



August 10, 2011

Dear Tribal Leader:

On behalf of the National Indian Gaming Commission (NIGC), we are pleased to request nominations for a Tribal Advisory Committee (TAC) to assist NIGC in updating the Minimum Internal Control Standards (MICS) and Technical Standards regulations relative to 25 CFR Parts 542 and 543. We are undertaking this effort as part of the NIGC's comprehensive regulatory review and implementation of the President's November 5, 2009 Executive Memorandum on Tribal Consultation with Indian tribes and Executive Order 13,175. After holding 11 consultations since April 2011, and receiving numerous comments from tribes regarding updating the MICS, the Commission believes a new approach should be taken in order to draw from the expertise of tribal regulators to arrive at fully considered and informed rules.

Tribal Advisory Committee (TAC)

The TAC will provide valuable input to the NIGC in developing proposed updated MICS and Technical Standards regulations, which are critical to gaming operations and very technical in nature. The TAC will focus on the comments received from the public on the MICS and Technical Standards, alternative proposals received from Tribes, including the July 28, 2011 proposal from the Poarch Band of Creek Indians (PBCI) on behalf of the Tribal Gaming Working Group (TGWG), and the current draft regulations. In order for NIGC to issue a notice of final rule in late summer 2012, the TAC is expected to complete its work by March 31, 2012. A proposed schedule and other information about the TAC's meetings, operations, and activities will be distributed at the inaugural meeting in October.

The TAC will be comprised of representatives from tribes. The NIGC recognizes the importance of having diverse representation on the TAC including geographic region; size of gaming operation; Class II and Class III games; operations; regulators; tribal leaders; and subject matter experts on topics such as gaming, surveillance, IT, audit, marketing, promotions, cage, finance, security, and table games. A NIGC commissioner or designee will participate directly on the TAC. The TAC also may provide opportunities for other technical experts to participate throughout the process.

TAC members will serve for one year and must be available and willing to devote the necessary time to travel and attend TAC meetings until the revisions to the regulations are completed. The NIGC has established the following schedule of three-day meetings.

October 18-20, 2011 -Inaugural Meeting, Wind Creek Casino & Hotel, Atmore, AL	January 10-12, 2012 - TBD
November 15-17, 2011 - TBD	February 7-9, 2012 - TBD
December 6-8, 2011 - TBD	March 6-8, 2012 - TBD

There also will be conference calls and additional working group meetings as needed. The NIGC will cover hotel and airfare expenses for representatives based on the size of the gaming operation, as follows:

- 100% for representatives of a Tier A gaming operation (annual gross revenues of more than \$1 million but not more than \$5 million); and
- 50% for representatives of a Tier B gaming operation (annual gross revenues of more than \$5 million but not more than \$15 million).

A tribe with a Tier C gaming operation (annual gross revenues of more than \$15 million) will be responsible for covering the hotel and airfare expenses for its representatives. Please note that the NIGC will only cover hotel and flight costs, per diem and expenses will be the responsibility of the nominating tribe.

Rita Homa, the NIGC Executive Secretary, will coordinate travel arrangements.

Nominations

Tribes may nominate a representative to serve on the TAC by sending in the attached nomination form signed by the tribe's authorized governing body or official. Nominations must be received by **September 16, 2011**.

Please carefully review and address all of the criteria listed in the attached nomination form. Consistent with federal law, the letter must confirm that the nominee (1) is a tribal official or employee, (2) is authorized to speak on behalf of the tribe, and (3) commits to attending all of the TAC meetings between October 2011 and March 2012. Consistent with President Obama's Memorandum of June 2010, the Commission will not accept a nominee who is a registered lobbyist or has been a registered lobbyist within the past two years. The NIGC will announce via www.nigc.gov and written notification of the selection of TAC members by **October 3, 2011**.

Consultation

Following the development of the proposed updated regulations, the NIGC will consult with tribes on the draft proposals. We are committed to working together on a government-to-government basis to maximize the results of this regulatory review process.

If you have questions or suggestions, please call or email Lael Echo-Hawk at (202) 632-7003 or Lael_Echo-Hawk@nigc.gov.

Thank you for your interest and participation in this regulatory review process.

Sincerely,



Tracie L. Stevens
Chairwoman



Steffani A. Cochran
Vice-Chairwoman



Daniel J. Little
Associate Commissioner

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NATIONAL INDIAN GAMING COMMISSION TRIBAL ADVISORY COMMITTEE NOMINATION FORM

This form is to be used by Tribes in nominating a tribal representative for participation in a National Indian Gaming Commission (NIGC) Tribal Advisory Committee (TAC). The goal of the TAC is to assist in updating the Minimum Internal Control Standards (MICS) and Technical Standards regulations relative to 25 CRF Parts 542 and 543.

Please note that nominating a representative does not guarantee a seat on the TAC.

Instructions: To nominate a representative from your Tribe to the TAC, please:

- I. Review the nomination Criteria below.
- II. Provide the information requested on this form.
- III. Submit a cover letter on the letterhead of your Tribe signed by the tribes authorized governing body or official which commits to covering any costs related to participation on the TAC, and also includes a statement confirming the nominee:
 - a. Is a tribal official or employee;
 - b. Is authorized to speak on behalf of the Tribe;
 - c. Is not currently a registered lobbyist and has not been a registered lobbyist for the previous two years; and
 - d. Commits to attending all TAC meetings between October 2011 and March 2012.
- IV. Provide contact information.
- V. Submit form and letter signed by an authorized tribal representative to Rita Homa, Executive Secretary.
- VI. Provide additional nominee information as listed below. The form and supporting material must be ***received by September 16, 2011.***

CRITERIA FOR TAC REPRESENTATIVES

The NIGC is seeking nominees that have a broad level of knowledge and professional experience in gaming and gaming regulatory standards. In addition, please keep in mind the following membership criteria for TAC representatives:

- Have authority to speak and make commitments on behalf of the Tribe.
- Willing to abide by the operating protocols of the process.
- Willing to devote the necessary time to the TAC and to commit to the meeting dates.
- Able to advise effectively on the application and implications of the regulations.
- Able to consider the perspectives of others and seek common ground wherever possible.

In short, representatives must be capable of effectively representing the interests of their Tribe and others similarly situated and are able to work effectively and collaboratively with others, including those whose views and opinions may be quite different. *Please note, a nominee cannot be a registered lobbyist or have been a registered lobbyist within the past two years.*

Proposed TAC Nominee Information

Tribe:	
Name:	
Mailing Address:	
Phone number (work):	
Phone number (home):	
Phone number (mobile):	
Email address:	
Fax number:	

Information about the Nominee

In addition, please provide the following: 1) **a short resume or biography** that can be shared publicly, which describes the nominating tribe's gaming operation size and class of gaming activities, nominee's gaming experience and how the nominee meets the criteria described above; and 2) for transparency and openness, **disclosure of any affiliations** with other similar groups or groups that might also have a stake in the issues or with NIGC, such as recent or current consulting contracts, current employment contracts, or relative (as defined by 5 U.S.C. Section 3110(a)(3)) to any current NIGC staff or appointees.

Signature

_____ Tribe

Date

Please submit this completed form by September 16, 2011 to **Rita Homa**, Executive Secretary, via email or fax at:

1441 L Street NW, Suite 9100
Washington, DC 20005

Email: reg.review@nigc.gov
Fax: (202) 632-0045