and that I am not an attorney for nor relative of any of said parties or otherwise interested in the event of said action.

IN WITNESS WHEREOF, I have hereunto set my hand and official seal this 26th day of July 2011.

David Harjo, CSR RPR

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