



# FOREST COUNTY POTAWATOMI GAMING COMMISSION

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August 4, 2021

## NIGC Consultation Comments

### Re: 25 C.F.R. Parts 502, 556, & 558

The Forest County Potawatomi Gaming Commission (FCPGC) appreciates the opportunity to provide comments on the proposed changes to 25 C.F.R. Parts 502, 556, and 558. The FCPGC is providing comments for the following sections:

#### *§502.14 Key employee means:*

*(a) Any person, irrespective of employment status or compensation who performs one or more of the following functions:*

**Comment:** The FCPGC recommends change to the language to be read as follows: “irrespective of employment status within the tribe or compensation”. This change clearly identifies key employees as individuals employed by the Tribe who performs the identified functions including those individuals who are employed by the Tribal Gaming Regulatory Authority.

#### *§502.14 (a) (9) Custodian of gambling devices, gaming supplies, gaming systems, or cash;*

**Comment:** The FCPGC recommends delete cash and replace it with the words “gaming-related cash” or “gaming-related cash and cash equivalents”. This change clearly identifies individuals who are custodians of gaming related cash as a key employee and is consistent with the terms preceding it: gambling devices, gaming supplies, and gaming systems.

#### *§502.14 (b) Any person with unescorted access to secured areas;*

**Comment:** The FCPGC requests a clarification of the term “secured areas” and recommends the following language “Any person with unescorted access to areas of the facility that store or

house gambling devices, gaming supplies, gaming systems, or gaming-related cash or cash equivalents” for consistency with §502.14 (a)(9).

*§502.19 (b) (3) To supervise a Key Employee.*

**Comment:** The FCPGC appreciates the inclusion of this statement as it adds clarity to the identification of who primary management officials are.

*§558.3 (e) (1) The information listed under §556.4 (a)(1) through (14);*

*(2) Investigative reports, as defined in §556.6 (b); and*

*(3) Eligibility determinations, as defined in §556.5.*

**Comment:** The FCPGC appreciates the inclusion of the specific information required to be retained helps to prevent confusion regarding what specific information must, at a minimum, be obtained and retained for at least three years from the date of termination of work.