



BULLETIN

No. 2023-1

October 27, 2023

Subject: NIGC Fee Rate and Fingerprint Processing Fee

This bulletin explains the National Indian Gaming Commission's (NIGC) annual fee rates for Fiscal Year 2024 (FY24). The annual fee rates are effective November 1, 2023, and will remain in effect until the Commission adopts new rates.

The NIGC has adopted its annual fee rates of 0.00% for tier 1 and 0.08% (.0008) for tier 2, which remain the same as current fee rates. These rates shall apply to all assessable gross revenues from each gaming operation under the jurisdiction of the Commission. If a tribe has a certificate of self-regulation under 25 C.F.R. part 518, the fee rate on Class II revenues shall be 0.04% (.0004) for tier 2, which is one-half of the annual fee rate.

To ensure the Agency has sufficient funding to fully meet its statutory and regulatory responsibilities as the gaming industry continues to emerge from the pandemic, it is necessary for the Commission to maintain the fee rate at 0.08% for FY24. Unlike other federal agencies, the NIGC did not receive any pandemic relief funding and does not receive Congressionally appropriated funding. Instead, the Agency receives quarterly payments from Tribes equal to one quarter of their gaming operation's reported annual fee assessment. In addition to funding the Agency's FY24 operating budget, the Commission must also maintain an adequate transition carryover balance to cover any cash flow variations resulting from the timing difference of fee receipt and operational payments in order to guarantee the Agency's continuity of operations.

Fee Payments

Tribes can make quarterly payments of annual fees and submit associated worksheets through the NIGC electronic payment system on Pay.gov. Tribes interested in using Pay.gov electronic payment system should visit www.pay.gov and select the NIGC using the *Find an Agency* tab. Additionally, Tribes can visit the Commission's website at <https://www.nigc.gov/> for details on how to sign into the system, information required for submission, and how to change and correct submissions.

Pay.gov offers a suite of online services to process collections electronically using Internet technologies. We encourage using Pay.gov for its flexibility and convenience of making payments online. As an alternative, NIGC also accepts paper worksheets and fee payments by check. Please provide the following identifying information: name, address, and telephone number of the gaming operation; name of licensing Tribe; and the name, telephone number, and email address of contact person, and remit quarterly fee payments to:

National Indian Gaming Commission
Attn.: Division of Finance
1849 C Street NW Mail Stop #1621
Washington, DC 20240

Pursuant to 25 C.F.R. 514.4, please be sure to use the appropriate fiscal year as the base period for determining fee payments. Please note that the new regulations define the fiscal year used in calculating the annual fee so that one fee rate is applied consistently to a gaming operation's assessable gross revenues for one fiscal year.

NIGC Fingerprint Fee Rate

Pursuant to 25 C.F.R. § 514.16, the National Indian Gaming Commission has set its Fiscal Year 2024 (FY24) fingerprint processing fee at \$53 per card, which represents an increase of \$8 per card, from the current fee of \$45 per card. The annual fingerprint processing fee is effective November 1, 2023, and will remain in effect until the Commission adopts a new rate. NIGC will publish the fee rate and fingerprint fees in the Federal Register and post them to the NIGC website as soon as they are available.

The number of fingerprint cards submitted for processing has significantly decreased since the pandemic which necessitated the increase, as most of the Agency's processing overhead costs are fixed. In addition, the FY24 fingerprint processing fee includes the cost allocation from the one-time capital investments associated with the Washington D.C. headquarters office relocation and the Agency's hardware refresh of core networking and server computing devices required to support the Agency's infrastructure operations. Maintaining valid support agreements and replacing aging hardware when needed is vital to ensure maximum uptime for IT operations while minimizing disruptions to business processes, including the Tribal fingerprint services.

In FY24, the Commission will also continue its commitment to take necessary measures to comply with the Federal Bureau of Investigation Criminal Justice Information Services (FBI CJIS) requirements which ensure the NIGC and participating tribes can continue to use FBI criminal history report information (CHRI) to assist in determining a key employee or primary management official's eligibility for a gaming license.

Should you have any questions, please contact Yvonne Lee, National Indian Gaming Commission, 1849 C Street NW, Mail Stop #1621, Washington, DC 20240; telephone (202) 632-7003; fax (202) 632-7066; email fee_questions@nigc.gov.