

1 NATIONAL INDIAN GAMING COMMISSION

2 REGULATORY REVIEW

3 TRIBAL CONSULTATION AGENDA

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7 NIGC STRATEGIC PLAN MEETING

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10 REPORTER'S TRANSCRIPT OF PROCEEDINGS

11 October 4, 2012

12 2:00 p.m.

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15 HELD AT: SANDS EXPO and CONVENTION CENTER

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18 Venetian/Palazzo Hotel

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APPEARANCES

STEFFANI COCHRAN, NIGC Vice Chairwoman

DAN LITTLE, Associate Chairman

DAWN HOULE, Chief of Staff

LANCE VALLO, Region Director

SARAH WALTERS, Counsel to Chair

NICOLE ASPA, Auditor

SALLY VIRAG, Administration

MIKE McBRIDE

JOE MURILLO

STEVE RALLAVA

NORM HANSON

KIM SNYDER

JOE MARINKO

SHEILA MORADO

TERI POUST

GERALD AGLIARI

ESTHER MOSES-HYIPEER

TEREST ORTEZ

SHAWN GRAY

1 THURSDAY, OCTOBER 4, 2012, 2:00 P.M.

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3 MS. COCHRAN: I know many of have been here
4 for quite some time because I know the meeting times was
5 listed by the hotel for one o'clock. I apologize for
6 that confusion. We did move it to 2:00 o'clock to
7 accommodate the Tribal luncheon. For those of you here,
8 I thank you so much for your patience.

9 We're going to get started because I know
10 you've been here all week, and I know things you want to
11 move on to. So I'm going to first thank you and welcome
12 many of you to the consultation. If any of you want to
13 come join us at the table -- I almost want to move down
14 that way. So if you want to come sit at the table,
15 please do so.

16 We have Tribal, we want you here. But anybody
17 is welcome to sit with us. We'd like to have you at the
18 table.

19 I'm going to introduce myself and give you
20 background information, then I'm going to turn it over
21 to Commissioner Little.

22 For those of you that don't know, I'm Steffani
23 Cochran, and I'm the vice chairman. My home for me
24 right now is outside of DV is Santa Fe, and that's where
25 I came from prior to accepting my role on the

1 commission. I was working as general counsel for the
2 Public Works in Santa Fe. That's where my home is, and
3 I plan on returning at some point in my endeavor.

4 So I am at the end of my three-year term which
5 will be ending soon. Hard to believe three years has
6 passed since I first accepted my position, but January
7 4th is the end of the three years. So it's been very
8 rewarding, very challenging and very exhausting
9 position, but it's gone by quickly.

10 I'm going to turn it over now to Commissioner
11 Little, and I'm going to ask him to introduce himself,
12 then we're go around the table and make some other
13 introductions.

14 MR. LITTLE: Thank you Vice-Chairman Cochran.
15 I'm Dan Little, the associate commissioner here at NIGC.
16 I too am quickly approaching the expiration of my term.
17 So I expire in April of next year. I appreciate you all
18 sticking around here on the last day, then sticking
19 around for at least an hour. I came from the Tribal
20 luncheon and I'm not sure if any of you were there, but
21 it was a good group there also.

22 I'm originally from Connecticut. Prior to
23 coming on the commission I served with the Masquequat
24 Tribe and provided affairs and assistance and guidance.
25 Prior to that I worked for the State legislature in

1 Harvard, Connecticut, and was 10 years in the Army and
2 Reserves.

3 I'm happy to be here. Once again, grateful
4 for you all for sticking it out here today. We'll try
5 to move on as fast as we can, and I'm going to turn this
6 over to the vice-chairman.

7 MS. COCHRAN: I also note we have some former
8 commissioners in the audience here. Terry House is
9 here. Very rewarding to have commissioners here. I
10 know they've done a lot of great things in the industry.

11 We have a couple of staff members with us, so
12 I'm going to go around the table. And ask you to
13 introduce yourself. I'll start with Nicole, if you
14 would introduce yourself then we'll on to Lance.

15 MS. ASPA: Good afternoon. My name is Nicole
16 Aspa, the senior internal auditor for NIGC, Navajo and
17 day member of the Colorado River Indian tribes.

18 MS. HOULE: Good afternoon. I'm Dawn Houle.
19 I'm Chippawa Creek from Rockaway, Montana, and the chief
20 of staff for NIGC.

21 MR. VALLO: Good afternoon, everyone. I'm
22 Lance Vallo. I'm the Region Director of the Phoenix
23 Region.

24 And outside in the admin assistance is Sally
25 Virag from the Phoenix office.

1 MS. COCHRAN: We also have Sarah Walters here
2 on behalf of the Chairman. Chairman Stevens is not with
3 us. She's in D.C. on personal matters she has to take
4 care of. She regrets she's not able to be with us, but
5 hope we'll be able to cover everything that we need.

6 The purpose of this meeting -- consultation in
7 particular as you know, relates to the strategic plan,
8 and it is part of our ongoing effort to consult with
9 tribes pursuant to Executive Order 1375, which does
10 require that we consult with the industry in the Tribal
11 governments in substance of taking action which
12 substantially impact them.

13 And the strategic plan does impact tribes. It
14 does set forth things you can expect from the Agency
15 next couple of years where we're going to measure our
16 success or failures if it comes to be.

17 We also do this early in advance of making
18 final decisions, and the strategic plan is being done in
19 the same manner. It is in a draft format, and we are
20 trying to get engaged with tribes early on so as we make
21 revisions as the final plan comes out, it is something
22 that you recognize.

23 I'm going to ask Commissioner Little to talk a
24 little bit about the history of the process that we've
25 gone through, and then we're going to turn it over to

1 ask the staff to do the presentation.

2 MR. LITTLE: This is fun to talk about. And I
3 get to make fun of myself.

4 Back in 2006 when there was a bill going
5 through Congress, tribes at the wishes of NIDA requested
6 that the NIGC file a GPRA, Government Performance and
7 Results Act. And I see Sheila back there, and we were
8 all saying, yeah, this is a great idea. We need to have
9 the NIGC to present a strategic plan and present with
10 tribes and come to before all of you.

11 So here we are today. We have a strategic
12 plan to cover the years 2014 to 2018. We have a draft
13 that's been online. I hope many of you have had a
14 chance to read it. We'll go through it and talk about
15 little bit. There's packets here.

16 And to continue the process we did go through
17 the regulatory review. We're trying it in draft form.
18 We want to hear your thoughts and ideas. We want to
19 hear about it before we move forward with finalizing the
20 strategic plan.

21 It may be a little dry, but guess what, it's
22 what we wanted, right? So here we are today. We all
23 take it very honestly. The commission is fully funded
24 by the fees you all provide us. We take that very, very
25 seriously. We're putting into the strategic plan the

1 four initiative items that we've been working off over
2 the last two and a half years.

3 So I think you've all heard these a number of
4 times. We're codifying into the strategic plan. We
5 really want your feedback, some of your thoughts, and we
6 will take those into consideration before we move
7 forward with it.

8 I think that covered everything about the
9 history of GPRA. The format of the consultation, Dawn
10 is going to walk through a Power Point presentation.
11 And that will kind of lay out the draft. Will talk
12 about the current strategic plan, do some comparison,
13 look at some measurements and key areas so you have an
14 idea how we're going to measure, how you are going to
15 actually measure our success and how we're carrying
16 along filling the goals of the strategic plan. So
17 that's kind of it in a nutshell.

18 So we'll turn it over to the vice-chair to
19 take care of the housekeeping things and we'll start the
20 presentation.

21 MS. COCRAN: I'm sorry. Sarah Walters just
22 joined us. I'm going to ask you to introduce yourself
23 then I'd like to go through and make the rest of our
24 introductions before we begin. We'll start with you,
25 Sahara.

1 MS. WALTERS: Good afternoon. My name is
2 Sarah Walters. I'm member of Cheyenne Rivers tribe from
3 Cheyenne, South Dakota and member of staff.

4 MR. SIMMONS: My name is Brad Simmons, I'm
5 Chairman of the Nottawaseppi Huron Gaming Commission.

6 MR. DURANT: Robert Durant and
7 secretary-treasurer of Tribal counsel for the White
8 Earth Nation.

9 Because of the scheduling, I thought it was at
10 one o'clock, but I just want to ask if this is the place
11 where we'll be discussing some of the issues as far as
12 what the IRS is doing to our casinos or applying the
13 taxing on the benefit to members, stuff like that.

14 This is my first NIGC, so it's really
15 important to us. I need to know if there's any
16 assistance or help, whatever information or data law.
17 Is there groups that help explain these issues, because
18 double standard is not going to happen to us, as far as
19 stuff like that.

20 MS. COCHRAN: Thank you for bringing that up
21 because it's part of the housekeeping, because in
22 particular of the change that we did in the time, if we
23 have anybody who has statements that they need to make
24 before they have to catch a flight or some other
25 commitments, we certainly want to offer that up to you

1 to do so.

2 This particular consultation is only about the
3 strategic plan. Now that being said, we do have people
4 on staff. I want to make sure -- Sarah Walters sitting
5 right here, she would be an excellent person to connect
6 you with the people that we need to talk, because we
7 want to make sure we get the resources and the right
8 people to talk to.

9 The way this commission has structured on
10 consultations is to provide notice and make sure what we
11 talk about is what we put out in the public and people
12 are prepared to respond to.

13 I apologize if this isn't the right time, but
14 we will make time. And I thank you for coming, and I
15 apologize again for the confusion in time. Had I known
16 that this was going to happen, certainly would have done
17 everything to avoid it.

18 MS. WALTERS: If you need to leave, I can step
19 out with you right now.

20 MR. MCBRIDE: Good afternoon. I'm Mike
21 McBride of Crowe & Dunlevy, Tulsa, Oklahoma. I'm here
22 today on behalf of the Oklahoma Tribal Gaming
23 Commission.

24 MR. MURILLO: My name is Joe Murillo,
25 executive director for the 29 Palms Gaming Commission.

1 MR. RALLAVA: Steve Rallava, CFO of 29 Palms.

2 MR. HANSON: Norm Hanson, 29 Palms, Chairman
3 of the Gaming Commission.

4 MR. SNYDER: Kim Snyder, Gaming Commissioner,
5 29 Palms, superintendent of Palm Springs Agency.

6 MR. MARINKO: Joe Marinko, 29 Palms Gaming
7 Commissioner.

8 MS. MORADO: Sheila Morado, (inaudible) Gaming
9 Commission.

10 Sheila (inaudible), Attorney General.

11 MS. POUST: Teri Poust. I'm an attorney.

12 MR. AGLIARI: Gerald Agliari, I'm manager for
13 (inaudible) Gaming Commission.

14 MS. MOSES-HYIPEER: Esther Moses-Hyipeer,
15 Yakima Gaming Commission, Washington State.

16 MS. ORTEZ: Teresa Ortez, from Yakima.

17 Justin (inaudible), Chairman, San Diego.

18 MS. GRAY: Shawna Gray, executive director,
19 Siletz Tribal Gaming Commission.

20 MS. COCHRAN: Welcome and thank you. It's
21 nice to see a lot of familiar faces. We have a
22 consultation scheduled to put forth. We will move as
23 quickly as we need to move or as slowly as we need to
24 go. I suspect the presentation is laid out very well.
25 They spent a lot of time preparing it for you.

1 We do have a transcriptionist with us, a court
2 reporter, and she will ask that you identify yourself
3 before you ask questions or speak so she can make
4 appropriate notes in the records. And the transcript
5 will be put up on the agency website so you can refer
6 back to them or if somebody can't participate, you can
7 go in and read the transcript.

8 This is a official government consultation,
9 not open to the media as standard practice, again, with
10 all of our consultations. We do have one final
11 consultation date coming up on the 23rd in Joplin.
12 Setting that up and that will be the final of our five
13 consultations on this.

14 So if you want to attend that as well, we look
15 forward to seeing you. Then the comment period closes
16 on October 31st. If you have comments, get them to us
17 by the 31st. Just like all the other consultations,
18 this commission is committed to reviewing every single
19 comment that comes in, and I have to say between the 543
20 and 547 comments, I can handle just about anything.

21 So they are all read, and it does not go into
22 a black hole and it's very important to us and do factor
23 into our decisions. So we thank you in advance for any
24 written comments that you give or any comments you
25 provide to us during your consultation.

1 I have said enough. I'm going to turn it over
2 to Nicole and Dawn to do the presentation.

3 MR. LITTLE: One more comment: In the event
4 you do have to leave as we progress through the Power
5 Point, if you have a particular question, you can ask it
6 right then and there. You don't have to wait until the
7 end of the Power Point. Or if you want to wait until
8 the end, if you do want to ask questions, go ahead and
9 come to the mic and fire away.

10 MS. HOULE: Like they said this should be a
11 very brief and exciting, intriguing, and I'm sure you
12 guys are going to be thrilled with the presentation.
13 Hold on here we go.

14 As the outline, here's the commissioners,
15 Tracie Stevens from Tulalip, our chairwoman. Steffani
16 Cochran, our vice-chairwoman from Chickasaw, and Dan
17 Little our associate commissioner.

18 As both of the commissioners have outlined,
19 this is an official Tribal consultation, and we are
20 doing that between Tribal governments and the federal
21 government. Only tribes are allowed to participate.
22 These meetings are not open to the public, but the
23 public is able to provide comments but only through our
24 website.

25 As outlined, Executive Order 13175 is the

1 consultation and coordination with Indian Tribal
2 governments, and we are holding this in accordance with
3 that. Any time we are undertaking anything to formulate
4 and implement policies that have Tribal implications,
5 the agency shall reach out and encourage tribes to
6 provide their own policies to provide program
7 objectives, and where possible will defer to the tribes
8 in establishing those standards.

9 As the commissioners outlined, our commission
10 is committed to a clear and transparent process. So if
11 you were involved with the regulation review, you
12 clearly know that we are serious about that, and all the
13 regulations have been posted on our website.

14 And speaking of our website, for some reason I
15 keep getting stuck with the wrong Power Point
16 presentation. What you have is missing about three or
17 four slides. Once we get there, I'll highlight those.
18 But everything is on our website that is current, so
19 bear with us, please.

20 I do have to say as a former forrester, we
21 have killed many, many trees with all our reg process
22 reviewing all the comments. Steffani was right on when
23 she said they review all of those they are received in
24 the printed format.

25 Jumping right in, what is Strategic Planning?

1 There's a book by John Bryson, Strategic Planning of
2 Public and Nonprofit Organizations. The second bulletin
3 is the most important, I think. And it says, it's the
4 disciplined effort to produce fundamental decisions and
5 actions that shape and guide what an organization is,
6 what it does, and why it does it, with a focus on the
7 future. That's what we hope to achieve with this new
8 Strategic Plan.

9 What's the purpose of a Strategic Plan? I
10 have a former employee that was on the original
11 Strategic Plan Committee, and I'd like her to review all
12 the acts and why we have to do this, and kind of give
13 you a quick overview. So Nicole Aspa will do that.

14 MS. ASPA: Good afternoon. The government
15 Performance and Results Act of 1993, it provided a
16 framework or a foundation for performance planning,
17 reporting and budgeting for federal agencies. And what
18 it also did was it focused on results on customer
19 service, on service quality of federal agencies. And it
20 requires six years of planning that where an agency had
21 to create a Strategic Plan, had to create an annual
22 performance plan and annual performance reporting and it
23 had to be updated every three years.

24 But what it did, it was applicable to the
25 large federal agencies and it was not applicable to the

1 NIGC until the Native American Technical Corrections Act
2 of 2006, in which it required that the NIGC comply with
3 the requirements within GPRA of 1993.

4 Once NIGC started creating their strategic
5 planning process back in 2008 and created their current
6 existing Strategic Plan covering 2009 through 2014, what
7 the Strategic Plan did, it set forth the guidelines as
8 well as those planning requirements of what is going to
9 be done in the future, what they plan to do. And also
10 set those requirements within their budget.

11 And that's what OMB Circular A-11 did. It
12 expanded on that budging process. So within that
13 budging process it formed federal agencies that linked
14 the Strategic Plan directly to the budget.

15 What areas with the budget are they going to
16 focus on that's included in the Strategic Plan? Are you
17 focusing on technical assistance and training? Look at
18 the budget and see what you will accomplish with that.

19 So set forth in those administrative
20 guidelines and requirements on reporting through the
21 budget justifications.

22 The GPRA Modernization Act of 2010 was enacted
23 in January of 2011. What it did, it modernized GPRA of
24 1993. It refined the process to make those strategic
25 goals that they had first set to make them more clear,

1 more oriented, results orientated to focus it to more on
2 the agency's priorities. What are the main priorities
3 of the agency?

4 And within setting those main priorities of
5 the agency, make your strategic goals more results
6 oriented, make them more refined where the public
7 understands exactly what you plan to do and how you plan
8 to do it.

9 It also require that agencies publish their
10 Strategic Plan and all the documents related to the
11 Strategic Planning process on their website, such as the
12 Power Point presentation, our drastic change of plan,
13 any consultations we have in regards to the Strategic
14 Planning process, included on our website.

15 The plan also require that it not cover less
16 than four years. So our proposed Strategic Plan covers
17 from 2014 to 2018. So what we did is we're creating
18 this process right now and changing what our existing
19 Strategic Plan is into this draft Strategic Plan. If
20 you recall, our current Strategic Plan runs from 2009 to
21 2014. So we're overlapping that one year.

22 The existing Strategic Plan that we had, it
23 covered six years and it contained three broad strategic
24 goals. The first one, increase compliance with gaming
25 law; second, increase service to Tribal governments and

1 gaming operations; and, third, maximize the use of
2 Commission resources.

3 Within that Strategic Plan, those strategic
4 goals were just too broad. If you look at the
5 objectives that were listed under each one of those
6 goals, now, those objectives were actually the true
7 strategic goals of the NIGC, what were they going to
8 accomplish.

9 So with this draft Strategic Plan that we have
10 created, is that the objectives became the new strategic
11 goals, because we wanted to become more focused and be
12 able to show the public as well as show the tribes that
13 is exactly what we want to do and that is how we're
14 going to achieve it.

15 So as you go through the draft Strategic Plan,
16 you'll see a lot more focused areas, a lot more areas
17 that have decreased that broad scope, such as technical
18 assistance and training. Exactly what are we going to
19 provide with technical assistance and training. And
20 Dawn will go through that as we go through this draft
21 plan.

22 MS. HOULE: So the current Strategic Planning
23 effort currently aligned with what the commission has
24 said since day one, they have four priorities. And if
25 you heard any one of them speak, they have reiterated

1 these four priorities and highlighted them, so it should
2 be very clear what the four priorities are.

3 And they are the consulting relationship
4 building with Tribal governments; the second, provide
5 technical assistance and training; three, continue
6 regulatory review; and four, review Agency internal
7 operations.

8 So like Nicole has outlined, we went from
9 broad to more focused and developed strategies to
10 actually show what those results will be. And if you
11 look at the actual plan that's on the website, it will
12 show the various benchmarks we're aiming for in the
13 four-year time period.

14 We also identified key performance measures
15 that definitely align with these priorities.

16 So in the current plan, we also highlight that
17 the stakeholders are the key part of this process, just
18 like we did with regulatory review, and we hope to
19 gather input and support for collaborative effort.

20 To get us to this point, we had an internal
21 team that created the draft that's being proposed today,
22 and we spent April through September coming up with
23 that. We reached out to senior management in July and
24 September, and provided draft documents, and now we are
25 in the not near final stage, because you'll see the

1 various next steps, but we are in the consultation
2 phase. So that gives you a little overview of the
3 efforts that went into getting us to this part.

4 Getting to the guts of the Strategic Plan, the
5 prior mission statement highlighted monitoring and
6 participation in the regulation of Indian gaming
7 pursuant to the Indian Gaming Regulatory Act. We
8 broaden that. To me it was broad, but we broadened it
9 to make it more specific, to outline what IGRA's goals
10 are: One, to promote Tribal economic development,
11 self-sufficiency and strong Tribal government; two, to
12 maintain integrity of the Indian gaming industry; and
13 three, insuring that the tribes are the primary
14 beneficiaries of their gaming activities.

15 So you can see right here we're moving from
16 that, here's everything to here's how we're actually
17 going to meet those missions. And we do that with the
18 vision. The prior vision statement was broad, but had
19 the substance in it. And we're proposing in this
20 strategic plan the following statement: To adhere to
21 the principals of good government, including
22 transparency and agency accountability; to promote
23 fiscal responsibility; to operate with consistency and
24 clarity to insure fairness in the administration of
25 IGRA; and to respect the capabilities and

1 responsibilities of each sovereign Tribal nation in
2 order to fully promote Tribal economic development,
3 self-sufficiency and strong Tribal governments.

4 So we've already received some comments on
5 some missing words that maybe the mission could
6 reinforce the vision a little bit more, and we're going
7 to take those into consideration.

8 At the other two Tribal consultations, tribes
9 caught on to that real quickly, and that's why we do
10 this. You guys are part of the team in developing a
11 lasting good useful document.

12 So there's five strategic goals, as Nicole
13 outlined, that we're proposing that are based on that
14 mission and priority. And the way we hope to achieve
15 those are the Ace Initiative: Continue the Assistance,
16 Compliance and Enforcement initiative, as well as
17 improve technical assistance and training for
18 stakeholders.

19 Dan gave a presentation at the Tribal leaders'
20 meeting we had far exceeded in 2012 what we've done in
21 2011 because of the outreach our staff has done to the
22 tribes, and what the tribes have been reciprocal and
23 said we need X, and have reached out to us a lot more.
24 And we're already seeing alot already being implemented.

25 No. 3, Improve and update NIGC regulations.

1 Over the last year and a half, you guys were done a
2 fantastic job getting those done.

3 Improve consultation, communication and
4 relationship building with Tribal, federal, state
5 regulatory agencies.

6 And the fifth is improve efficiency,
7 transparency and accountability.

8 We're proposing in this plan that the strategy
9 which focuses on pursuing those strategic goals, the
10 five I just outlined, expressing the priority,
11 implementing the vision, identifying the immediate
12 issues, which tribes are not afraid of sharing those.

13 So we definitely have been collecting those
14 over the last couple of years, and identify core agency
15 processes for improvement. So we have been doing that
16 as well as we're moving through this.

17 We don't know the future and regardless of the
18 commission, the new one or the old one should be able to
19 pick this Strategic Plan up and run with it. And that's
20 hopefully the goal that we'll get at the end of this.

21 So there are 12 strategies developed to
22 represent the planning and implementation, and basically
23 describing how we're going to achieve those.

24 The key measures we'll outline that we're
25 proposing will be meaningful, meaning, why would we do

1 it? Measurable: If we're not accountable, then why are
2 we coming to work every day? And why are we routinely
3 collecting?

4 We collect a lot of data and as we are
5 required, so it should be meaningful and measurable and
6 how do we report that back and how is it useful to not
7 only the Agency but to the tribe.

8 The Agency will focus on key measures to guide
9 success in achieving these goals through short term and
10 long-term actions. And anybody that's been involved
11 with Strategic Planning knows these are basic
12 principals. I apologize for reading them to you, but
13 for those who have never done Strategic Planning, it
14 outlines how we're going to get there.

15 Goal one, the Ace Initiative, which is the
16 Assistance, Compliance, Enforcement, outlines three
17 mains areas, which is like I outlined, increase the
18 availability of technical assistance and training.
19 Provide timely responses to tribes on audit findings.

20 We've had a couple of audits that were done
21 years ago and were never presented. So we're trying to
22 clean some of that up. Why did we spend all the time
23 and effort if we're not going to give you the report
24 back in a timely manner to come into compliance?

25 So we're going to conduct site visits, audits

1 and evaluations with particular focus on improvements in
2 Tribal internal control to maintain the integrity in the
3 industry, again supporting your guys effort that you
4 guys are already doing. So that's what we're proposing
5 under Goal 1.

6 In comparison -- and this is the slide that
7 you do not have in your packet -- you might not even
8 have the previous slide. I lost track.

9 So this is the first of a couple of slides you
10 don't have, but it's only a few. If you see a blank
11 spot from the current strategy, that means we've either
12 achieved it or we're currently doing it, or we're
13 expanding on it. So it's either been, like I said,
14 achieved or been folded into the current strategy.

15 Under the existing plan -- it's still current.
16 Under the existing plan, it outlines or talks about
17 insuring that tribes meet prerequisites to gaming under
18 IGRA. You guys are doing that. That's when you guys
19 first had to do that. What we did is combine or expand
20 on we're going to conduct site visits, audits and
21 evaluations with focus on improvement on Tribal internal
22 controls. That agains moves us from a broad statement
23 to the particulars.

24 As you see under the existing plan, it says
25 perform regulatory enforcement action, well, this is the

1 increase availability of technical assistance. So
2 that's how we're doing this. You guys, we're already
3 doing Ace, the assistance compliance and enforcement.

4 Then further under the existing plan, it talks
5 about improving external commission response time at
6 headquarters. We're expanding that to say specifically
7 the audit findings. So, again, going from broad
8 statements to more specifics.

9 Goal 2 is to improve technical assistance and
10 training for stakeholders. As we talked about, this
11 provides guidance and technical assistance, training,
12 and other forms of assistance to tribes to build and
13 sustain capability to prevent and respond to and recover
14 from weaknesses in internal controls and violations of
15 IGRA and NIGC regulations.

16 I think No. 2 is a more important proposal
17 that we are offered today, is that let's continue to
18 reach out to all the regions. I know it's nice to go to
19 all the metropolitan areas, but Indian country is not
20 next to a freeway. At least Rocky Boy sure was not.

21 We've been approached by many of the tribes in
22 Oregon and in the Northwest and said thank you for
23 coming to us instead of going to always to Sacramento or
24 going to Las Vegas, which we all love. Paiutes would
25 like it, but there's not too many that live there. So

1 we're expanding where we reach, and we're getting
2 positive feedback on that.

3 So the existing strategy under the current
4 plan says provide formal and informal guidance. What
5 does that mean?

6 Well, we're proposing in this plan that it
7 read something to the effect of provide guidance,
8 technical assistance, and training in other forms of
9 assistance, what I just went over. So we're expanding
10 it again.

11 Under the existing plan it talks about
12 establish and implement training. Well, we did that.

13 Since 2009, clearly anybody who has taken any
14 of our training, and I think we have a 98 percent rate,
15 but our participation rate of the tribe, 250 some tribes
16 has been pretty good. And we've implemented the
17 program. That's why it's blank. Doesn't mean that
18 we're not going to continue to do it, but what it means,
19 it's been achieved. Now, what we're proposing under the
20 draft Strategic Plan, is provide opportunities for
21 tribes in all locations.

22 The third on here under the existing plan, is
23 provide applicant background information for Tribal
24 gaming agencies. We're been doing that in various
25 venues. TIMS, if you've ever been on a website --

1 TIMS and TAPS -- Tribal access portal system, that's
2 been achieved. We've established a data base system you
3 can log in..

4 If you've never heard of this program, see
5 Lance afterwards and he'll get you hooked up with that.
6 And it's instant gratification of any background
7 information that you have provided us to run for you and
8 the results are put on that portal data base. And we
9 hope to expand what that offers too as we get our
10 technology improved.

11 So Goal 3 is to improve and update NIGC
12 regulations. Like I've highlighted many times, the
13 Tribal team and the federal team have done an
14 outstanding job. We have just posted six regulations --
15 two regulations -- four. It's an average, so four.
16 Those are all on our website. So if you have not seen
17 those, please visit our website.

18 So with this goal, we want to finalize those,
19 and we want to continue to implement new and revise
20 regulations. As you know, this industry is a revolving
21 industry. Regulations are going to be needed to monitor
22 them and revise them as necessary.

23 So under the existing plan, the strategy was
24 to promulgate regulations as necessary. It's a broad
25 statement. We're offering and proposing under this

1 draft Strategic Plan, let's finalize them, implement
2 them, and continue to revise as necessary.

3 So Goal 4 is improve consultation
4 communication relationship building with Tribal, federal
5 and state regulatory authorities and agencies.

6 We're proposing that this goal will outline,
7 that we can continue to conduct consultations with
8 tribes, regulations, rulemaking, legislation, guidance,
9 policy formulation or actions that may have a
10 substantial or direct effect on one or more tribes on
11 the relationship between tribes and the federal
12 government, or on the distribution of power and
13 responsibilities between tribes and the federal
14 government.

15 Two, we're proposing that the responsibilities
16 under an open government initiative as defined by the
17 Office of Management and Budget, Open Government
18 Directive of 2009 and improve the NIGC website to
19 provide information about the agency and its work.

20 That's something we've been struggling with
21 for quite a while. Our technology is not the best, and
22 we are hoping to get there at some point. Regardless,
23 we are trying to be open and transparent by posting
24 everything that we do, but I know there's lot of work
25 that we could do and we are making a huge effort trying

1 to get there.

2 And the third component of this goal is
3 coordinate and collaborate with Tribal, federal and
4 state regulatory authorities and agencies using a
5 variety of methods.

6 So as a quick comparison, under the existing
7 plan, it says, improve the government-to-government
8 consultation process. Well, how? And so under what
9 we're proposing with this plan is what I read
10 previously, is we'll conduct these consultations on all
11 of those various, those items of that an effect on the
12 Tribal relationship or direct effect on the tribes.

13 And then the existing plan talks about improve
14 and expand the external communications. Well, how?
15 We're offering, of course, we're a federal government,
16 so the open government initiative is mandatory for us,
17 but make sure that we're in compliance with that and
18 make sure we're providing you the information that is
19 required on our website.

20 We're also coordinating with Tribal, federal,
21 and state agencies, so our proposal is what I had read
22 to you previously.

23 Finally, like I said, it's going to be a fast
24 ride. Finally, our fifth goal is to increase
25 efficiency, transparency and accountable. And we're

1 proposing that it would include three components: One,
2 to update and provide further -- update and further
3 develop policies that enhance agency, employees'
4 abilities to perform their jobs effectively. Implement
5 and monitor performance measurements system to enhance
6 employee performance, as well as develop and maintain an
7 integrated information system and processes that support
8 the NIGC staff and its functions.

9 In comparison, Goal 5 in the existing plan
10 talks about enhancing fiscal discipline and transparency
11 to stakeholders as well as improve and expand internal
12 communication. So we've not only -- I notice there's a
13 blank spot. So we've enhanced fiscal discipline and
14 transparency to stakeholders by providing you guys
15 information on what we're doing, how are we doing it, as
16 well as internally improving the way we communicate with
17 our staff.

18 We have an Intranet that we provide resource
19 information to our staff. If there's any new federal
20 program, they may be eligible for resources that are
21 available for them. Thus the blank spot. We're
22 achieving that. It's currently in the works.

23 So, the third strategy the existing plan out
24 highlights is develop and implement technological
25 resources. How we're doing that is developing more

1 integrated information systems and processes. An
2 example of that is we recently had -- not recently, but
3 within this last year have had a lot more webinars to
4 reach some of the very remote tribes that have limited
5 resources.

6 So we're going to hopefully partner with the
7 Department of Interior with their DOI learning system
8 that other tribes already have access to, so we can
9 provide resources, whether it be forums or -- Mr.
10 Twitter over here, our associate commissioner, would
11 like to even see Twitter. So we're reaching tribes on,
12 hey, we just posted this website, getting into social
13 media.

14 And using our partnerships with DOI since we
15 are an independent federal regulatory agency. Let's
16 provide more partnership with them, or let's get --
17 that's not final, but we're looking at how do we take
18 advantage of their multi-million dollar investments in
19 IT, and can we ride on the coattails and can we do
20 partnership where it benefits the tribe and agency. So
21 that's what this integrated information system would
22 look like.

23 And one of the concerns that another tribe had
24 brought up is the security of the data. The IG is
25 currently at DOI, and have their own server, their own

1 room, and that would be the same system the DOI could
2 not crack into the system if held separately. It's held
3 separately in a separate room. So your information is
4 safe and secure.

5 The current or the existing strategy
6 highlights develop and implement policies and
7 procedures, including internal compliance programs. It
8 also talks about establishing employee development
9 programs and encouraging native American cultural
10 awareness.

11 What we've done over the last couple of years
12 is definitely enhanced our Agency's ability to perform
13 jobs effectively. And that means updating our internal
14 policies. Every tribe I've ever worked for, and I've
15 only worked for tribes, in my last two jobs in the
16 government, we've always had personnel policies and
17 procedures. So we're making sure ours are relevant.

18 And Lance and Sally and Nicole do their job
19 effectively and efficiently. And that's a nonstop
20 process. The government likes changing policies all the
21 time.

22 Nicole and I proposed one late December of
23 last year, and come January they changed the entire
24 regulation. So we had to start over, which is fine. We
25 already had a draft, but the government changes, so we

1 have to be reflexible with that.

2 Instead of encouraging native American
3 cultural awareness, anybody that has been to D.C.
4 there's cultures all over the world. And we definitely
5 wanted to highlight the native American cultures, but we
6 highlight all cultures. And in the month of November,
7 we clearly celebrate native American culture.

8 But we invite every Tribal member that works
9 for NIGC to provide a welcome word, or we've done some
10 recipes, anyway we can to encourage the staff that works
11 for us to learn more about the people of the tribes that
12 we come from. And we post that on the Intranet. Notice
13 the blank. Doesn't mean we're not doing it. We're
14 constantly doing it, and we're expanding to all
15 cultures.

16 So what are the next steps? Clearly we
17 finished a couple of consultation dates now. And we
18 have the next one on October 23rd in Quapat. And if you
19 think this was a stimulating presentation, wait until
20 that one. It will be exactly the same. So we encourage
21 your participation.

22 So during the month of October and November,
23 we will revise the plan based on the comments received,
24 and we are required to submit our plan to OMB by
25 December, thus the time frame of October 31st, the

1 cutting off for comments deadline.

2 Come January, once the revised plan has been
3 revised, we'll submit that plan to Congress in February.
4 So it's pretty short cycle, not a lot of wiggle room in
5 there, but I think the proposal that we're offering
6 gives you guys a good opportunity to weigh in on, are we
7 on target or are we not. So we definitely would
8 encourage you to say this is crap or we love it or here
9 are some ways of improving it.

10 So once we finalize a plan in February, we as
11 an agency have to develop action plans of actually
12 implementing it, and making it happen and being
13 accountable to the tribes and to the federal government
14 of how are we doing this.

15 And that leads into or annual performance
16 plans as well as reviewing and providing those annual
17 budget justifications.

18 So anybody that has a lot of spare time and is
19 very interested about what we do -- our green book is
20 the budget justification, that was one of the questions
21 asked last week in Portland. It's on our website. You
22 can see everything we have done in the green book. The
23 Strategic Plan is linked. That's what our budget
24 justification is. We try to make it a little more
25 friendlier to find.

1 So it's under About Us, IGRA. Want to see
2 what in the last years says, the 18 years, all of those
3 are in there and that's what we keep referring to when
4 we say budget justification. The green book is our
5 budget justification. Here are the various ways to
6 submit your comments. E-mail, fax, postal service, pony
7 express or express service. Draft.plans@NIGC.gov.

8 So I'll entertain any questions you may have.
9 Comments?

10 MS. COCHRAN: Thank you, Dawn. Is there any
11 observations or comments or thoughts?

12 MS. POUST: Teri Poust an attorney here on
13 behalf of various Tribal clients.

14 A question regarding after the plans are
15 implemented, for example, your existing plans that you
16 have, is there ever a requirement that you publish
17 something that says this is how we did? I know that
18 you've done performance measures built into these plans,
19 and I know you track it internally, but are you required
20 at all to publish here's how we did and here's our
21 report to Indian country?

22 MS. HOULE: Yes, we are. The government loves
23 reports, and that is the budget justification. So the
24 highlights are in there. And because we haven't had to
25 do -- the latest one is 2012, or when did it end? I

1 can't remember.

2 MS. ASPA: We have the 2013 budget
3 justification is on the website, and if you look at the
4 2013 budget justification, it contains the annual
5 performance plan and the performance report. And the
6 annual performance report is the highlight of fiscal year
7 2011.

8 So when the 2014 budget justification comes
9 out, it will contain the annual performance report for
10 fiscal year 2012. So it goes back several years because
11 you have to do the budget justification before.

12 MS. COCHRAN: That does raise a good point.
13 Thanks, Teri. We need to perhaps think about how we
14 direct people to the right place. Anybody going on the
15 website so would know this is where I go to find out
16 what happened. So thank you. Any more questions?

17 One of the things I know that we worked on
18 within the Commission, even with the existing Strategic
19 Plan was trying to find ways, measurable ways to measure
20 success, whether we achieved the objective under the
21 existing Strategic Plan. Some of it we've been able to
22 capture a little better. It's still a process for us.
23 It can be anything from working on at a budgetary, how
24 we account for money that is spent. It could be
25 measuring training hours, it could be expenses, travel

1 expenses for training.

2 Trying to capture that is we have a measurable
3 ways, so that's definitely ongoing process and we're
4 working closely with the auditors and other people on
5 the staff to make that happen. So we can report that
6 back out in a clear way.

7 MS. WALTERS: If you don't feel comfortable
8 making comments here, we encourage you to submit
9 comments by e-mail, post mail and fax, and we look
10 forward to reading those and we'll take into
11 consideration every comment that we receive.

12 MS. COCHRAN: Thank you. Again, I appreciate
13 your time and I appreciate your patience in listening.
14 And with that we'll go ahead and conclude the meeting.
15 And I wish you a very safe travel back to your home.

16 (Whereupon, the proceedings were
17 concluded at 3:01 p.m.)

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