



January 23, 2024

Via Email

Lance Ledford
TGA Director
Tulalip Gaming Agency
PMB #546, 8825 34th Avenue, Suite L
Tulalip, WA 98271
lledford@tulaliptga.org

Re: Part 543 – Proposed Alternate Minimum Standards Request for Class II Gaming

Dear Mr. Ledford:

I am writing with respect to your request on behalf of the Tulalip Gaming Agency (TGA) received by the National Indian Gaming Commission (NIGC) on September 28, 2023, for the NIGC Chairman to review and approve an alternate standard to 25 C.F.R. Part 543.17(j)(4). Pursuant to 25 C.F.R. § 543.5(b)(1), the NIGC Chairman may approve or object to an alternate standard approved by a tribal gaming regulatory authority.

Thank you for providing the 25 C.F.R. Part 543.17(j)(4) TGA alternate standard, approved by your office on September 26, 2023, for my review. In addition to the alternate standard, your submission explained how the alternate standard achieves a level of security and integrity sufficient to accomplish the purpose of the standard it is replacing as required by 25 C.F.R. § 543.5(a)(2).

Part of the process of reviewing a proposed alternate standard includes determining whether the proposed alternate standard will affect the compliance or operation of other minimum control standards. After this review, it is my recommendation that the TGA also implement a process to manually document the access and return of the keys from the triple lock cabinet in addition to the proposed alternate standard.

MAILING ADDRESS: NIGC/DEPARTMENT OF THE INTERIOR 1849 C Street NW, Mail Stop #1621 Washington, DC 20040 Tel: 202.632.7003 Fax: 202.632.7066

REGIONAL OFFICES Portland, OR; Sacramento, CA; Phoenix, AZ; St. Paul, MN; Tulsa, OK; Oklahoma City, OK; Rapid City, SD
WWW.NIGC.GOV

The attached Alternate Standard to 25 C.F.R. Part 543.17(j)(4) is hereby approved as the alternate standard achieves a level of security and integrity sufficient to accomplish the purpose the standard it is to replace, and the alternate standard may continue to be used as authorized by the TGA. If you have any questions concerning this letter, please contact Staff Attorney Mandy Cisneros at mandy.cisneros@nigc.gov.

Sincerely,



E. Sequoyah Simermeyer
Chairman

MAILING ADDRESS: NIGC/DEPARTMENT OF THE INTERIOR 1849 C Street NW, Mail Stop #1621 Washington, DC 20040 Tel: 202.632.7003 Fax: 202.632.7066

REGIONAL OFFICES Portland, OR; Sacramento, CA; Phoenix, AZ; St. Paul, MN; Tulsa, OK; Oklahoma City, OK; Rapid City, SD
WWW.NIGC.GOV



PMB #546, 8825 34th Avenue, Suite L
Tulalip, WA 98271
"Regulation and Service with Integrity"

Chairman E. Sequoyah Simermeyer
National Indian Gaming Commission
90 K Street NE, Ste 200
Washington DC 20002

September 28, 2023

Chairman Simermeyer,

RE: Minimum Internal Control Standards for Class II Gaming (MICS) 543.5 Alternate Minimum Standard.

Per 543.5 MICS, the Tulalip Gaming Agency, as the TGRA, requests approval of the Alternate Standard for the following section:

543.17 (j) (4) Custody of all keys involved in the drop and count must be maintained by a department independent of the count and drop agents as well as those departments being dropped and counted.

The proposed alternate standard would read as follows:

543.17 (j) (4) Custody of all keys involved in the drop and count must be maintained by a department independent of the count and drop agents as well as those departments being dropped and counted. Unless access to a manual, non-computerized triple access cabinet housing the keys involved in the drop process requires the physical involvement of at least three agents from separate departments.

We believe the alternate standard, which has been approved by the Tulalip Gaming Agency (TGRA), maintains the intent and requirement of 543.17 (j) (4) as the custody and securement of the keys involved in the drop are maintained in a non-computerized triple access cabinet that requires three keys from separate departments to access the drop keys. Further, a single department or individual would be unable to access or obtain any key without involvement from two other departments.

Based on the requirements of 543.5 the following information is submitted in support of the Alternate Standard:

How the alternate standard achieves a level of security and integrity sufficient to accomplish the purpose of the standard it is to replace.

The alternate standard achieves the security and integrity purposes of the standard by requiring three keys from separate departments to access the drop keys that are maintained in a non-computerized triple access cabinet box. Further, the manual, non-computerized key cabinet eliminates the possibility that a single department or administrator of a computerized cabinet can change system permissions or access to give an individual person access to any particular key housed within.

Security maintains only one of three keys needed to access the drop keys from the manual, non-computerized triple access key cabinet. Two of the three keys needed to open the non-computerized cabinet are housed in the TGO computerized key system. The third key to access the non-computerized triple access cabinet is maintained and controlled independently by TGRA in our own computerized key system.

The manual, non-computerized key cabinets are under continuous surveillance coverage, identifying any agent who accesses said key triple access cabinet box.

The alternate standard as approved and the record on which it is based.

The alternate standard of having three non-computerized key cabinets was implemented on September 26, 2013 as approved through Internal Controls submitted by the Tulalip Gaming Organization, and approved by the Tulalip Gaming Agency with concurrence from the Washington State Gambling Commission. This process was implemented to achieve compliance with MICS Part 542.41 (e) (1), (s) (1) (2) and the requirement of a minimum of three employees from at least two separate departments. The TGO has received no audit findings, nor have any anomalies been identified that have led to security or integrity concerns pertaining to MICS Part 542.41.

We appreciate your time and attention with this request and look forward to working with you on this matter to obtain approval on this alternate standard. Non-approval of the alternative standard will be a financial burden on the Tulalip Gaming Organization and its three gaming properties, as three new computerized key cabinets will need to be purchased to be in compliance with 543.17 (j) (4) . If you have any questions, please free to contact me via email or phone.

Respectfully,

Lance Ledford
TGA Director
Tulalip Tribes
Email: lledford@tulaliptga.org
Phone: 360.716.2011

cc:

Paul Jackson, TGA Deputy Director of Enforcement, Tulalip Tribes
Lisa Koop Gunn, Federal Advocate-Attorney, Tulalip Tribes