

Delaware Gaming Commission



June 22, 2015

Jonodev O. Chaudhuri, Chairman
National Indian Gaming Commission
Department of the Interior
1849 C. Street NW, Mail Stop #1621
Washington, DC 20240

Dear Chairman Chaudhuri:

The Delaware Nation Gaming Commission would like to extend its appreciation for working with the Tribes in requesting and considering comments. Along with engaging in discussion on the four topics described in Notice of Consultation letter dated February 26, 2015. Those topics are as follows:

- Updates to the NIGC's Privacy Act regulations
- NIGC's proposed National Environmental Policy Act (NEPA) manual that includes a categorical exclusion for the approval of management contracts
- Guidance for Class III minimum internal control standards (MICS)
- A proposed regulation through which the NIGC will give preference in Agency purchasing to Indian-owned businesses.

First of all, The Delaware Nation Gaming Commission has no objections with the changes proposed in the updated NIGC's Privacy Act regulations, therefore we concur.

The Delaware Nation Gaming Commission supports the position of NIGC proposed NEPA manual that includes a category for exclusion for actions that normally does not require either an environmental impact statement or an environmental assessment.

The proposed NIGC regulation for "Buy Indian Goods and Services" provides for giving preference to Indian-owned firms for the acquisition and procurement of goods and services at a fair market price. The Delaware Nation Gaming Commission has no objections to this provision, as long as cost is still the lowest acceptable price.

Finally, with regard to Part 542, The Delaware Nation Gaming Commission strongly disagrees with NIGC to withdrawing Part 542 from the regulations. As you already know the Compact with the State of Oklahoma when approved by the people of Oklahoma, included compliance requirements with Part 542 of the NIGC regulations or the Tribal Internal Controls whichever is more stringent. It would be detrimental for our Tribe if the NIGC withdraws Part 542, possibly causing a violation as far as the State of Oklahoma is concern. Along with

reopening compact negotiations with the State of Oklahoma for approval of Class III gaming. We respectfully submit that the Chair of NIGC should not withdraw part 542 from our regulations. We believe that the NIGC should act to promote best practices for Indian gaming regulation, assist tribal governments to build strong tribal regulatory agencies, and promote voluntary compliance with Indian gaming regulations.

Thank you for your thoughtful consideration.

Sincerely,

A handwritten signature in cursive script, appearing to read "Jeanne Mosely".

Jeanne Mosely, Chairwoman
Delaware Nation Gaming Commission

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**DELAWARE GAMING
COMMISSION**

Fax

To: Jonodev Chaudhuri, Charman **From:** Kay Busby
Fax: 202-632-7066 **Pages:** 3
Phone: **Date:** 6/22/2015
Re: **CC:**

Urgent **For Review** **Please Comment** **Please Reply** **Please Recycle**

• **Comments:**

Attached are our comments in response to your request dated May 6, 2015.

Thank you,

*Kay Busby
Executive Director
Delaware Gaming Commission*