



December 10, 2021

Dear Tribal Leader:

This letter provides an update on the National Indian Gaming Commission (NIGC) Tribal Consultation Series C dates, consultation topics, information on virtual meeting registration and comment submission. Please note the dates for Consultation Series C, the third and final session in our three-part series, have been rescheduled from November 1, 2021 through December 17, 2021 to December 13, 2021 through February 11, 2022.

Series C will focus on regulations with implications for technology and NIGC processes to protect tribal assets, including NIGC background investigations and the substantial violations list. The Commission views updates to NIGC regulations addressing technology based threats to the security of gaming operations' day-to-day activity as an important discussion to ensure its regulations remain responsive to industry trends. The Commission views the protection of tribal assets through tools such as its substantial violations list and background investigations for the Chairman's suitability determinations associated with management contract reviews as necessary for modernizing Agency regulations, ensuring Agency practice reflects gaming industry trends in the regulatory community's approach to background investigations, and supporting the Agency's role as a federal regulatory body.

The Agency anticipates that this consultation could lead to the promulgation of new regulations after an additional round of consultation and dialogue with tribes and industry stakeholders during calendar year 2022. Additional framing material for these consultation topics will be available by December 13, 2021 at <https://www.nigc.gov/commission/tribal-consultation-2021>. Between December 13, 2021 and February 11, 2022, the Commission hopes to receive written comments from tribal leaders or their representatives and plans to host four nation-wide video conferences. **Written comments may be submitted to NIGC.Outreach@nigc.gov.**

- 25 C.F.R. Parts 543 and 547 – Minimum internal control standards and minimum technical standards: Gaming technology and risks have changed significantly since the NIGC implemented its current minimum internal control standards and technical standards. The Commission is seeking your input on matters related to technological enhancements and technology threats.
- 25 C.F.R. § 522.4(b)(7) – Approval requirements for class II ordinances; 25 C.F.R. § 573.4(a)12 – When may the Chair issue an order of temporary closure; The Commission seeks your input on whether the requirement that a tribe construct and operate its gaming operation in a manner that

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adequately protects the environment, public health, and safety extends to issues related to cyber-security.

- 25 C.F.R § 573.4(a) – When may the Chair issue an order of temporary closure: The Commission is seeking your input on adding misuse of net gaming revenues to the list of substantial violations for which the NIGC Chair may issue a temporary closure order.
- 25 C.F.R. Part 537 – Background investigations for person or entities with a financial interest in, or having management responsibility for, a management contract: Since the NIGC first issued regulations related to contract review, the practices and procedures the agency uses in conducting those reviews has continued to evolve. The Commission seeks to engage in a discussion as to how the NIGC may modify its regulations to provide more transparency, accountability, and efficiency in its contract reviews.

The following listening sessions planned for tribal engagement for Consultation Series C topics:

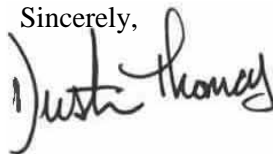
- January 11, 2022: 9:00 a.m. – 12:00 p.m. EST
 - https://www.zoomgov.com/webinar/register/WN_Oe65yYrkSBCsSgd-cVmPYw
- January 12, 2022: 1:00 p.m. – 4:00 p.m. EST
 - https://www.zoomgov.com/webinar/register/WN_KmRJOa3ITm21iO0moINUPg
- January 18, 2022: 9:00 a.m. – 12:00 p.m. EST
 - https://www.zoomgov.com/webinar/register/WN_lzJbOlckRgy70XmSB-UJwg
- January 25, 2022: 1:00 p.m. – 4:00 p.m. EST
 - https://www.zoomgov.com/webinar/register/WN_46qxcYzSJaU6yGLGcIaKg

*Please note the same material and topics will be presented for each session.

Additional information on all of the NIGC’s consultation series is listed in the June 9, 2021 Dear Tribal Leader letter available at: <https://www.nigc.gov/images/uploads/DTLconsultltr6-9-21.pdf>.

We hope that you will be able to join us for this important discussion and value your participation. For questions or assistance, please contact Acting Communications Manager Mary Parker at 202-336-3470 or mary.parker@nigc.gov or Chief of Staff Dustin Thomas at 202-531- 6407 or dustin.thomas@nigc.gov.

Sincerely,



Dustin Thomas
Chief of Staff