



July 24, 2025

Via e-mail

Carleen Chino
Executive Director
Pueblo of Acoma Gaming Commission
P.O. Box 454
Pueblo of Acoma, NM 87034

Re: Review of the Software Access, Equipment and Sportsbook Services Master Agreement between the Acoma Business Enterprises dba Sky City Casino, a wholly-owned enterprise and economic arm of the Pueblo of Acoma, and Native Sportsbook & IGaming, LLC

Dear Executive Director Chino:

This letter is in response to your request on behalf of the Pueblo of Acoma for the National Indian Gaming Commission (NIGC) Office of General Counsel to review the Software Access, Equipment and Sportsbook Services Master Agreement (Agreement) between the Acoma Business Enterprises dba Sky City Casino, a wholly-owned enterprise and economic arm of the Pueblo of Acoma and Native Sportsbook & IGaming, LLC. Specifically, you have asked for a declination letter regarding the Agreement. A declination letter includes an opinion on whether the Agreement is a management contract requiring the NIGC Chair's approval under the Indian Gaming Regulatory Act, and an opinion whether the Agreement violates the IGRA's requirement that a tribe have the sole proprietary interest in its gaming operation.

In my review, I considered the following submission ("the Agreement"):

- **Software Access, Equipment and Sportsbook Services Master Agreement (Agreement);**
 - Exhibit A System Access Requirements, Fees, Software; and
 - Exhibit B Third Party Vendor Services.

The documents contemplate an agreement between the Acoma Business Enterprises dba Sky City Casino and NSI in which NSI will offer products and services, including consulting, for a turnkey sportsbook operation.

Letter to Carleen Chino, Executive Director
Pueblo of Acoma Gaming Commission
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It is my understanding that NSI will provide consultation and recommendations regarding the sportsbook operation, but the wholly-owned enterprise and economic arm of the Pueblo of Acoma will make the final decisions as they relate to NSI's suggestions as to when and how to use the sports betting data, odds, training, and other offered services. The Agreement contains terms similar to other agreements the Office of General Counsel has already reviewed and analyzed, opinion letters for which are available on the NIGC website. After a careful review and applying the same analysis here, it is my opinion that the Agreement is not a management contract and does not require the approval of the NIGC Chairman. It is also my opinion that the Agreement does not violate IGRA's sole proprietary interest requirement.

It is my understanding the Agreement is represented to be in substantially final form. If the Agreement changes in any material way prior to the full execution by the Acoma Business Enterprises dba Sky City Casino and NSI or is inconsistent with assumptions made herein, this opinion shall not apply. Further, this opinion is limited to the documents listed above. This opinion does not include or extend to any other agreements not submitted for review.

Please note that it is my intent that this letter be released to the public through the NIGC's website. If you have any objection to this disclosure, please provide a written statement explaining the grounds for the objection and highlighting the information that you believe should be withheld.¹ If you object on the grounds that the information qualifies as confidential commercial information subject to withholding under Exemption Four of the Freedom of Information Act (FOIA),² please be advised that the information was voluntarily submitted and, as such, any withholding should be analyzed under the standard set forth in *Food Marketing Institute v. Argus Leader Media*.³ Any claim of confidentiality should also be supported with "a statement or certification by an officer or authorized representative of the submitter."⁴ Please submit any written objection to FOIA@nigc.gov **within thirty (30) days of the date of this letter**. After this time elapses, this letter will be made public and objections will no longer be considered.⁵ If you need any additional guidance regarding potential grounds for withholding, please see the United States Department of Justice's *Guide to the Freedom of Information Act* at <<https://www.justice.gov/oip/doj-guide-freedom-information-act-0>>.

If you have any questions, please contact Gigi Modrich, Staff Attorney, at (202) 743-7603.

Sincerely,



Rea Cisneros
General Counsel (Acting)