§ 543.6 Does this part apply to small and charitable gaming operations?

Comparison of July TGWG Submission to July 2010 Draft MICS

In 2010, the NIGC posted on its web-site draft Class II MICS. This document will compare the 2010 draft MICS to the TGWG MICS proposal.

Editing convention: The words in blue (underlined) and red (struck-through) are the additions and deletions made by the TGWG.

<table>
<thead>
<tr>
<th>July 2010 Draft MICS</th>
<th>TGWG Version</th>
</tr>
</thead>
<tbody>
<tr>
<td>§ 543.6  Does this part apply to small and charitable gaming operations?</td>
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</tr>
<tr>
<td>(a) Small gaming operations. This part does not apply to small gaming operations provided that:</td>
<td>(a) Small Gaming Operations. This part does not apply to small gaming operations provided that:</td>
</tr>
<tr>
<td>(1) The tribal gaming regulatory authority permits the operation to be exempt from this part;</td>
<td>(1) The tribal gaming regulatory TGRA permits the operation to be exempt from this part;</td>
</tr>
<tr>
<td>(2) The annual gross gaming revenue of the operation does not exceed $3 million; and</td>
<td>(2) The annual gross gaming revenue of the operation does not exceed $3 million; and</td>
</tr>
<tr>
<td>(3) The tribal gaming regulatory authority develops and the operation complies with alternate procedures that:</td>
<td>(3) The tribal gaming regulatory TGRA develops and the operation complies with alternate procedures that:</td>
</tr>
<tr>
<td>(i) Protect the integrity of games offered;</td>
<td>(i) Protect the integrity of games offered;</td>
</tr>
<tr>
<td>(ii) Safeguard the assets used in connection with the operation; and</td>
<td>(ii) Safeguard the assets used in connection with the operation; and</td>
</tr>
<tr>
<td>(iii) Create, prepare and maintain records in accordance with Generally Accepted Accounting Principles.</td>
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</tr>
<tr>
<td>(b) Charitable gaming operations. This part does not apply to charitable gaming operations provided that:</td>
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</tr>
<tr>
<td>(1) All proceeds are for the benefit of a charitable organization;</td>
<td>(1) All proceeds are for the benefit of a charitable organization;</td>
</tr>
<tr>
<td>(2) The tribal gaming regulatory authority permits the charitable organization to be exempt from this part;</td>
<td>(2) The tribal gaming regulatory TGRA permits the charitable organization to be exempt from this part;</td>
</tr>
<tr>
<td>(3) The charitable gaming operation is operated wholly by the charitable organization's agents;</td>
<td>(3) The charitable gaming operation is operated wholly by the charitable organization’s agents;</td>
</tr>
<tr>
<td>(4) The annual gross gaming revenue of the charitable operation does not exceed $3 million; and</td>
<td>(4) The annual gross gaming revenue of the charitable operation does not exceed $3 million; and</td>
</tr>
<tr>
<td>(5) The tribal gaming regulatory authority develops and the charitable gaming operation complies with alternate procedures that:</td>
<td>(5) The tribal gaming regulatory TGRA develops and the charitable gaming operation complies with alternate procedures that:</td>
</tr>
<tr>
<td>(i) Protect the integrity of the games offered;</td>
<td>(i) Protect the integrity of the games offered;</td>
</tr>
<tr>
<td>(ii) Safeguard the assets used in connection with the gaming operation; and</td>
<td>(ii) Safeguard the assets used in connection with the gaming operation; and</td>
</tr>
<tr>
<td>(iii) Create, prepare and maintain records in</td>
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</tr>
</tbody>
</table>
§ 543.6 Does this part apply to small and charitable gaming operations?

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| accordance with Generally Accepted Accounting Principles. For more information please see www.fasb.gov or www.fasb.org. | accordance with Generally Accepted Accounting Principles. For more information please see www.fasb.gov or www.fasb.org. |
| (c) Independent operators. Nothing in this section exempts gaming operations conducted by independent operators for the benefit of a charitable organization. | (c) Independent Operators. Nothing in this section exempts gaming operations conducted by independent operators for the benefit of a charitable organization. |

NIGC Comments to TGWG Proposed Regulation

Discussion of applicability of GASB (Governmental Accounting Standards Board) may be warranted. Also it should be fasb.org not fasb.gov.

TGWG Guidance

None