



NIGC Publishes Regulatory Review Agenda and Consultation Dates

Washington, DC April 4, 2011 — On Monday, April 4, 2011, the National Indian Gaming Commission (NIGC/Commission) published a “[Notice of Regulatory Review Agenda Schedule and Notice of Tribal Consultations](#)” in the Federal Register, notifying Tribes of its regulatory review agenda and related upcoming consultation schedule.

After considering comments received from Tribes and the public in response to a Notice of Inquiry issued in November 2010, the Federal Register notice provides details on the Commission’s regulatory review agenda schedule. The regulatory review process will occur in three phases: 1) an initial phase under which a preliminary draft may be prepared; 2) after the initial review stage the Commission may decide to move forward with publication of a proposed rule, if any, with a sixty-day comment period; and 3) a final phase during which the Commission may decide to promulgate a final rule.

The Commission organized its review into five groups that will proceed separately through each of the three phases. Specific regulations in each group may proceed through the regulatory review process independently from the other regulations in a particular group. Consistent with its commitment to transparency, the Commission will continue to consult with tribal governments throughout the regulatory review process. The five groupings are as follows:

Group 1 will include a review of:

- (a) A Buy Indian Act regulation;
- (b) Part 523 – Review and Approval of Existing Ordinances or Resolutions;
- (c) Part 514 – Fees;
- (d) Part 559 – Facility License Notifications, Renewals, and Submissions; and
- (e) Part 542 – Minimum Internal Control Standards for Class III gaming.

Group 2 will include a review of:

- (a) Part 573 – Enforcement; and
- (b) Regulations concerning proceedings before the Commission, including: Parts 519 – Service, Part 524 – Appeals, Part 539 – Appeals, and Part 577 – Appeals Before the Commission.

Group 3 will include a review of:

- (a) Part 543 – Minimum Internal Control Standards for Class II Gaming; and

- (b) Part 547 – Minimum Technical Standards for Gaming Equipment Used with the Play of Class II Games.

Group 4 will include a review of:

- (a) Part 556 – Background Investigations for Primary Management Officials and Key Employees;
- (b) Part 558 – Gaming Licenses for Key Employees and Primary Management Officials;
- (c) Part 556 – Background Investigations Pilot Program;
- (d) Part 571 – Monitoring and Investigations;
- (e) Part 531 – Collateral Agreements;
- (f) Part 537 – Background Investigations for Persons or Entities With a Financial Interest in, or Having Management Responsibility for, a Management Contract; and
- (g) Part 502 – Definitions.

Group 5 will include a review of:

- (a) Part 518 – Self Regulation of Class II Gaming;
- (b) A Sole Proprietary Interest regulation; and
- (c) Minimum Internal Control Standards for Class III gaming.

The Commission will hold a total of 33 consultations with Tribes in various regions throughout the Country. Several of these consultations are scheduled immediately before or after other events widely attended by tribal officials. The purpose of scheduling consultations in this manner is both to encourage participation of tribal officials and to conserve tribal resources by reducing the amount of travel of participants. The [consultation schedule](#), which is subject to change, is available on the NIGC Website.

The Notice of Regulatory Review Agenda Schedule is available on the Federal Register website at [Federal Register](#). Information on the regulatory review process, including the Federal Register notice, comments received and transcripts of consultations will be posted on the NIGC website at www.nigc.gov under the Tribal Consultation Tab.

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The NIGC is an independent regulatory agency established within the Department of the Interior pursuant to the Indian Gaming Regulatory Act of 1988.