



**PUEBLO OF LAGUNA**  
**TRIBAL GAMING REGULATORY AUTHORITY**  
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Tracie Stevens, Chairwoman  
National Indian Gaming Commission  
1441 L Street N.W. 9100  
Washington D.C. 2005  
E-mail: [reg.review@nigc.gov](mailto:reg.review@nigc.gov)

February 9, 2011

Dear Chairwoman Stevens:

I write on behalf of the Pueblo of Laguna Tribal Gaming Regulatory Authority, Laguna New Mexico to comment on the National Indian Gaming Commission's Notice of Inquiry ("NOI") and Request for Information.

As the Tribal Regulatory Authority designated with the day to day duties of regulating the Pueblo's gaming enterprise we wish to submit for your review the following attached comments concerning the NOI.

If you or your staff would require further clarification of our comments please do not hesitate to contact me.

Sincerely,

Robert D. Johnson  
Executive Director  
Pueblo of Laguna TGRA

Cc: Richard Luarkie, Governor POL  
Laguna Gaming Control Board

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NIGC Reference	Question	Comment
502.16	<p><i>Net Revenues.</i> Over the years, Tribes, CPAs, and others have raised the issue of whether there should be different definitions for <i>Net Revenues</i> when defining what the management fee will be based on pursuant to the IGRA, 25 U.S.C. 2711; or determining net revenues to be used for the allowable purposes as defined by the IGRA, 25 U.S.C. 2710(b). Should the Commission consider definitions for the following two terms: <i>Net Revenues—management fee</i>; and <i>Net Revenues—allowable uses</i>?</p> <p>(a) <i>Net Revenues—management fee.</i> General Accepted Accounting Principles (GAAP) define <i>Net Income</i> as “Gross Revenues (less complimentary Sales) subtracting Operating Expenses and Interest and Depreciation.” NIGC defines <i>Net Revenue</i> as “Net Income plus Management Fee,” which is used by the Commission as the base number to calculate the management fee when the fee is a percentage on net revenue. Should the language used in the Commission’s definition of <i>Net Revenues</i> be revised to be consistent with GAAP, <i>i.e.</i>, “Net Income plus Management Fee”?</p> <p>(b) <i>Net Revenues—allowable uses.</i> The IGRA, 25 U.S.C. 2710(b)(2)(B), states “net revenues from any Tribal gaming are not to be used for purposes other than: (i) To fund Tribal government operations or programs; (ii) to provide for the general welfare of the Indian Tribe and its members; (iii) to promote Tribal economic development; (iv) to donate to charitable organizations; or (v) to help fund operations of local government agencies.”</p> <p>Tribes, Tribal gaming commissions, and CPAs have commented that prior to making any decisions for allowable uses of net revenues, the Tribal parties should first consider the cash flow of the gaming operation (<i>i.e.</i> deduct principal loan payments, deduct reserve, add depreciation). In addition, others have stated that Tribal parties should also consider the overall financial integrity of the gaming operation before funding other Tribal programs.</p> <p>Should the Commission consider adding a new definition for <i>Net Revenues—allowable uses</i> that is based on cash flow? For example, should the new definition be “Cash flow” equals “Net Income plus depreciation minus principal loan payments and reserve fundings”? Is there another calculation that this definition could be based on?</p> <p>The Commission is seeking advice and input from the Tribal gaming industry about these proposed definition revisions, if there are other definitions that need revisions, whether it should be a priority, and whether a Tribal Advisory Committee should be formed to make these change or if another process will be sufficient.</p>	<p>The language should remain the same for management fees, unless the definition is revised to allow for additional expenses to be deducted for computation of fees to NIGC. It should also be noted that for purposes of the N.M. gaming compacts, a change in the definition of <i>net revenues</i> will not impact the definition of “net win” for the computation of revenue share payments to the state.</p>
502.15	<p><i>Management Contract.</i> Should the definition of <i>management contract</i> be expanded to include any contract, such as slot lease agreements, that pays a fee based on a percentage of gaming revenues? Management contractors sometimes believe that the manager should be reimbursed for expenses in addition to earning a management fee or may be paid multiple fees for development, loans, marketing, and non-gaming management in addition to the gaming management fee. These accumulated payments may result in the manager receiving sums greater than cash flow to the Tribe. Should there be a definition regarding acceptable compensation to a manager contractor? The Commission is seeking comment about whether the Commission should consider amendments to existing definitions or whether additional definitions are necessary, how the Commission should prioritize its review of part 501 in the regulatory review process, and</p>	<p>Contract language should only be for contracts which provide <u>gaming management</u>, there should be no expansion of the definition. An expansion of the definition is an expansion of regulatory authority by NIGC that is not necessary. It is suggested a Tribal Advisory Committee be established to discuss this section.</p>

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whether the Commission should utilize standard notice and comment rulemaking, a Tribal Advisory Committee to assist in its regulatory review of this part, or another process.

**514.1**

*Part 514—Fees*

The NIGC is interested in receiving comments on whether part 514 is in need of revision. In particular, the Commission is interested in receiving comment on whether the Commission should consider revising this part to base fees on the gaming operation's fiscal year. Currently, the fee is calculated based on the calendar year. The Commission understands that it may be difficult to accurately calculate fees based on the calendar year, which may lead to frequent audit adjustments. The Commission is asking for comment on whether this issue may be resolved by changing "calendar" to "fiscal" throughout part 514. Further, if this is a revision that the Commission should consider, the Commission is interested in receiving comment on how to implement the revision. For example, should the Commission consider a revision that would provide for implementation over the course of a 12 to 18 month period with an option for the Tribe to determine when they will change their calculation during that time period? On what dates or by what schedule should the Commission set fee rates if this revision is implemented, given that Tribes have different fiscal years? Is this a revision that would be more efficient? Is this a revision that the Commission should prioritize? Should the Commission consider amending this part to define *gross gaming revenue* consistent with the GAAP definition of this term? Would amending this definition to industry standards make the fee easier to calculate and to reconcile? Should the Commission consider amending this part to include fingerprint processing fees? If so, how should the Commission consider including fingerprint processing fees? Should it specify that fees collected from gaming Tribes for processing fingerprints with the FBI are included in the total revenue collected by the Commission that is subject to statutory limitation? Should the Commission include a requirement for it to review fingerprint processing costs on an annual basis and, if necessary, adjust the fingerprint processing fee accordingly? Finally, should the Commission consider a late payment system in lieu of a Notice of Violation (NOV) for submitting fees late? In the past, when a Tribe paid their fees after the deadline, we understand that a NOV may have been issued to the Tribe. As a NOV could lead to closure of a gaming facility, the Commission questions whether an NOV is an appropriate response to a late fee submittal caused by a change in employees or other minor issue. Should the Commission consider adding a type of "ticket" system to part 514 so that an NOV would only be issued in instances of gross negligence or wanton behavior, or in a dollar amount that allowed the Tribe to reap an economic benefit from its failure to pay in a timely manner? The Commission is seeking comment on the above particular issues as well as other suggested revisions to this part, how the Commission should prioritize its review of part 514 in the regulatory review process, and whether the Commission should utilize standard notice and comment rulemaking, a Tribal Advisory Committee to assist in its regulatory review of this part, or another process.

As indicated, due to the various methods utilized by gaming operations, the regulation should be revised to allow for both methods (fiscal or calendar year) based on the needs of different tribes and gaming operations. Not all Tribes utilize the NIGC for finger printing identification and this would place a burden on those that do not when the service is not required. Late fees, unless intentionally submitted late should not be subject to an NOV. We are unsure how often intentional late fees occur, but would support a "ticket system", or late fee penalty.

**518.1-12**

*Part 518—Self-Regulation of Class II*

The NIGC has heard that this regulation is overly burdensome to Tribes seeking to obtain certification and that the burden of completing the process significantly outweighs the benefits gained from self-regulation. The Commission is seeking comment on whether this part should be revised, how the Commission should prioritize its review of part 518 in the regulatory review process, and whether the Commission should utilize standard notice and comment rulemaking, a Tribal Advisory Committee to assist in its regulatory review of this part, or another process.

In previous discussions with NIGC staff, it was discussed there are very few "self regulating" Class II Tribes (2). This, in itself, suggests the process of achieving self regulation is not only overly burdensome, but also extremely difficult. There is very little benefit in this process as it currently exists to the Tribes. The petition and annual reporting requirements undermine the purposes of becoming self-regulating. However, with the

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		appropriate streamlining of the process, the true intent of these provisions can be made meaningful to Tribes.
<b>523.1-4</b>	<p><i>Part 523—Review and Approval of Existing Ordinances or Resolutions</i> Should the Commission consider eliminating part 523 as obsolete? The regulation applies only to gaming ordinances enacted by Tribes prior to January 22, 1993, and not submitted to the Chairwoman. The Commission believes there may no longer be any such ordinances. The Commission is seeking comment on whether this part should be eliminated, how the Commission should prioritize its review of part 523 in the regulatory review process, and whether the Commission should utilize standard notice and comment rulemaking, a Tribal Advisory Committee to assist in its regulatory review of this part, or another process.</p>	We concur with eliminating part 523 as being obsolete.
<b>531.1-2</b>	<p><i>Part 531—Collateral Agreements</i> Should the Commission consider whether it has authority to approve collateral agreements to a management contract? The current definition of <i>management contract</i> includes collateral agreements if they provide for the management of all or part of a gaming operation. The Commission has taken the position that although the collateral agreements must be submitted, the commission only approves management contracts. Some Tribes have asked the Commission to review the management contract and the collateral agreements and to make a determination as to whether the cumulative effect of the agreements violate the sole proprietary provisions of the IGRA. For example, while the gaming management contract may only require a payment of 5% of the net gaming revenue, combined with the provisions of the collateral agreements, the Tribe may be paying in excess of 80% of gross gaming revenue which results in a net loss for the Tribe. The Commission is seeking comment on whether this part should be revised, how the Commission should prioritize its review of part 531 in the regulatory review process, and whether the Commission should utilize standard notice and comment rulemaking, a Tribal Advisory Committee to assist in its regulatory review of this part, or another process.</p>	We believe the current definition is sufficient. Any agreement or contract other than a “gaming management contract” should be left to the Tribe’s discretion.
<b>533.1-7</b>	<p><i>Part 533—Approval of Management Contracts</i> This part outlines the submission requirements for management contracts. While the Commission has is approved management contracts for a variety of reasons including the trustee standard, the Commission seeks comment on whether an amendment would clarify the trustee standard by adding the following two grounds for possible disapproval under § 533.6(b): The management contract was not submitted in accordance with the submission requirements of 25 CFR part 533, or the management contract does not contain the regulatory requirements for approval pursuant to 25 CFR part 531. The Commission is seeking comment on whether this part should be revised, how the Commission should prioritize its review of part 533 in the regulatory review process, and whether the Commission should utilize standard notice and comment rulemaking, a Tribal Advisory Committee to assist in its regulatory review of this part, or another process.</p>	No comments.
<b>537.1-4</b>	<p><i>Part 537—Background Investigations for Persons or Entities With a Financial Interest in, or Having Management Responsibility for, a Management Contract</i> This part addresses the background investigation submission requirements for the management contractor. Although minor revisions were made in 2009, there appears to be some confusion about whether the contractor should be required to submit the Class II background information when the contract is only for Class III gaming. IGRA does specify approval of Class II and Class III management contracts as a power of the Chairwoman. 25 U.S.C. 2705(a)(4). The Commission is seeking comment on whether this part should be revised, how the Commission should prioritize its review of part 537 in the regulatory review process, and whether the Commission should utilize standard notice and comment rulemaking, a Tribal Advisory Committee to assist in its regulatory review of this part, or another process.</p>	No comments.
<b>519; 524; 539;</b>	<i>Proceedings Before the Commission</i>	No comments.

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The NIGC is considering amending the regulations that govern appeals of the Chairwoman's actions on ordinances, management contracts, notices of violations, civil fine assessments, and closure orders. 25 CFR part 519; 25 CFR part 524; 25 CFR part 539; 25 CFR part 577. Except for some minor changes in 2009, these parts remain unchanged from their original adoption in 1993. Should the Commission consider more comprehensive and detailed procedural rules, especially in areas such as motion practice, that are largely unaddressed by the present rules? The Commission seeks advice and comment on service of process and computation of time; intervention by third parties; motion practice and briefings; and the nature of written submissions in enforcement appeals. We also would like comment regarding whether a Tribal Advisory Committee should be formed to make the change or if another process will be sufficient.

542

Part 542—Class III Minimum Internal Control Standards

The Commission is seeking comment regarding Class III Minimum Internal Control Standards (MICS). It has been suggested that the rule should be struck and replaced by a set of recommended guidelines. Comment is requested from the Tribal gaming community and other interested parties regarding whether the NIGC's Class III MICS have a positive impact on the industry, and, if changed to a guideline, what, if any, impact that might have on Tribal gaming? Many Tribal gaming regulatory authorities have relied on the regulation to define the foundation of their minimum internal control standards, others have merely adopted the Federal rule verbatim, while yet others have drafted their own internal control standards. If the regulation is struck, how would such action impact the Tribal regulators and operators? Additionally, several State compacts incorporate the Class III MICS by reference. If the regulation was struck, how would these agreements be affected, if at all? Some Tribes have amended their gaming ordinance recognizing the authority of NIGC to regulate Class III MICS and enforce them. Their State compacts have also been revised recognizing Federal oversight as supplanting that of the State to the extent specified in the agreements. If the regulation was struck, what would the effect be on those Tribes? If the Class III MICS are revised but not placed into a regulation, how should NIGC publish them to the industry? Do we involve a Tribal Advisory Committee (TAC) to participate in the revision process? Does that TAC need to be composed of different members than the Class II MICS TAC? How should the members be selected? What process should NIGC utilize to make revisions? The Commission needs input from the Tribal gaming community on this very important issue. The Commission is seeking comment on whether this part should be revised, how the Commission should prioritize its review of this part in the regulatory review process, and whether the Commission should utilize standard notice and comment rulemaking, a Tribal Advisory committee to assist in its regulatory review of this part, or another process.

The NIGC Class III MICS are a good model to assist Tribes in developing individual Tribal Internal Controls. ("TICs") However, based on the sound reasoning articulated in the *Colorado River Indian Tribe v. NIGC* decision, it cannot be overstated that the use of the NIGC Class III MICS to assist in the development of TICs are clearly at the discretion of the Tribe. While the development of the NIGC Class III MICS may have pulled together a comprehensive list of internal controls based on industry standards, caution must be taken to assure these MICs are viewed only as a "guideline". If the MICs are utilized as such, this would continue to assist in the development of individual TICs to provide appropriate tribal control standards that insure the integrity of gaming. A Tribal Advisory Committee chosen from Class III gaming Tribes would greatly benefit the purpose. Selection of nominees submitted by their Tribes to NIGC, or through a selection process via the NIGC Regional Directors contacting knowledgeable individuals from Class III Gaming Commissions in their areas to serve on the committee.

543

Part 543—Class II Minimum Internal Control Standards

The NIGC is currently in the process of revising the Class II MICS. However, the process has come under significant scrutiny and objection by the Tribal gaming industry. While we have heard from the industry that the regulations need revision, there have also been many concerns about the process utilized to make the revisions. The Commission is dedicated to making the necessary updates through a process that is inclusive of all interested parties' concerns and suggestions. A proposed regulation has been drafted, but questions

A TAC should be established to aid in the revision of the Class II MIC. Of major importance is the clarification of what is a Class II gaming machine versus a "Grey Area" Class II gaming machine. The TAC should consist of TGRA's with Class II

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have arisen regarding the clarity and interpretation of certain sections. Although the applicability of the rule may be limited, the Commission wants to ensure that it be viable and clear to the Tribal gaming industry. Accordingly, we are seeking comment on how to proceed. Should Tribal gaming regulatory authorities be provided an opportunity to provide comment on the proposed rule before public meetings? Should comment be sought from accounting practitioners? Should a TAC be assembled to provide advice to the NIGC in the administration of the rule once adopted? We would appreciate your thoughts on this idea. Finally, the commission is seeking comment on the process of Class II MICS revisions. Should we start with the current proposed draft? Should we establish a TAC to participate? If so, how should the members be selected? What will the revision process be? The Commission needs input from the Tribal gaming community on this very important issue. The Commission is seeking comment on whether this part should be revised, how the Commission should prioritize its review of this part in the regulatory review process, and whether the Commission should utilize standard notice and comment rulemaking, a Tribal Advisory Committee to assist in its regulatory review of this part, or another process.

experience, Accounting staff, and manufacturers.

547

Part 547—Minimum Technical Standards for Gaming Equipment Used With the Play of Class II Games  
This part was recently revised through a joint Tribal-NIGC working group. While it has been in effect for a short time, the Commission has received comments that the part should be further revised. Should NIGC start with the current proposed draft? Should we establish a Tribal Advisory Committee to participate? If so, how should the members be selected? What will the revision process be? The Commission needs input from the Tribal gaming community on this very important issue. The Commission is seeking comment on whether this part should be revised, how the Commission should prioritize its review of this part in the regulatory review process, and whether the Commission should utilize standard notice and comment rulemaking, a Tribal Advisory Committee to assist in its regulatory review of this part, or another process.

No comments.

556.1-5

*Backgrounds and Licensing*

(1) Part 556—Background Investigations for Licensing

In 1997, the NIGC began a pilot program which allowed it to effectively perform its duties of regulating background investigations in a more timely fashion while reducing the amount of paperwork submitted and maintained, and accordingly reducing associated costs. Today, a majority of the Tribes participate in the pilot program. Under the program, the Commission allows Tribes to send in a list of employees they either licensed or denied a license along with a one-page Notification of Results (NOR). The Commission requests comment on whether the pilot program should be formalized into regulations. The Commission is seeking comment on whether regulations should be promulgated to formalize the pilot program, how the Commission should prioritize this issue in the regulatory review process, and whether the Commission should utilize standard notice and comment rulemaking, a Tribal Advisory Committee to assist in its regulatory review, or another process.

The pilot program has been a very worthwhile project saving not only man hours, but expense for both the Tribes and NIGC. We believe it would be a straightforward process to formalize the current pilot program and would not require a TAC. NIGC should utilize the standard notice.

(2) Fingerprinting for Non-Primary Management Officials or Key Employees

Currently, the NIGC reviews fingerprint cards submitted by Tribes for Primary Management Officials or Key Employees. However, some Tribes have requested the ability to be able to submit fingerprint cards to the NIGC for vendors, consultants, and other nonemployees that have access to the gaming operations. Under 25 U.S.C. 2706(b)(3), the Commission may conduct or cause to be conducted such background investigations as may be necessary. Should the Commission adopt regulations that would allow Tribes, at their option, to submit fingerprint cards to the Commission for vendors, consultants, and other nonemployees that have access to the gaming operations? The Commission is seeking comment on whether regulations should be promulgated to clarify this issue, how the Commission should prioritize this issue in the regulatory review process, and whether the Commission should utilize standard notice and comment rulemaking, a Tribal Advisory Committee to assist in its regulatory review, or another process.

It is sometimes advantageous to verify if a criminal history does or does not exist for Non-Employees. (Vendors) Clarification is suggested through a definition of what classifications can or cannot be submitted for fingerprint identification.

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559	<p><i>Part 559—Facility License Notifications, Renewals, and Submissions</i></p> <p>This part was recently adopted by the Commission. However, the NIGC has received many comments concerning the substance of this regulation from Tribes. The Commission is seeking comment on whether this part should be revised, how the Commission should prioritize its review of this part in the regulatory review process, and whether the Commission should utilize standard notice and comment rulemaking, a Tribal Advisory Committee to assist in its regulatory review of this part, or another process.</p>	No comment, however NIGC does not have EPHS authority or the expertise in this area of facility licensing. It is a Tribal responsibility with assistance from applicable Federal/State agencies, if necessary.
571.1-7	<p><i>Sections 571.1–571.7—Inspection and Access</i></p> <p>Under IGRA, the Commission may access and examine all papers, books, and records regarding gross revenues of Class II gaming conducted on Indian lands and any other matters necessary to carry out the duties of the Commission. However, at times the Commission or Tribe has been denied access to those records. Should the Commission revise its regulations in §§ 571.5 and 571.6 to clarify Commission access to records at off-site locations, including at sites maintained or owned by third parties? The Commission is seeking comment on whether this part should be revised, how the Commission should prioritize its review of this part in the regulatory review process, and whether the Commission should utilize standard notice and comment rulemaking, a Tribal Advisory Committee to assist in its regulatory review of this part, or another process.</p>	We believe the regulation provides the proper information to obtain entry under IGRA. Whereas, a few Tribes might deny access, they are in the minority and this alone should not cause the need to revise this section. <i>Enforcement:</i> The issuance of an NOV by NIGC is, to our knowledge, a final step in a long investigative process, or after a flagrant violation which requires immediate decisive action. NOV's should only be withdrawn if the issue or impasse has been resolved satisfactorily between NIGC and the specific Tribe.
573	<p><i>Part 573—Enforcement</i></p> <p>Should NIGC promulgate a regulation concerning withdrawal of a Notice of Violation (NOV) after it has been issued? The Commission is looking for advice and input regarding whether this is an appropriate issue for a regulation and if so, under what conditions or circumstances the NOV could be withdrawn? Would it be appropriate to allow the NOV to be withdrawn solely at the discretion of the Chairperson? The Commission is seeking comment on this issue, how the Commission should prioritize it in the regulatory review process, and whether the Commission should utilize standard notice and comment rulemaking, a Tribal Advisory Committee to assist it, or another process.</p>	Since each NOV is a separate action by the NIGC, the NIGC and the Tribe should work together to have it withdrawn, nullified, or modified. The NIGC needs the ability to react to each individual NOV with whatever appropriate action is required and should not be bound to one specific regulation covering all.
None (Proposed New)	<p><i>Tribal Advisory Committee</i></p> <p>The Commission seeks comment on whether it should develop a regulation or policy identifying when a Tribal Advisory Committee (TAC) will be formed to provide input and advice to the NIGC and, if so, how Committee members should be selected. Should the cost of the TAC be a factor when considering whether to form a TAC? The Commission is seeking comment on whether the Commission should consider a regulation on this issue, how the Commission should prioritize it in the regulatory review process, and whether the Commission should utilize standard notice and comment rulemaking, a TAC to assist in its regulatory review of this part, or another process.</p>	Committees should be formed when, and if required. Members could be nominated from their respective Tribes, or through a regional process. As with any committee there will be costs and this should not be a factor, if a committee would benefit and expedite the outcome.
None (Proposed New)	<p><i>Sole Proprietary Interest Regulation</i></p> <p>Many Tribes and interested parties have approached the NIGC requesting a determination regarding whether a single agreement, or a combination of agreements, violate IGRA's sole proprietary interest requirement. The IGRA requires that the Tribe have sole proprietary interest in the gaming operation. Should the Commission consider a regulation identifying when the sole proprietary interest provision is violated and providing a process whereby at the Tribe's request the NIGC will review the documents and made a determination? The Commission is seeking comment on whether the Commission should consider a</p>	No comments.

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	regulation on this issue, how the Commission should prioritize it in the regulatory review process, and whether the Commission should utilize standard notice and comment rulemaking, a Tribal Advisory Committee to assist in its regulatory review of this part, or another process.	
<b>None (Proposed New)</b>	<p><i>Communication Policy or Regulation Identifying When and How the NIGC Communicates With Tribes</i></p> <p>Should the NIGC develop a regulation or include as part of a regulation a process for determining how it communicates with Tribes? The NIGC has a government-to-government relationship with federally recognized Tribes. However, given the nature of the NIGC’s responsibilities, often the NIGC staff communicates primarily with the Tribal Gaming Commission (TGC) or Tribal Gaming Regulatory Agency (TGRA). While in many instances this means of communication is appropriate and works well, there are also times when the NIGC communicates directly with Tribal governments on issues related to broad policy changes or compliance issues such as a Notice of Violation. How should the NIGC communicate with Tribes and TGCs if those entities are at odds with each other on a particular issue? Should the NIGC consider requiring a resolution from the elected Tribal council setting forth which entity communicates the NIGC? Should such a resolution be submitted with the annual fees or audit? Is this approach unduly burdensome? Alternatively, should NIGC promulgate a regulation or policy establishing a default method of formal communication unless otherwise directed by a resolution? The NIGC recognizes the many differences in Tribal government structures. However, would a universal standard for communication that can then be modified by each Tribe if they so choose promote more effective regulatory communication? The Commission is seeking comment on whether the Commission should consider a regulation on this issue, how the Commission should prioritize it in the regulatory review process, and whether the Commission should utilize standard notice and comment rulemaking, a Tribal Advisory Committee to assist in its regulatory review of this part, or another process. Further, the NIGC invites comment on whether to define the types of communication that occur between the NIGC and the Tribe and Tribal agencies. For example, a letter from the Chairperson regarding upcoming Tribal consultations, proposed broad policy changes or Notice of Violation could be considered a form of “formal communication.” Additionally, a letter from a Tribal chairperson requesting a meeting or a request from the Tribe for the NIGC to perform an audit could also be “formal communication.” However, the NIGC understands that communications between the NIGC and the Tribe, TGC, and TGRA may not be occurring in a uniform manner and wants to provide clarity for all the parties. The NIGC welcomes any comment or suggestions regarding whether the clarification is needed and if it should be formalized into a regulation or policy.</p>	No comments.
<b>None (Proposed New)</b>	<p><i>Buy Indian Act Regulation</i></p> <p>The Commission is considering adopting a regulation which would require the NIGC to give preference to qualified Indian-owned businesses when purchasing goods or services as defined by the “Buy Indian Act,” 25 U.S.C. 47. As an agency with regulatory responsibilities wholly related to Tribes, the Commission seeks comment on whether it is appropriate to promulgate such a regulation. The Commission is seeking advice and input from the Tribal gaming industry about this issue, and whether a Tribal Advisory Committee should be formed to make the change or if another process will be sufficient.</p>	No comments.
<b>501</b>	<p><i>Part 501—Purpose and Scope</i></p> <p>The NIGC does not believe this regulation is currently in need of revision. However, we are interested in hearing any comments or suggestions related to possible revisions to this part.</p>	No comments.
<b>503</b>	<p><i>Part 503—Commission Information Collection Requirements Under the Paperwork Reduction Act: OMB Control Numbers and Expiration Dates</i></p> <p>The NIGC does not believe this regulation is currently in need of revision. However, we are interested in hearing any comments or suggestions related to possible revisions to this part.</p>	No comments.
<b>513</b>	<p><i>Part 513—Debt Collection</i></p>	No comments.



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	The NIGC does not believe this regulation is currently in need of revision. However, we are interested in hearing any comments or suggestions related to possible revisions to this part.	
<b>515</b>	<i>Part 515—Privacy Act Procedures</i> The NIGC does not believe this regulation is currently in need of revision. However, we are interested in hearing any comments or suggestions related to possible revisions to this part.	No comments.
<b>517</b>	<i>Part 517—Freedom of Information Act Procedures</i> The NIGC does not believe this regulation is currently in need of revision. However, we are interested in hearing any comments or suggestions related to possible revisions to this part.	No comments.
<b>522</b>	<i>Part 522—Submission of Gaming Ordinance or Resolution</i> The NIGC does not believe these regulations are currently in need of revision. However, we are interested in hearing any comments or suggestions related to possible revisions to this part.	No comments.
<b>531</b>	<i>Part 531—Content of Management Contacts</i> The NIGC does not believe this regulation is currently in need of revision. However, we are interested in hearing any comments or suggestions related to possible revisions to this part.	No comments.
<b>535</b>	<i>Part 535—Post Approval Procedures</i> The NIGC does not believe this regulation is currently in need of revision. However, we are interested in hearing any comments or suggestions related to possible revisions to this part.	No comments.
<b>571.8-11</b>	<i>Sections 571.8–571.11—Subpoenas and Depositions</i> The NIGC does not believe these regulations are currently in need of revision. However, we are interested in hearing any comments or suggestions related to possible revisions to these sections.	No comments.
<b>571.12-14</b>	<i>Sections 571.12–571.14—Annual Audits</i> The NIGC does not believe these regulations are currently in need of revision. However, we are interested in hearing any comments or suggestions related to possible revisions to these sections.	No comments.
<b>575</b>	<i>Part 575—Civil Fines</i> The NIGC does not believe these regulations are currently in need of revision. While the Commission was interested in seeing Tribal dollars paid as a fine for a regulation violation returned to the Tribes by funding the Commission activities, Federal law prohibits an agency from keeping fines received from entities it regulates, and fines are deposited in the U.S. Treasury. The view is that regulatory agencies would then have an incentive to issue violations. However, we are interested in hearing any comments or suggestions related to possible revisions to this part.	No comments.