

BEFORE THE NATIONAL INDIAN GAMING COMMISSION

TRIBAL CONSULTATION

July 20, 2011

Route 66 Casino Hotel
14500 Central Avenue, SW
Albuquerque, New Mexico

Members of the Commission:

Ms. Steffani A. Cochran, Vice Chair

Ms. Lael Echo-Hawk, Counsel to the Chairwoman

Ms. Jennifer Ward, Office of the General Counsel

Mr. Lance Vallo, Field Investigator

Reported by: Karen Lee Clark, RPR, New Mexico CCR 227

Job No. NJ340546

(1469K) KLC

1 VICE CHAIR COCHRAN: Good morning. That woke
2 me up.

3 Thank you for your patience this morning. We
4 had a couple things we needed to take care of, and a
5 couple people we were hoping would show up. So I
6 appreciate your patience this morning.

7 We're going to go ahead and get started. And
8 I, first and foremost, want to begin with our
9 introductions.

10 I'm looking for the agenda. I thought I had
11 one handy.

12 Thank you.

13 We have Governor Luarkie here with us, and
14 he's agreed to open up our meeting this morning.

15 I'm going to start with you, Governor, and
16 thank you for having us here. I look forward to a very
17 productive meeting. And I'm going to turn it over to
18 you for a few comments and opening.

19 GOVERNOR LUARKIE: Good morning, everyone.

20 THE AUDIENCE: Good morning.

21 GOVERNOR LUARKIE: It's good to see all of you
22 here. Thank you, and welcome to the Route 66 Casino.
23 We appreciate you taking the time to come out this
24 morning and -- and today and tomorrow, and spending some
25 time with the group, here, going through this process.

1 And so we are very appreciative to all of you.

2 Before we get any further, just some
3 housekeeping. If you haven't already found them, the
4 bathrooms are right across the hall, here, as long as
5 you go out the door to your right. And there's -- when
6 we break today for lunch, there's restaurants and -- and
7 whatnot down the -- down the side here.

8 So with that, again, we're very appreciative.

9 With me here today is our Special Lieutenant
10 Governor, Charles Poncho, our councilman, Virgil Siow.
11 And there also are the Pueblo Laguna delegates to -- to
12 all gaming initiatives for us, and -- and NIGA, and
13 whatnot, so they -- they represent us.

14 Also, in the room we have Andrew DeLoris, a
15 tribal council member present with us today. And any of
16 the other pueblos? We've got Mr. George Pradt, who is,
17 also, one of our board members for Laguna. I saw Bob
18 Johnson here somewhere. He must have left. Oh. He's
19 on the phone outside.

20 So if I missed anybody from the Pueblo, I
21 apologize. If you're here, please stand up.

22 So again, thank you, everyone for -- for being
23 here.

24 But before we go any further, let's offer a
25 few words of prayer and guidance this morning.

1 (A silent prayer was given.)

2 GOVERNOR LUARKIE: Again, I wish all of you a
3 great meeting today. And, again, thank you for having
4 it here at the Route 66. We do appreciate it.

5 VICE CHAIR COCHRAN: Thank you, Governor.

6 Governor, I was reading that you're very
7 heavily involved in the economic initiatives of the
8 Pueblo, and that is a firm commitment you've made. And
9 so I -- I look forward to watching the Pueblo grow and
10 seeing it prosper. Thank you for having us.

11 I know many of you in the room, but there are
12 many other faces that are new to me, so I'm going to
13 introduce myself. But, first and foremost, I do want to
14 introduce the other tribal leaders at the table, or ask
15 them to introduce themselves, please.

16 And any tribal leadership elders or others
17 that are remaining in the other chairs, if you would
18 introduce yourself, as well. Then I will introduce
19 myself and the staff that are here.

20 MR. HINTON: Good morning, ladies and
21 gentlemen. My name is Timothy Hinton. And I am the
22 vice chairman of the White Mountain Apache Tribe. Good
23 morning.

24 MR. KESSAY: Good morning, ladies and
25 gentlemen. My name is Clinton Kessay, Jr. I'm the

1 Tribal Council for the White Mountain Apache Tribe.

2 MR. BEACH: Good morning, everybody. My name
3 is Arnold Beach. I'm the Tribal Council for the White
4 Mountain Apache Tribe.

5 MR. SIOW: Good morning. Virgil Siow, Pueblo
6 of Laguna Tribal Council.

7 MR. PONCHO: Once again, good morning,
8 everybody. I am Charles Poncho. I'm the Second
9 Lieutenant Governor, Pueblo of Laguna.

10 MR. TORINO: Good morning, everybody. My name
11 is Kino Torino. I'm representing District Three, Tribal
12 Counsel, White Mountain Apache tribe.

13 MR. APODACA: Good morning everybody. My name
14 is Albert Apodaca. I'm the Executive Director of the
15 Mescalero Apache Tribal Gaming Commission.

16 MR. TORIVIO: Good morning, everybody. I'm
17 Mike Torivio from the Pueblo of Acoma. I'm one of the
18 gaming commissioners.

19 MR. SHANNAHAN LARGO: Good morning, everybody.
20 I'm Shannahan Largo. I'm the gaming commissioner,
21 Jicarilla Apache.

22 MR. PHILLIP LARGO: Good morning. My name is
23 Phillip Largo. I'm the Chair for the Jicarillo Gaming
24 Commissioners.

25 MR. GREEN: Good morning. I'm not a tribal

1 leader. I'm an attorney. I come from Oklahoma. I
2 represent a number of tribes there, and they send me to
3 watch the NIGC regularly to make sure they don't do
4 anything that hurts or offends them.

5 MS. CHINO: Good morning. Carlene Chino,
6 Navajo Nation. I'm the executive director for the
7 Regulatory Commission.

8 MS. BEGAYE: Good morning. My name is Karis
9 Begaye. I'm an attorney for the Navajo Nation.

10 MR. DING: Good morning. Mickey Ding, Navajo
11 Nation, Department of Justice.

12 MS. PADILLA: Good morning. I'm Angela
13 Padilla for the Pueblo of Pojoaque.

14 MR. ZUCKER: Good morning. Stewart Zucker,
15 Executive Director of the Pueblo Pojoaque Gaming
16 Commission.

17 MR. GALLEGOS: Good morning. Manny Gallegos,
18 the duly appointed Chair of the Tesuque Gaming
19 Commission.

20 MR. QUIGLEY: Good morning. I'm Daniel
21 Quigley, General Counsel for the Tohono O'odham Gaming
22 Enterprise.

23 MR. TENORIO: Good morning. Joe Tenorio with
24 the Chestnut Law Offices.

25 GOVERNOR GARCIA: Good morning. David Garcia,

1 First Lieutenant Governor, Pueblo of Acoma.

2 MR. DeLORIS: Good morning. I am Andrew
3 DeLoris. I'm the internal auditor of the Pueblo of
4 Laguna Gaming Regulatory Authority.

5 GOVERNOR CHEWIWI: Good morning. My name is
6 Antonio Chewiwi, Second Lieutenant Governor, Pueblo of
7 Isleta.

8 MR. GOMEZ: Good morning. Eddie Gomez. I'm
9 the Executive Director of the Gaming and Regulatory
10 Agency at the Pueblo of Isleta.

11 MS. GARCIA: Good morning. My name is Coleen
12 Garcia. I'm from the Santa Ana Gaming Commission.

13 MR. ROYBAL: Good morning. Ed Roybal,
14 attorney for the Ak-Chin Indian Community.

15 MS. WANYA: Good morning. I'm Cheryl Wanya,
16 Compliance Officer, Navajo Nation Gaming Enterprise.

17 MR. LOCKETT: Good morning. My name is Eddie
18 Lockett, Director, Casino Operations, Hon-Dah Casino,
19 Special Advisor on Gaming Affairs, White Mountain Apache
20 Tribe.

21 MS. TRUJILLO: Good morning. My name is
22 Yvonne Trujillo. I'm the Executive Director for the
23 Taos Gaming Commission.

24 MS. MARTINEZ: Good morning. Maria Martinez,
25 Pueblo of Taos Gaming Commission.

1 MS. MARTINEZ: Good morning. Gaylene
2 Martinez, Pueblo of Taos, Gaming Commissioner.

3 MS. SANCHEZ: Good morning. Barbara Sanchez,
4 Pueblo of Isleta, Tribal Council Secretary.

5 MR. PRADT: Good morning, again. George
6 Pradt. I'm from the Pueblo of Laguna Gaming Commission.

7 MR. ALBEITA: Fernando Albeita, Tribal
8 Council, Pueblo of Isleta.

9 MS. PADILLA: Good morning. Josephine
10 Padilla, Pueblo of Isleta Council.

11 MR. YELLOW EAGLE: Good morning. My name is
12 Glen Yellow Eagle. I'm here for the Rosebud Sioux
13 Tribe.

14 MR. BACA: Good morning. Elijah Baca,
15 Executive Director for the Santa Clara Pueblo Gaming
16 Commission.

17 MR. WILLIAMS: Good morning. Chris Williams,
18 Internal Auditor for the Santa Clara Hotel and Casino.

19 MS. ORTIZ: Good morning. Maylenie Ortiz,
20 from San Felipe Gaming Commission, Licensing Specialist.

21 MS. VELASQUEZ: Good morning. I'm Maxine
22 Velasquez, In-House General Counsel for the Pueblo of
23 Tesuque and the Chair of the Community Control Board.

24 MR. LEWIS: Good morning. My name is Russell
25 Lewis, and I'm with the Navajo Nation Gaming, and gaming

1 agent.

2 MR. WHITEMAN: Good morning. My name is
3 Darwin Whiteman, and I'm a compliance investigator, Ute
4 Mountain, Ute tribe.

5 MR. LESLIE: Good morning. Roger Leslie,
6 Gaming Commissioner, Sandia.

7 MR. PIERCE: Good morning. Jim Pierce,
8 Executive Director for Sandia Pueblo Gaming Commission.

9 MS. CHAVARRIS: Good morning. Loretta
10 Chavarria, Santa Clara Pueblo Gaming Chair.

11 MR. NARANJO: Roger Naranjo, Santa Clara
12 Gaming Commission.

13 MS. TAYLOR: Good morning. Andrea Taylor,
14 Southern Ute Indian Tribe, Gaming Commission.

15 VICE CHAIR COCHRAN: Okay. Good morning.

16 I feel so small sitting up here so far away.

17 There's a lot of familiar faces out there, and
18 it's always a pleasure to see faces I haven't seen in a
19 while, like the Councilman from the Pueblo of Isleta. I
20 appreciate your time, and I appreciate you coming out.

21 For those of you who don't know me, my name is
22 Steffani Cochran. I'm a member of the Chickasaw Nation.
23 I was born and raised in Oklahoma, but home for me, now,
24 is Santa Fe, New Mexico. I started out as a lawyer by
25 trade. Jess follows me around.

1 But I started out -- my middle career was with
2 the Pueblo of Isleta as an associate judge, and then
3 took the position in the State of Oregon as an
4 administrative law judge, and then found myself back in
5 New Mexico several years ago, as Special Counsel for
6 Indian Affairs. And my last position prior to taking on
7 the NIGC work was as counsel, general counsel, for the
8 Pueblo of Pojoaque. So it's a pleasure to see the
9 Pueblo here, as well.

10 This is home for me, and it's -- it's always a
11 pleasure to come home. And it's always a pleasure to
12 get an opportunity to -- to spend some time with people
13 whose issues and progress is very familiar to me. So I
14 look forward to our dialogue.

15 I have several staff here with me. And I'm
16 going to let them introduce themselves, those that are
17 sitting at the table. In addition, we have staff from
18 our Phoenix region, so I'm going to have you introduce
19 yourself, as well.

20 MR. VALLO: Good morning, everybody. Lance
21 Vallo, a field investigator from the Phoenix office.

22 VICE CHAIR COCHRAN: And Sally is outside, I
23 believe. Sally, as well, is here.

24 MS. WARD: Good morning. I'm Jennifer Ward,
25 and I am an attorney with the Office of General Counsel

1 out of DC. Generally, I work in the Great Plains
2 region, so it's really nice to be out here and see a lot
3 of new faces.

4 MS. ECHO-HAWK: So the fancy -- the fancy one
5 isn't working.

6 Good morning. My name is Lael Echo-Hawk, and
7 I'm a member of the Pawnee Nation of Oklahoma. I'm an
8 attorney. I'm currently counsel to Tracie Stevens, but
9 my primary responsibility is dealing with this
10 regulatory review.

11 I very much appreciate the welcome that we
12 have here. And I love being in the Southwest, and look
13 forward to your comments.

14 VICE CHAIR COCHRAN: As most of you know, the
15 Commission agreed and has set a very aggressive
16 consultation schedule to review our existing regulations
17 to make sure that they are relevant, make sure that
18 they're not duplicative, make sure that they're not
19 overly burdensome. And we set a consultation agenda of
20 33 consultations.

21 And in that process, I believe we're on number
22 eleven, if my memory serves me correctly. I spent this
23 week earlier, and I spent last week, up in Tulalip, and
24 then we had a public meeting in Oklahoma. And, now,
25 we're here.

1 The -- the Commission is very excited about
2 this process. And we believe that it is going to
3 produce the best that we can offer in the form of
4 regulatory review. The other commissioners were hoping
5 to join me today, as this is one of the very first
6 sessions that we've opened up to all of our groups for
7 discussion.

8 But as is the case, the work of the Commission
9 does necessitate that sometimes we break up. And so on
10 behalf of the Chairwoman and on behalf of Mr. Little,
11 they do wish us a very productive session.

12 The agenda is quite extensive. And we've
13 broken it up into two days. And we've also broken it up
14 into various groups so that we can, hopefully, take each
15 topic individually, give it the attention that it
16 deserves, and then move on to the next one.

17 That being said, we are firmly aware of the
18 commitment of tribal leadership, and if there are tribal
19 leaders that cannot stay or cannot be here tomorrow, or
20 for whatever reasons want to offer some statements into
21 the record in advance, that's certainly acceptable since
22 we're cognizant that you have very demanding schedules.

23 So before we begin, is there anyone that wants
24 to open up with a statement, or can't stay and -- and
25 wishes to offer a statement before we get into the

1 agenda?

2 Okay. As I said, at some point in time, if
3 you do need to leave, and there's things to say, please
4 let us know, and we will make sure that we write it into
5 the program.

6 Lael has been tasked with this process. And
7 it is a daunting process. There is a lot of information
8 going on.

9 (Interruption in the proceedings.)

10 I think they found the right button.

11 There's a lot of information being generated
12 right now, a lot of discussions happening all throughout
13 the country, all throughout Indian country. And she has
14 this daunting task of keeping track of it all, having it
15 make sense, and, of course, keeping the commissioners
16 where we need to be at, at what time, and making
17 decisions when we need to make them.

18 So I'm going to turn this over to Lael, and
19 she's going to give us an overview of -- of the agenda,
20 do introductions to the topics so that you have a
21 working knowledge of where we're at. And then we'll
22 begin our discussions.

23 (Interruption in the proceedings.)

24 MS. ECHO-HAWK: Okay. Okay. Sorry. We're
25 trying not to kill your ears this morning. It's too

1 early for that. We'll slowly bore you to death, but --
2 okay.

3 So good morning, again. We are here today at
4 this part of the consultation policy -- the consultation
5 process that the Commission has undertaken. And I think
6 as we've gone forward with the regulation review, as
7 most of you will recall, beginning in November of last
8 year, the Commission began asking questions through a
9 Notice of Inquiry, and then later published a notice of
10 regulatory review schedule, which this is one of 33
11 consultations identified in that schedule.

12 The Commission first asked the question, "What
13 issues do we need to look at? What regulations?" And
14 then, second, "How do we do that?"

15 We're currently in the drafting phase of these
16 consultations, and -- and talking about the various
17 topics as they've arisen. One sort of housekeeping
18 thing, but very important to note, is that the tribal
19 consultation meetings are between tribal governments and
20 the -- tribal governments and the federal government.
21 Only tribes and their designees can attend and
22 participate in these meetings, and that they're not open
23 to the public. This is important for us to note. This
24 is government-to-government consultation, and it's
25 something that the Commission wanted to emphasize.

1 This consultation is part of the mandate given
2 to federal agencies under the Executive Order 13,175.
3 Particularly, this process is part of the section that
4 you can see underlined up there, where it says that
5 prior to developing -- prior to determining whether to
6 establish federal standards, the federal government, the
7 NIGC in this instance, consults with tribes first. So
8 before we begin drafting, before we begin rulemaking, we
9 talk to you and ask whether or not these standards are
10 appropriate.

11 The Commission has divided, basically, 21
12 different topics into five regulations -- five -- five
13 groups that we're reviewing. These groups were formed
14 by a number of factors, including a lot of time and
15 resources estimated that they might take to look at,
16 what the subject matter was, and the comments that we
17 received from the Notice of Inquiry.

18 The group numbers do not indicate priority,
19 something that we've been asked before. Just to
20 clarify, that group one doesn't indicate it's a higher
21 priority than any of the other groups.

22 We've divided the drafting phase as the
23 drafting, the actual ruling, and the review of the rules
24 into three different phases: The preliminary drafting
25 phase, which we are currently in today; the proposed --

1 the proposed rulemaking phase, in which a notice of
2 proposed rulemaking would go out. We haven't yet begun
3 that phase for any of the rules. But once we do enter
4 that phase, the Commission is going in for at least a
5 60-day written comment period, so if you were unable to
6 comment on any of the discussion drafts as they've come
7 out, there is going to be at least a 60-day written
8 comment period available for you if we go into the
9 notice of proposed rulemaking. And then, finally, the
10 final rule.

11 All of the preliminary discussion drafts are
12 available on our website. Currently, we have seven
13 posted. They are initial working drafts only. They are
14 a -- they are our attempt to put into regulation draft
15 form the comments that we've received from tribes and
16 the comments that we've received internally from our
17 staff addressing the issues that we've seen come up.
18 But, again, they are only initial working drafts.

19 All of these consultations are transcribed.
20 All written comments and transcripts are posted on our
21 website at www.NIGC.gov. If you have -- if you have an
22 issue or it's difficult for you to find where that
23 information is located, please don't hesitate to reach
24 out to us, and we can get you that information.

25 I will say this again, at the end of this

1 first session, probably throughout the day -- but
2 because these meetings are transcribed, when you do
3 speak, we need for you to speak into the microphone,
4 state your name and your tribal affiliation so that our
5 transcriptionist, over there, can make sure that the
6 transcript is accurate.

7 The commitment by the Commission is that every
8 comment will be reviewed and considered. I can speak
9 from personal experience, watching Steffani cart around
10 a giant binder that's about the size of her, and taking
11 it home and reading these at night, so -- so that
12 they're up to speed and they know what your comments
13 are.

14 We, also -- we have posted on the website, and
15 we are sending out letters, receipt letters, so that you
16 know that your comments reached us and that we are
17 considering them. We've heard comments about sort of
18 this black hole that the NIGC becomes, that the tribes
19 send their letters in to. And we certainly don't want
20 that to be the case here and are trying to be
21 responsive.

22 Any proposed or final rule also commits to
23 including a summary of comments. And the Commission is
24 committed to a clear and transparent process, so you
25 will be able to see what their decisionmaking process

1 was and any preamble to any proposed or final rules.
2 And you will be able to see all the documents that they
3 used -- they will be on our website -- to make any final
4 decisions.

5 So we have quite an aggressive agenda today
6 and tomorrow. We're going to be reviewing all four
7 groups. Group one and group two are behind us. We'll
8 go over them throughout the day. Groups three and
9 four -- we'll review group four today, as well. We're
10 saving group three and group five for tomorrow.

11 So that's the schedule that's -- it's in your
12 handout, so I won't read through them. You will hear
13 about them throughout the day.

14 So this morning, we're going to begin with a
15 discussion on group one. Group one includes part 514,
16 the fee regulation, which there is a draft regulation in
17 your handouts and, also, on the website. Part 523,
18 which is a potential repeal, there is no handout for
19 that. Part 542, which is Class III minimum internal
20 controls, again, there is no handout for that, aside
21 from the PowerPoint. Part 559 is facility license
22 regulations. There is a draft rule, and it should be in
23 your handouts that were available on the table outside.
24 And, then, finally a potential Buy Indian regulation.

25 So as you go -- as you look at the draft

1 regulation for part 514, we've done a couple of things,
2 or tried to do a couple of things, and that is, the
3 first -- the first thing that we did was we heard that
4 tribes were interested in, and our comptroller was
5 interested in, seeing tribes submit their fee statements
6 based on audited financials for their fiscal year.

7 As many of you know, not all operations
8 operate on a calendar fiscal year. A lot of times, your
9 fiscal year ends on September 30th, et cetera. And it's
10 more accurate to base the calculation of fees on a
11 gaming operation's fiscal year. So we made that change
12 in the draft. And that's noted on the PowerPoint in
13 your handout and also in the draft.

14 The fee rates, instead of publishing it on --
15 the preliminary fee rate on February 1st, we're moving
16 to a March 1st publication date. And that's so that we
17 can gather all the information, get all the audited
18 financials, and make a more accurate projection so that
19 we don't have to change that rate later in the year.

20 We have removed some terminology just to
21 reflect industry standards, moved back to quarterly
22 payments. A couple of years ago, the Agency moved to
23 semi-annual payments, and, now, we're moving back. And
24 we've had some feedback from tribes saying that that is
25 helpful, and it is helpful from the agency operation

1 standpoint, as well.

2 We're clarifying -- so the second point on
3 this page is a little bit confusing, but it is a
4 clarification. And we simply are trying to refer back
5 to the actual calculations, how you come up with your
6 fee, with your fee rates, or with the fee that's
7 assessed, so it's just a clarification point.

8 The notification period for if the gaming
9 operation changes, say you're on a calendar year, and
10 you move to a September 30th fiscal year. How do you
11 notify us of that? That's in the discussion draft.

12 And sort of the biggest change, or one of the
13 biggest changes in this particular regulation, is the
14 inclusion of a sort of a -- we call it a ticketing-type
15 system for when the tribes have submitted their fees to
16 the NIGC late.

17 We've had the instance arise, and I think this
18 happened in 2009, where a number of notices of violation
19 went out to tribes who had submitted their fees to the
20 Agency late. There was a quite a lot of the tribes that
21 were upset about this, and because a notice of violation
22 carries with it some very significant repercussions for
23 their bond rates, those kinds of things.

24 And so the -- we, internally, and then the
25 tribes, have been very supportive of developing sort of

1 this ticketing system so if a tribe is late submitting
2 their fees, unless they are 92-plus days late, they
3 won't receive a notice of violation. You would simply
4 receive a ticket-type system and a percentage rate, a
5 percentage or a dollar amount that's escalated the later
6 that you are.

7 So we sort of compare it to getting a parking
8 ticket. If you don't pay your parking ticket within
9 30 days, then you get an additional fee attached to the
10 amount that the ticket actually was. So it's sort of
11 along those lines.

12 One of the questions that we do have, and it
13 is not -- and you will see in your discussion draft,
14 there's a blank there left for how much those additional
15 fees, penalties should be if -- if the fee is late. And
16 we've got several blank marks, I think, that begin on
17 line 13 of that particular section on that page. So if
18 you have comments or you have any ideas on what the
19 percentage rate should be, we would certainly like to
20 hear that.

21 The key distinction that we make is -- is from
22 a late -- from the fees being submitted late to a
23 failure to pay your fees. So if a tribe fails to pay
24 the fees, which is 92-plus days late, then in that
25 instance, the -- the Chair would be able to issue a

1 notice of violation.

2 The other new section is a section that just
3 sort of formalizes and codifies the
4 fingerprint-processing fees. A number of tribes use the
5 Agency to process their fingerprinting cards, and so we
6 just wanted to formalize and lay out clearly how the
7 fees would be assessed for tribes utilizing that
8 service. Certainly, not all tribes do that, but for
9 those tribes that do use that service, we want to be
10 clear about what those fees will be.

11 So one of the questions we asked in the Notice
12 of Inquiry was whether or not we should use a definition
13 of -- if we should change the definition of "gross
14 gaming revenues" to be consistent with GAAP for the
15 purposes of calculating the fees. This discussion draft
16 doesn't make that change because, as we looked at the
17 definition of GAAP, and we looked at the definition of
18 IGRA, we realized the two were not necessarily
19 consistent. And we have a statutory definition of
20 "gross gaming revenue" that we have to abide by, and --
21 and GAAP was not consistent with that.

22 There were additional concerns because GAAP is
23 accounting -- it is an accounting principle, and it
24 could change. And if we simply use a definition of
25 GAAP, that definition could change, and we might not

1 necessarily be ready to adjust our definition within the
2 regulation in a timely manner. So we had some concerns
3 about this, so we didn't include it in the draft.

4 However, we do know that fee calculations is
5 one of the areas that tribes struggle with for a number
6 of reasons. It is certainly -- we did sort of a "Fee
7 101" with the audit department. And we've been asking
8 questions since it's -- it's difficult to understand, I
9 know, certainly, from my perspective. And I'm not an
10 auditor.

11 But we do have fee audits that happen
12 frequently for tribes that have miscalculated their --
13 their fees that were assessed, and this could be simply
14 because it's not clear what you can deduct, what you
15 should add, how you -- we've received a number of
16 questions on how do you account for -- if the tribe is
17 issuing a match play, for example, and you're basically
18 wagering with the tribe's own money, how do you deduct
19 that? What is the calculation for the win? It is a
20 complicated -- I'm sure your finance people can tell you
21 that it's a complicated calculation. And it's something
22 that we want to be clear on, and so we've been asking
23 tribes. Perhaps, we need to define better what a
24 "wager" is and what a "payout" is, and, perhaps, that
25 will help clarify that issue. So if you have thoughts

1 on that, then we would certainly like to hear them.

2 The written comments period on the discussion
3 draft closed on May 31st. It doesn't mean that we're
4 not taking comments. And, certainly, if we propose a
5 notice of proposed rulemaking, there's a 60-day comment
6 period and additional consultation and an opportunity
7 for you to weigh in on those issues.

8 Part 523, this we all sort of agreed
9 internally. As we received comments from tribes
10 externally that -- that this regulation, was obsolete
11 and that it could be -- it should be repealed. And so
12 that's the question on the table. We haven't issued a
13 notice that we're repealing this yet, so if you have
14 comments or concerns about this, we'd like to hear them,
15 as well.

16 MR. GREEN: Can I back you up to 514 before we
17 look at the next one?

18 MS. ECHO-HAWK: Yes, sir.

19 MR. GREEN: Where does it say when you pay?

20 MS. ECHO-HAWK: I'm sorry?

21 MR. GREEN: Where does 514 -- where does 514.1
22 require we pay?

23 MS. ECHO-HAWK: Where does 514? I'm sorry?

24 MR. GREEN: 514.1 has now been changed, so we
25 have to report our calculations. But I didn't see

1 anything in here that ever said we had to pay you.

2 MS. ECHO-HAWK: 514.1?

3 MR. GREEN: Yes. Where it talks about our
4 annual payments.

5 MS. ECHO-HAWK: Uh-huh.

6 MR. GREEN: You replaced -- where does it say
7 when we pay?

8 MS. ECHO-HAWK: It says -- yeah. It says, in
9 (c)(4), "Each gaming operation shall determine the
10 amount of fees to be paid, and remit them with a
11 quarterly statement required under paragraph (c) of this
12 section"?

13 MR. GREEN: In (c)(4)?

14 MS. ECHO-HAWK: Line 13, on page three.

15 MR. GREEN: Thank you.

16 MS. ECHO-HAWK: Okay. So moving on to part
17 559, facility license, this is also in your -- this was
18 a handout, so we do have a discussion draft available
19 for you to sort of follow along on.

20 The Notice of Inquiry asked whether or not
21 this part should be revised. We received a number of
22 comments. We had -- that were unanimous in their
23 support of reviewing this, of re-reviewing this
24 regulation, for a number of varying reasons. Some
25 tribes didn't agree with the regulation's substance.

1 Some tribes didn't agree with the way the regulation was
2 enacted.

3 And so we went back to the drawing board, and
4 we came up with the draft that you have in front of you
5 today. It does a number of things. It changes the time
6 frame for notice of a new facility license.

7 It used to be that tribes were required --
8 well, the current relation requires that tribes submit a
9 notice to NIGC 120 days before any new facility is
10 opened. As you can see, on page one, 559.2(b), the
11 chair -- there's a different process. The 60-day
12 process with an additional 60 days as -- at the tribe's
13 discretion, and with the ability for an expedited
14 review, if -- if that's possible.

15 And also -- the new draft also requires that a
16 newly-issued or renewed license be sent to NIGC within
17 30 days of issuance. We removed the requirement that
18 the -- that the facility license has to be renewed every
19 three years. That's no longer in the regulation. Now,
20 a tribe can renew if -- if it chooses, or issue it once.
21 That's up to the tribe's discretion. It's not mandated
22 any longer by the regulation.

23 Additionally, instead of requiring the tribe
24 to send in a lot of information that may be contained in
25 another -- at another federal agency, or somewhere else

1 within the federal family, the tribe simply has to issue
2 an attestation that the construction and maintenance of
3 the facility and operation is conducted in a manner
4 which adequately protects the environment, public health
5 and safety, which is language verbatim from the Act.

6 Finally, the last sort of points that we
7 changed within this discussion draft was that the notice
8 of -- the notice to the NIGC would be the tribe would
9 send notice to the NIGC within 30 days when the license
10 is terminated or expires, or just when it closes or
11 opens or reopens.

12 We've had some questions come up, "What does
13 that mean when a -- when a facility opens or re- -- or
14 closes or reopens? What is a temporary closure? What's
15 a seasonal closure?" Those are questions that we have
16 in the draft. In fact, 559.5, there is a blank in the
17 last sentence, and it says, "A tribe need not provide a
18 notification of a seasonal closure or of a temporary
19 closure with a duration of less than blank days."

20 Obviously, for the -- for the Agency, we need
21 to know when facilities are closed and not operating.
22 And so what is that trigger? When -- what -- during
23 what time frame would it be reasonable for the tribe to
24 notify us when -- that the facility is going to be
25 closed for a certain amount of time, which is to be

1 determined? And that's why the blank is in there.

2 We're also trying to move into the 20th --
3 we're hoping maybe the 21st Century one day. And we've
4 provided a section in there that tribes could submit
5 documents electronically. So we're trying to -- to move
6 forward and kind of keep paper down.

7 Written comment on this discussion draft
8 closed on June 17th. Again, that doesn't mean that
9 we're not taking comments. And, certainly, whenever we
10 issue a notice of proposed rulemaking, there will,
11 again, be additional time for consultation, and at least
12 60 days' written comment period.

13 The other issue that came up in group one was
14 whether or not the issue that we asked of whether or not
15 the Agency should draft a Buy Indian regulation or
16 policy, something that mandates that the Agency, when we
17 go out and we -- we go out into the field to hold
18 meetings like this, there will be purchasing. We're
19 going to be moving. We have to -- our lease expires,
20 and we're going to begin moving, perhaps, our offices in
21 a couple of years. So when we go and do that as an
22 agency, that we buy Indian. This is not something that
23 we're requiring tribes to do at all. This -- that's a
24 question that has come up. This is a mandate for the
25 Agency, that we buy Indian when we go and purchase goods

1 and services.

2 Tribes have been very supportive of this,
3 although there has been some debate about whether or not
4 it should be -- should be a regulation or a policy. We
5 haven't issued a draft yet, but we're certainly
6 interested in hearing what your thoughts are on that.

7 And then, finally, group three MICS, Class III
8 MICS. This is an issue that, again, we'll discuss
9 somewhere tomorrow. But one of the questions has come
10 up about how we -- how should we address Class III MICS.
11 It is an issue of attention throughout the country among
12 the tribes in various regions concerned about what the
13 impact could be based on what the Agency could do with
14 Class III MICS, whether we continue promulgating,
15 whether we repeal, whether we issue guidance.

16 It is something that tribes, obviously, are
17 concerned about, and may impact tribes across the
18 country very differently in -- in different areas. So
19 it is something that we're interested in hearing your
20 thoughts on how we should address that particular issue.

21 So with that, we'll begin taking comment on
22 group one. I will turn it back over to Vice Chair
23 Cochran.

24 One more time, if you do speak, then, please,
25 state your name. Speak in the mike, and state your name

1 and tribal affiliation so that we can make sure the
2 transcript is accurate. Thank you.

3 VICE CHAIR COCHRAN: Thank you, Lael. We have
4 some councilmen that have joined us. Could I ask you to
5 identify yourself?

6 MR. ROMERO: Good morning. Ramos Romero,
7 former Governor from the Pueblo of Tesuque.

8 UNIDENTIFIED SPEAKER: Good morning. I'm a
9 councilman of the Pueblo.

10 VICE CHAIR COCHRAN: Good morning.

11 Good morning, Governor. Thank you for joining
12 us.

13 And I also neglected that we have one more
14 staff member in the audience.

15 I apologize, I overlooked you.

16 Brett West is one of our auditors, and he has
17 been with the Agency many years, I believe.

18 All right. That is the first group. And as
19 you can see, it's a lot of material to go over. But it
20 is the -- many of these have been in the works for a
21 while so we've gotten some discussion drafts out, and
22 we've circulated them.

23 One of the things that we, as a commission,
24 agreed to do, as well, is to put out discussion drafts
25 before we put out, even, a proposed notice of

1 rulemaking. And that is an attempt to give the tribes
2 an opportunity to comment, to give you what we're
3 thinking, how it might look. It certainly doesn't
4 reflect how it may look in the end. But it's a way of
5 stimulating discussion and showing you kind of where the
6 Agency is coming from initially. And so we get lots of
7 feedback on the discussion draft, as well as we
8 encourage you to continue all throughout to -- to
9 comment as you see them come in.

10 Before we break -- we've got about ten
11 minutes -- I'm going to open up the floor, first, to
12 anybody who has particular thoughts on any of these
13 particular parts that we've put out before I begin
14 individually.

15 Okay. The part 514, the fees, this has been
16 out in the discussion arena for quite some time. And
17 the -- the feedback that we're getting on the discussion
18 draft was very supportive. The item which continues to
19 kind of stir discussion is the provision on using the
20 GAAP definition.

21 Lael commented that the Agency's fear is,
22 although the auditors use GAAP often, that term is -- is
23 subject to change if we just do a blanket referral to it
24 without consideration for how it impacts our particular
25 industry. And it may also create some problems for us

1 that would not have a favorable impact as far as how we
2 define internally the -- what you're going to pay out.
3 And so the discussion draft that we've circulated does
4 not include that change to a GAAP definition.

5 Is there anyone that has different thoughts or
6 would like to offer different thoughts on looking at
7 that? I know we have some financial people in the room.

8 We also -- right before I started my term last
9 January, the decision was made to go to a semi-annual
10 payment to -- of the fees to NIGC. And I, to this day,
11 still am not clear on why that decision was made. The
12 result, however, has created a lot of uncertainty in how
13 the Agency budgets itself. It also played a little bit
14 of havoc with the tribes and their accounting systems.

15 And so our proposal is to go back to the
16 quarterly system, which will not only allow tribes to
17 set it according to their fiscal years, but will also
18 bring certainty back in the Agency's budgeting. And it
19 created a gap for us that was difficult for us to manage
20 budgetarily. We got through it, but to go -- only
21 receiving monies in twice a year, as you can imagine, is
22 a difficult task for a federal agency to do.

23 So our proposal is to go back to the quarterly
24 payment system. Our proposal is to allow you to use
25 your definition of what your fiscal year is. Some

1 tribes have asked if they can still pay semi-annually or
2 if they can -- some tribes pay their fees up front for
3 the year, and then we draw down on it. Those options
4 are still there. They absolutely are. It's just, like
5 I said, an attempt to bring our practices more in line
6 with what you're doing in your own operations and to be
7 more consistent with your fiscal years.

8 Thank you.

9 Good morning, Maxine.

10 MS. VELASQUEZ: Good morning. Maxine
11 Velasquez. I'm in-house general counsel for the Pueblo
12 of Tesuque and Chair for the Gaming Control Board.

13 Just going back to that 514 regarding the
14 issue of GAAP and the definition, I -- I don't have any
15 conclusions at this point, but I think it is important
16 to note that, as we're going through and looking at
17 using GAAP, of course, we need to also -- I just want to
18 bring it to your attention that we also are looking at
19 GAAP from different perspectives, such as free play in
20 the state of New Mexico and how we deal with that
21 definition, how it affects us in New Mexico when it
22 comes to revenue shares.

23 So I guess my -- my dilemma -- and I think
24 it's important that we start thinking about this -- is
25 how we use GAAP in definitions such as this and how we

1 use gap when it comes to interpreting the compact, and
2 what is what, and how the -- how to be consistent. And,
3 also, how are we using it in a -- in a fair manner that
4 actually, in essence, helps the tribe on its arguments?
5 I know that's really vague. We haven't figured that out
6 here.

7 We're dealing with an issue, here in New
8 Mexico, when it comes to free play and GAAP and the New
9 Mexico Gaming Control Board. So I'm going to have to
10 figure -- talk to some financial folks, as well, and try
11 to figure that out. But I just wanted to bring it to
12 the Commission's attention.

13 This is an issue we're dealing with now, use
14 GAAP here, and don't use GAAP here. How do we deal with
15 that issue, and how do we set some precise definitions
16 and -- and regulations so that that doesn't ever change,
17 like you just spoke about.

18 MS. ECHO-HAWK: I'm trying to avoid feedback.
19 Thanks.

20 That -- that is a comment that we've heard
21 quite a bit, particularly in these definition parts with
22 the definition of gross gaming revenue and the
23 definition of net revenues, that, oftentimes, the
24 compact and the -- our regulations and the Act don't
25 necessarily match, which makes calculations even more

1 difficult.

2 So from our perspective, the only thing that
3 we sort of have control over is the definitions included
4 in the regulations. If there is a way that we can
5 clarify that, make it easier, either through guidance or
6 regulation, we do want to hear that because that is
7 something we hear frequently, that you're managing sort
8 of two different definitions, and it's difficult to make
9 them mesh. And if there's a way that we can be more
10 consistent or clear, that -- that we should try to do
11 that.

12 VICE CHAIR COCHRAN: All right. Anything else
13 on GAAP?

14 Yes.

15 GOVERNOR GARCIA: Thank you. Again, David
16 Garcia, First Lieutenant Governor, Pueblo of Acoma.

17 Thank you, Maxine, for that comment.

18 But in relation to the GAAP issue, I mean I
19 don't understand, truly, the emphasis behind GAAP. All
20 of the audits performed across the nation are relative
21 to being audited under the general accounting accepted
22 principles. I mean that's AICPA practice. So I -- I
23 still doesn't understand what the difference is or what
24 the emphasis is, really.

25 I think it's really more the emphasis on

1 identifying, maybe, revenue at this point, or
2 identifying the calculation method. I -- I don't
3 understand the clarity behind "Do we or do we not apply
4 GAAP practice and principles?" In theory, that's all
5 AICPA standards, unless there is something other than
6 AICPA. Then, I think that NIGC needs to go back and
7 further do its homework and get up to speed with
8 accounting methods and practices, so I -- I mean that's
9 my opinion.

10 MS. ECHO-HAWK: Thank you.

11 That -- it is something that we're -- we're
12 considering. The issue is that we have a statutory
13 definition that basically says, "Gross gaming revenue is
14 wager minus payout," very generally. That's not the
15 exact words of the Act, but that's -- which is fine.
16 It's sort of oversimplified when it comes to how
17 complicated the industry has gotten in terms of
18 promotions and the way that -- that the operation can
19 sort of encourage additional play through the use of --
20 you know, you get the little match play tickets or comps
21 or, you know, the various mechanisms you have at your
22 disposal and use to encourage additional play.

23 Where -- where things get confused and where
24 we see that the fees are miscalculated is when -- when
25 the operation tries to -- tries to -- you know, you

1 deduct some things and not deduct others, and you add
2 things that maybe shouldn't be included into what a
3 wager is or what a deduction is or what payout is. And
4 it's -- it's not very clear.

5 Now, we do have this matrix on our website,
6 which, if you look at it alone, is also not as clear as
7 it could be. When we did our little "Fee 101" class, we
8 saw that, plus, we saw the PowerPoint. And we were able
9 to talk to our audit -- audit department. It was more
10 clear. But it is certainly something that, within the
11 Agency, we would like to assist tribes in -- in
12 preventing sort of these fee audits and miscalculations.
13 And however we can do that, we want to do that.

14 We -- I think the initial thought behind GAAP
15 was that GAAP -- the -- the accounting -- I don't know
16 the -- I forgot the acronym, but the accounting
17 department or the audit, whatever that group is, had
18 been developing a guideline for how you calculate these
19 things for the gaming industry. As we looked more
20 closely at it, our audit division came to the conclusion
21 that the way that this was developing would not be --
22 would not comply with the statutory definition included
23 in IGRA, so we're bound by -- by that.

24 Certainly, there are things that happen within
25 the accounting and financial -- the finance department

1 as you're calculating the -- the fees that -- that
2 follow those guidelines, but we have to be really clear
3 in our definition and the things we include in the regs,
4 that they comply with the Act. So we're sort of walking
5 this -- this fine line right now in trying to be as
6 clear as possible, while maintaining the integrity of
7 what the Act says.

8 VICE CHAIR COCHRAN: Does that answer your
9 question? Does it respond to your question?

10 GOVERNOR GARCIA: I guess, maybe, as a word of
11 caution, I mean unless the AICPA develops a -- a
12 standard within their activities, you don't want to
13 insert something that could affect the tribes in their
14 accounting practice; otherwise, you're forcing a process
15 that has not been put in place through AICPA, and that
16 could cause repercussions, as mentioned.

17 Here in the state of New Mexico, we are
18 dealing with the issues of an accounting process for
19 identifying free play and how we calculate the free play
20 activity. And that's something that I don't think even
21 NIGC could explain that process to us without having to
22 go back through and sit down with the financial folks
23 and agree, "Here is going to be the process." So you're
24 adding on more -- something that I don't think should be
25 in place. But, clearly, I think the process has to be

1 looked at from a different focus.

2 VICE CHAIR COCHRAN: The draft discussion that
3 is out would not change anything that's currently in
4 place.

5 GOVERNOR GARCIA: Okay.

6 VICE CHAIR COCHRAN: The -- the question that
7 came up is "Should we change to GAAP principles?" So
8 the discussion draft is to maintain what the Agency
9 currently does. I -- and I know Maxine is heavily
10 involved, as many of you are, in this.

11 You know, look at the current Agency practice,
12 and we would welcome comments coming in from this area
13 to maybe look at the issue differently. But right --
14 what we've got out there right now doesn't change the
15 current practice of the Agency.

16 MR. APODACA: Good morning. Albert Apodaca
17 with the Mescalero Apache Tribal Gaming Commission.

18 My concern would be the definition of wager
19 and payout because that -- that will impact us
20 tremendously, not just us, but the tribes across the
21 country. I think you have to tread carefully there.

22 I kind of see it as a conflict of interest
23 because if you're the NIGC, and you want to increase
24 your fees, the more you include in wagers, the -- you
25 know, the more fees you're going to obtain, right?

1 Whereas, the tribes, on the other side, are trying not
2 to pay for something that we deem not to be a wager.

3 So obviously, we have a lot of concern with a
4 definition of wager and payout being, you know, defined
5 by NIGC. Obviously, if the State likes the definition,
6 they would try to apply it. If they don't like it, they
7 would try to come up with their own. So it's -- it's
8 going to be a battle no matter what.

9 But from our standpoint, we would be concerned
10 about the definitions of "wager" and "payout." That --
11 that definitely would -- would be a huge concern to us
12 in how it affects, you know, not only our payments to
13 the State of New Mexico, but other tribes, like I said
14 previously.

15 VICE CHAIR COCHRAN: Thank you.

16 When I first came onto the Commission, I had
17 the privilege of spending a lot of time in the room with
18 some tribes prior to the other commissioners joining me.
19 And in that course of travels, I spent some time in some
20 areas of Indian country that are more remote, that have
21 smaller facilities. And I really cherish that time
22 because I actually got a very clear perspective of what
23 these tribes are facing, even though they are thrown
24 into the category of gaming tribes and have the
25 perception that they are like the large ones.

1 In those travels, I heard from a couple of
2 tribes about the NOV's that were issued right before the
3 end of the prior term, the former Commission, and heard
4 the impact that those interviews had on those tribes.
5 And to -- to put it in perspective, one of the tribes
6 explained to me that they owed \$1,400 in fees to the
7 Agency they were unable to pay for their own very good
8 reasons, or were late in paying, and ended up with a
9 \$25,000 fine. This was just something I couldn't
10 understand for any reason whatsoever. I couldn't
11 understand how we got to that place and why we got to
12 that place.

13 So when the other commissioners came on board
14 and started talking with the tribes, and I shared some
15 of the stories that I had been told from these smaller
16 communities, we agreed, very clearly, that that just
17 isn't the right option.

18 It is very important, of course, that the
19 Agency receive its funding to continue to maintain
20 operations, but at the same time, we have an obligation
21 to ensure the wellbeing of these casinos and these
22 operations. And the system that was in place doesn't
23 work to achieve that goal.

24 And so under the fee -- the discussion draft
25 that we put out, this is where you see what we loosely

1 are calling the "ticketing system." I don't know if
2 that form states it or not. But the thought is, just
3 like any financial obligation that we have, either on a
4 business side or on a personal side, if you're
5 delinquent in paying your obligations, normally there's
6 some financial cost associated, whether it's a fine,
7 whether it's a higher interest rate. I mean there are
8 different ways to deal with it. And we felt like that
9 is a better solution than an NOV.

10 And so the draft that we put out and -- and
11 receiving a great deal of support on -- does include
12 this late fee ticketing system, if you will. And in the
13 draft, on page five, starting about page -- or excuse
14 me -- line nine, is the proposed system that we're
15 suggesting, which says, just very simply, "If you're
16 30 days late, there's a cost associated with it. And if
17 you're 60 days late, there's a cost associated with it."

18 What we are looking for is, of course,
19 comments on whether or not this is a good idea in
20 general. But, also, you will see there's blanks in
21 there to get feedback of, "Do we say there's a \$25 fee
22 or is there a 10 percent fee?" What is -- what is it
23 that seems to be appropriate? What seems to be fair?

24 Then, of course, after the 91st calendar day,
25 if a tribe continues to be delinquent, then, at that

1 point, then the Chair would have the discretion to issue
2 a NOV. And this process is also designed to -- to --
3 all throughout this time period to continue to have
4 conversations with the tribe about what's happening, why
5 the fees aren't coming in, so that if we get to the 92nd
6 day, there's no -- no uncertainty as to why we're there
7 and whether or not the chair should take more stringent
8 action.

9 And tribes have also said that they believe,
10 "Hey, we pay our fees on time. We expect everybody else
11 to pay their fees on time. And at some point, it
12 becomes intentional. And we do support that the Agency
13 should have an opportunity to be more stringent in their
14 approach with it."

15 So I -- before we go on break, I want to just
16 offer the -- the floor to comments about this. I wanted
17 to give you some background on why we went there. Our
18 intent, really, is to do something better than an NOV
19 just because you're late. So I open up the floor if
20 anybody has thoughts?

21 MS. WARD: Yes?

22 GOVERNOR GARCIA: David Garcia. My interests
23 would be looking at the history. I guess I want to know
24 -- my interest would be are we definitely -- is there a
25 trend in terms of nonpayment of the fee? And -- and

1 what does that history look like within five years? And
2 then, my question, I guess, would be to NIGC, what, if
3 any, have you been -- what -- what were your thoughts in
4 terms of the percentages? I mean because you're looking
5 at a tier activity, much like the tier classifications
6 for levels of gross revenue generated.

7 I don't know. I mean it is very difficult to
8 answer because not knowing, truly, has there been --
9 what -- what is the trend in terms of none or delinquent
10 fees not being paid by gaming tribes that puts us all in
11 this basket where we're now seeing the repercussions of
12 introduction of the potential for paying interest
13 penalties, I guess you want to call it, by gaming
14 tribes?

15 VICE CHAIR COCHRAN: Lieutenant, that is a
16 good question. The -- I came into office on
17 January 4th, 2010. The NOVs were issued October, I
18 believe, of 2009. And, again, if my memory serves me
19 correct -- and I have two very intelligent women sitting
20 next to me. If my memory serves me correct, we issued
21 33 NOVs for late payment of fees in 2009. And there
22 were far fewer before.

23 In the conversations that we've had with the
24 Agency, the staff who have been around for a while, the
25 part of the decisionmaking to issue the NOVs had to do

1 with the expensive amount of late fees that were
2 happening at that time. And, again, this is just
3 conversations. I have looked for written explanation as
4 to why the regulation was changed -- or excuse me -- why
5 the NOVs were issued.

6 33 NOVs out of the 233 gaming tribes, I
7 believe, at the time -- I believe we returned 32 at the
8 time, is -- I'm not good at math. That's why I'm a
9 lawyer -- is 10 percent, 20 percent. And the -- the
10 thoughts that we were having, as I was explaining, is
11 the NOV -- NOV is such an extreme measure. That is
12 our -- that's our biggest hammer we have against tribes.
13 It should be used only as a last resort as far as this
14 Commission is concerned. There are so many other things
15 we can do to bring in compliance, whether on a late fee,
16 or any other issue, without resorting to an NOV.

17 As I was explaining, you have a small tribe
18 with 40 employees who gets hit with a \$25,000 NOV, and
19 it affects so much more than just even the \$25 (sic)
20 fine that came along with their NOV.

21 So that's the best I can give you as to how we
22 got here. That's what the history of the Agency is. At
23 least, the formal record shows there were 33 NOVs that
24 were issued in 2009.

25 The -- as to thoughts on the percentage versus

1 an amount, you know, the Agency, we've not taken any
2 position. That's why we left it open to talk to the
3 tribes to see what their thoughts were. I can tell you
4 the discussions, as I've gone throughout Indian country
5 on the consultations, is a position that fairness seems
6 to dictate that a percentage would be more accommodating
7 to the -- the tribes.

8 Those tribes who have more income revenue
9 coming, or fees -- larger fees that are owed to the
10 Agency should pay more based on a simple percentage,
11 thereby giving a little more cushion to those smaller
12 facilities who may not be able to pay on time,
13 understanding that there's a fee, but yet can meet
14 those -- meet those requirements without the
15 sledgehammer of an NOV. That's what I'm hearing
16 overall. That seems to be the fairness side of it,
17 what's more fair. But, again, that's not the Agency's
18 position. It's just what the consultations are
19 suggesting.

20 MR. CHIWIWI: I have a question. Of the 33
21 that were given notice, was there compliance after a
22 short time? Or what was their common factors for
23 noncompliance?

24 MS. ECHO-HAWK: We heard a range of things. I
25 can tell you at the time that I was -- at the time that

1 I was working for a tribal operation, we got an NOV.
2 And it was very short of shocking and upsetting for the
3 tribe at the time. And the reason we got it was we had
4 turnover within our finance department. The new person
5 that came on didn't realize that she had to do this, and
6 so she was late. I think we were late 20 days one time
7 and like 20 days, or something, the next.

8 And -- but to be hit with an NOV -- as I'm
9 sure you know is a notice of violation -- and \$25,000
10 per day per violation. And -- and it can be very -- you
11 know, I'm sure if any tribe has ever had to deal with a
12 NOV, it's a very upsetting thing.

13 We heard -- I heard in the Great Plains that
14 some -- somebody's -- I think it was a tribe, that their
15 CPA had a heart attack and had to go to the hospital.
16 It was simply -- I mean we heard just a range of things,
17 from personnel who didn't know, to really an egregious
18 situation like that, and they weren't able to pay their
19 fees on time and got hit with the notice of violation.

20 So the intent of this section is, really, to
21 prevent the Agency from doing that in the future and to
22 make sure that our response is reasonable based on the
23 situation.

24 VICE CHAIR COCHRAN: I can also share with you
25 that the 2010 payments -- I understand that there were

1 very few that were delinquent in 2010. If the intent
2 was to bring compliance in a very confronting way, the
3 goal was achieved. I don't know what that percentage
4 was, but I remember, at one point, somebody saying they
5 believed that there were only a handful of tribes
6 that -- that were not timely, the follow-up.

7 Okay. We're still running behind schedule, so
8 we're going to take a short break. If I could ask that
9 we convene in about ten minutes, rather than 15, so that
10 we can try to get us back onto our agenda, I would
11 appreciate it. And we'll see you about 20 till.

12 (Recess.)

13 VICE CHAIR COCHRAN: On part 23, as Lael's
14 PowerPoint mentions, this part has to do with the review
15 and approval of existing ordinances and resolutions.
16 This part only applies to tribal ordinances enacted
17 before January 22nd, 1993, that have not been submitted
18 to the Chair for approval.

19 We are consistent with the perspective that
20 the NORs and comments were the tribes', and we were of
21 the mind that this part could be repealed in its
22 entirety. There is no existing ordinances or
23 resolutions that existed prior to 1993 and have not been
24 approved by the Chair.

25 Is there any different thoughts?

1 MR. BACA: Elijah Baca, Executive Director of
2 the Santa Clara Pueblo's Gaming Commission. I actually
3 have a comment or a question, actually, pertaining back
4 to 514, under the fees.

5 Under the ticketing system that you're
6 recommending implementing, are those -- if a tribe is
7 given a ticket, are you looking at posting those online
8 for public view, as well as you do with the NOV's, or is
9 that something that is generally going to stay in-house
10 and only between that tribe and NIGC?

11 VICE CHAIR COCHRAN: That's a good question.
12 I was just clarifying with Lael because we talked
13 about -- internally about posting NOV's on the website
14 and what that means to tribes, what the Agency's
15 obligations are to transparency. I mean there's a whole
16 lot of factors that go into, kind of, looking at that
17 question. And we hadn't really discussed it in terms of
18 the tickets. I would suspect -- part of what we're
19 trying to do is to get away from that heavy-handed
20 approach to this.

21 It would seem there could be an argument made
22 that part of that would not be making these part of the
23 public discussion, at least not on the website. But,
24 again, it has not been discussed. And I'm certain that
25 is something we'll take back and needs to be discussed.

1 MR. BACA: Thank you.

2 VICE CHAIR COCHRAN: Were there any other
3 questions on the fees?

4 MR. GALLEGOS: I do. Manny Gallegos, Pueblo
5 of Tesuque Gaming Commission.

6 I was looking at the fees a little closer on
7 your graduated ticketing method. And being a former tax
8 administrator with the State, I find it a little
9 confusing, rather than -- the way it's done.

10 I would recommend that you consider, and the
11 tribes consider, that you look at making it much simpler
12 because if you're going to do a percentage, say, for
13 each 30-day period, why couldn't you just summarize it
14 and say that there is a flat, say, 1 percent, 1 percent
15 assessable per month, up to a maximum per month, or up
16 to a maximum. And once you hit the maximum, then you
17 would go to the NOV, rather than accrue it on the 92nd
18 day, and the Commissioner may go ahead and issue the
19 NOV? I mean you take out a lot of the steps.

20 MS. ECHO-HAWK: Thank you. We're trying to be
21 clear, and maybe we did a little too much, so we'll take
22 that back and take a look at it. Thank you.

23 VICE CHAIR COCHRAN: Brevity is always a good
24 thing where we can be. Thank you.

25 MR. ROBERT GARCIA: Good morning. My question

1 is on the percentages that you have proposed. My
2 question is it's going to be the amount that's --
3 according to the amount that's due or the annual fee
4 based on the percentages that you're going to set?

5 MS. ECHO-HAWK: We've -- we've discussed that,
6 and I believe that it's going to be based on the amount
7 that's due. We haven't made a decision. That's what we
8 have been talking about internally, that the percentage,
9 or the dollar amount, whatever it would be, would be
10 based on the amount that is due that particular quarter.

11 MR. ROBERT GARCIA: Thank you. That would
12 make sense.

13 VICE CHAIR COCHRAN: Any other questions on
14 514?

15 Lieutenant Governor?

16 GOVERNOR GARCIA: Again, maybe just for
17 clarity -- David Garcia, Pueblo of Acoma.

18 Again, for the issue of clarity, the NOV
19 provision is still in the regulation, correct? So it
20 is -- and I'm trying to understand this. So would there
21 be two penalties assessed at the same time with regard
22 to the NOV penalty, the 25,000? And then, you're
23 assessing a fee for -- is that a totally separate fee,
24 or is that added to -- "Is that an add-on to the penalty
25 itself?" I guess, is, maybe, my question. Is that a

1 secondary cost?

2 VICE CHAIR COCHRAN: So, you know, a tribe
3 failed to be late --

4 GOVERNOR GARCIA: If the tribe was delinquent
5 one day, and NIGC issues a notice of violation. There's
6 a \$25,000 fee paid. So then, even if that isn't paid,
7 you're still implementing the 30-days, the 60-days, the
8 90-day implementation. Now, is that -- I'm hearing two
9 things. One, it's going to be based on whether it's
10 annual or quarterly. I guess, maybe, that's one issue.
11 Or is it going to be solely based on the 25,000, on the
12 issuance of the NOV, or -- I still don't know.

13 I mean -- I guess the bottom line is, "What is
14 the benefit to NIGC?" If the benefit is you're only
15 wanting to collect \$1,800 of that fee, is that a benefit
16 to you? Is that a benefit to the gaming tribe?
17 Probably not. I guess I'm trying to understand the
18 clarity of -- of NIGC's position on wanting to go with
19 the 30, 60, 90 days, but you've already got a \$25,000
20 penalty assessment. I don't -- I don't understand.

21 VICE CHAIR COCHRAN: I -- the \$25,000 would
22 only be upon the issuance of an NOV. And, of course,
23 the NOV would be the very last step. There is no
24 benefit to the Agency either way because all fees,
25 including the fees that are collected in NOVs, go to the

1 general treasury. They don't go to NIGC.

2 And so part of our thought process, as well,
3 is when an NOV issues and a fine is associated with that
4 NOV, those monies don't get put back into gaming. They
5 don't get put back in the pueblos. They don't get run
6 back through the Agency. They go to the treasury and
7 the benefit of the general public.

8 So there's no -- in that respect, the benefit,
9 I guess, arguably flows to the tribe in the sense that
10 your money is not going to the general treasury, which
11 is what happens under an NOV payment. The -- I think
12 what you're asking -- I want to make sure because it's a
13 good question -- is if a penalty, a ticketing payment,
14 is applied after 30 days, that increase -- that amount
15 increases after 60, after 90, and then you hit the NOV,
16 is the tribe responsible for those -- those amounts that
17 are applied at 30, 60, and 90 days? -- Is that your
18 question? -- in addition to whatever might attach with
19 the NOV?

20 GOVERNOR GARCIA: The question is you've
21 got -- well, let me back up.

22 The NOV becomes effective when?

23 VICE CHAIR COCHRAN: Under the proposal, it
24 would be after the 92nd day.

25 GOVERNOR GARCIA: 90 days after -- 92 days

1 after, right. Okay.

2 So in between that period of time, you're
3 wanting -- you're suggesting, or trying to suggest, that
4 three tiers of penalty assessments, okay? And the
5 question was earlier if -- where are -- what -- what is
6 the basis for it? Is it based on the annual or the
7 quarterly or the semi-annual payments? How is -- I
8 guess, how are you determining that? And -- and -- and
9 then, that should -- I think, then, we could respond
10 with what the percentages would be, if any.

11 But if tribes continue to be in arrears, what
12 happens if you can't collect it? You're still going to
13 be issuing a NOV, and you're still going to anticipate
14 \$25,000. But even if you can't collect that, then what
15 happens?

16 MS. ECHO-HAWK: Just to respond -- I'll start
17 from the beginning, the percentage, if that's what we
18 end up using, would be based on the amount that is owed
19 that particular quarter. So it would be based on
20 whatever that quarterly payment would be. The thought
21 is that the percentage would be based on that amount.

22 Then, second, it's not -- there are the three
23 tiers, but you wouldn't be assessed the first percentage
24 and then add on the second and then add on the third,
25 and then, potentially, go to an NOV. It would end up

1 being the greater of. So say you pay at the 89th day.
2 You'd be assessed whatever that third tier is. You
3 wouldn't be assessed what the 30 days was, what the 60
4 day was, what the 90 days was. So it would be -- just
5 be one.

6 Now, with the notice of violation, the Chair
7 always, sort of, has prosecutorial discretion on whether
8 or not she or he wants to issue a notice of violation,
9 and, certainly, taking into consideration the
10 circumstances of the tribe. I think you will find that
11 any Chairperson with this responsibility will -- will
12 look at that and make a decision. And, certainly, I
13 can't speak for any Chair, or anyone in that position at
14 this time, but they -- the Chairs do have prosecutorial
15 discretion.

16 Now, if a tribe is unable to pay, or refuses
17 to pay, then there are provisions in our regulations
18 that allow us to just punt that over to the Department
19 of Treasury. And then, they use their collection
20 mechanisms to collect on those -- on those fees which
21 are owed to the NIGC. And, again, those fees don't come
22 to the NIGC. They go to the Treasury.

23 And the idea for that -- as with any agency,
24 the idea behind that is that the Agency shouldn't be
25 incentivized, sort of, by -- if they were to issue

1 fines, and those kinds of things, they shouldn't be
2 incentivized to do that with the thought that those fees
3 would, then, come back to their agency. So those fees
4 do not -- and fines don't come back to the Agency. They
5 go to the general treasury so that there is no sort of
6 incentive to issue fines, et cetera.

7 VICE CHAIR COCHRAN: Any other questions on
8 514? Well, I know that this particular part is going to
9 be important for some of the things happening here in
10 New Mexico, and I really encourage you to make your
11 comments known, in writing, to us.

12 I was telling Jess, I didn't have these prior
13 to coming to the NIGC. They are read. The comments are
14 read and very carefully considered. And the more that
15 we have to put into the public record and the public
16 domain, we certainly welcome it.

17 On part 523, as I said, we are recommending a
18 potential, in accordance with the comments that came
19 back on the NOIs, that this particular part is
20 unnecessary to the workings of the Agency and that
21 repeal would be warranted.

22 Is there anybody who thinks different? Is
23 there is a tribe in the room, by any chance, that we've
24 overlooked that would fit into the definitions? I'm not
25 aware of any, but I wanted to -- you know, I always want

1 to make sure. Okay.

2 Part 559 is our facility license
3 notifications, renewals and submissions. This has been
4 a source of discussion in many other areas of Indian
5 country. And before I get into anything, we do have the
6 form of draft out. The comments were due on June 17th.
7 But, again, we welcome comments at any point in time
8 during the discussion.

9 Is there anyone that wants to open up the
10 discussion on this particular part?

11 The -- for those of you who -- who might not
12 have a working knowledge of this particular part, it
13 does, really, have two purposes, general purposes, as we
14 see it. And the first is to receive information from
15 the tribes that the Indian land status -- about the
16 Indian land status of each facility. And then, the
17 second one is to receive information regarding whether
18 or not the construction and maintenance of gaming
19 facilities are conducted in a manner that adequately
20 protects the environment and public health and safety.

21 The existing part, we collectively agree, is
22 way outside of our lane. And as you can see from the
23 proposed discussion draft, we have significantly scaled
24 this back to bring what we believe is closer to the
25 intent and what our obligations are under IGRA. We are

1 also looking to -- and what we're trying to achieve
2 under this is we are trying to reduce the submission
3 burden that's required by tribes. And that's why we've
4 eliminated all of it but requirement three of the EPHS
5 provisions.

6 The part of the discussion that came out, we
7 were most recently in Tulalip for consultations. And
8 much of the discussions out in Tulalip centered around,
9 on page one, section 5(b), which is the line starting on
10 line 37, about what we -- what -- what this was intended
11 to -- you know, this particular section was intended to
12 get at. And this, really, is our attempt to tell the
13 Agency to move it along in these determinations.
14 60 days, we believe, is sufficient, versus the current
15 120 days that we have to make decisions on -- under this
16 section.

17 There was also a suggestion by the tribes
18 during that consultation whether or not there we could
19 add in, perhaps, some language that might provide for a
20 notification and consultation process during this
21 review. And that would be a provision that would be put
22 in if the Chair would find a need to extend beyond the
23 60 days, so that the tribe understands why it is taking
24 the Agency longer to make a decision.

25 Under 559.5 on page five, line four, this has

1 been another area of discussion, not so much out this
2 way. It's more something that we might see up in the
3 Great Plains, where you have facilities that have
4 seasonal closures, or facilities that might have other
5 reasons for temporarily closing.

6 And, again, the intent here that we've made is
7 to put in some language which would exempt the tribes
8 from having to provide notification under certain types
9 of conditions. And one of them are seasonal closures or
10 temporary closures.

11 We've got a facility in Kansas that was part
12 of the floods recently, and they're temporarily closed.
13 So the thought was, if we exempt them, what are
14 considered temporary closures, what constitutes, or
15 should constitute, a temporary closure, given that the
16 Agency has an obligation to know which facilities are
17 open and which are closed? And so we've left that blank
18 to get some feedback.

19 And, again, I'm not sure how much this impacts
20 this area of the country, but we wanted -- I wanted to
21 bring this to your attention in case there are some
22 smaller facilities that, perhaps, may not be open all of
23 the time. It could be a remodel. That -- that would be
24 another thing. What's a reasonable amount of time? If
25 they're closed for less than 30 days, 60 days, that they

1 shouldn't have to notify us? But maybe if they're more
2 than that time? What might you think is reasonable?

3 And then, the other modifications that we've
4 made, again, are trying to make it clear that our
5 obligation is only to attestations from the tribes that
6 they have complied during the construction and
7 maintenance of the facilities, that you are in
8 compliance with whatever a judge requires are applicable
9 to the tribe, not as we view it, not as other entities,
10 a state or a local entity, but what is applicable to you
11 under your compact under tribal law, and -- and just get
12 that attestation that you are in compliance.

13 Are there any thoughts on any of the changes
14 that we're suggesting? Or have we missed something?

15 MR. APODACA: I don't think -- Albert Apodaca,
16 Mescalero Tribal Gaming Commission.

17 I don't think we should have to notify for
18 seasonal closures because I think it's -- given our --
19 like our situation. It's only during the ski season.
20 So how do we know how long the ski season is going to
21 last? Sometimes we close early. Sometimes we start
22 early. I mean it is -- it is predicated on the weather.
23 So I think if -- if -- if a tribe has a -- a
24 seasonal-type of gaming facility, I don't -- I don't see
25 the need to notify the Gaming Commission, the NIGC, that

1 it has been opened or closed.

2 I think once we initially did it. Then we
3 operated, you know, accordingly. I mean most -- I think
4 most of the tribes that do have seasonal-type of
5 facilities, such as ours, it's going to be small.
6 They're not going to be huge in that sense.

7 So I think if it is a temporary closure -- I
8 don't have a problem with notification if it's like a
9 remodeling, or something to that effect, but if it is
10 seasonal, you know, that each year you're going to have
11 this come up. So -- and I would think the National
12 Gaming Commission would be understanding of that, of
13 that condition existing.

14 Thank you.

15 VICE CHAIR COCHRAN: And that's exactly why
16 we've put in there that on the seasonal closures, we
17 haven't left any type of a notification time frame.

18 I'm just looking at the language. I want to
19 make sure that that's conveyed in the language that is
20 proposed. It is pretty clear.

21 MR. APODACA: It's just -- it's kind of like
22 in there.

23 VICE CHAIR COCHRAN: Right.

24 MR. APODACA: To -- to me, the way I read it,
25 if you're either going to have a seasonal closure or a

1 temporary closure, you need to notify. That's -- that's
2 the way I read it.

3 VICE CHAIR COCHRAN: We'll have our legal
4 beagles and their great grammatical skills look at it.

5 MR. GREEN: Jess Green.

6 In regard to 559.1, where it says that you
7 obtained verification, let me suggest that you obtain
8 the verification from the tribe's gaming commission and
9 that you also attach a guidance document that says that
10 the tribe's gaming commission could verify every one of
11 these points that are necessary here. It is very
12 important that we not have this section, on behalf of
13 tribes, have a situation where the NIGC has to do an
14 evaluation because, if they do, you may be sued by
15 various citizen groups that are trying to slow us down
16 in our development. And, whereas, they can't sue the
17 tribes, they may be able to file a lawsuit against you
18 and drag you into federal court and delay our openings.

19 I have had this experience with Interior. I
20 agree that we need to fill up your file so you have this
21 verification. And their basis was that Interior didn't
22 do their background investigations, or any
23 investigations, and their -- because their file was
24 empty. And since the tribe wasn't a party, we couldn't
25 show them that all of this information had been done.

1 And so I -- I agree you need the information.

2 But I think, if you're obtaining verification,
3 that you could obtain that verification from the tribal
4 gaming commission. And I think that if you had a
5 guidance document that said the tribe's gaming
6 commission could certify each of these elements that you
7 have and attach those so that your file would be
8 complete and full of these documents, you would not be
9 in a position that you made any decision that could
10 thereby cause you to be compelled to go into a federal
11 court.

12 And I hope I have made myself clear. If not,
13 well, then, have your legal counsel contact me
14 afterwards. I can give you specific examples where I've
15 had this problem with Interior having an empty file,
16 because Interior's relationship was, "We know all this
17 already." But they didn't have it in the file, this
18 document.

19 VICE CHAIR COCHRAN: Thank you, Jess.

20 Any other thoughts?

21 Lieutenant Governor?

22 GOVERNOR GARCIA: Lieutenant Governor of the
23 Pueblo of Acoma.

24 I guess it's just more of a question. If NIGC
25 does go next door to Interior, and somebody does the

1 verification of land-status rights on the information
2 that's submitted by a gaming tribe, or -- or is there no
3 communication there or --

4 MS. ECHO-HAWK: Well, a couple of years ago,
5 the NIGC and the Department of Interior turned in a
6 memorandum of understanding. And the NIGC details one
7 of our senior attorneys over to the Department of
8 Interior to work there on these issues.

9 Now, there are sort of legal questions sort of
10 pending about when the NIGC has to do these Indian land
11 determinations. And it's certainly something that
12 tribes want. They want -- especially if the lands are,
13 you know, newly-restored land purchased. It wasn't fee
14 and a trust out. There are a number of scenarios where
15 a tribe is interested in having the NIGC and the
16 Department of Interior make that determination that it
17 is Indian land eligible for gaming. And so we do work
18 with the Department on that. It can take some time
19 sometimes. Other times, it may not take that long at
20 all. But, again, there are sort of legal questions that
21 we're struggling with internally about when -- when do
22 we -- when do we make those Indian land determinations.
23 There has been some recent case law that is sort of
24 having impact on -- on when that trigger is.

25 GOVERNOR GARCIA: So going to -- I guess going

1 one step further on the gentleman's question, does that,
2 at any point in time, impede a gaming tribe from opening
3 a facility? And are we -- are we waiting on you, or are
4 you waiting on us? I mean is that -- I mean we don't
5 want to get into that kind of game either.

6 MS. ECHO-HAWK: Practically, the implication
7 of a facility license regulation has meant that tribes
8 do wait. And they -- typically, they put in their
9 notice, give us our notice at 120 days, and they wait to
10 hear back from us. That's been the practical
11 implication of this, of the -- of the regulation.
12 However, the regulation doesn't say what happens. It
13 just says the tribe has to send us a facility license --
14 a facility license notification within 120 days. That's
15 the old regulation.

16 There's a new regulation, there's a new draft.
17 Section B, attempts -- our intent was, and we're --
18 when -- I think we need to rework it. Our intent is to
19 tell -- just to have the NIGC move it along. So if the
20 tribe needs or they want an Indian land determination,
21 that we don't sit on it, that we actually have a
22 regulation we can take over to the DOI and say, "Hey,
23 look. We need to get this thing moving," so that the
24 tribes aren't sitting around waiting for 120 days before
25 they can open their facility. We don't want to impede.

1 So how do we -- we're trying to figure out how to do
2 that.

3 VICE CHAIR COCHRAN: And that is the -- why
4 you see the recommendation that we go from 120 days to
5 60 days, only with a -- preserving, of course, the
6 Chair's discretion, if there's something that
7 necessitates going beyond that 60 days, that the Chair
8 has the ability to do that for situations which may have
9 their own individual unique issues.

10 GOVERNOR GARCIA: But if it's -- if it's a
11 pre-existing, and all we're doing is renewing the
12 facility, is -- there is no -- there is no break in
13 service, correct?

14 VICE CHAIR COCHRAN: (Shakes head.)
15 Are there any other comments on this part?

16 MR. ROBERT GARCIA: Yes. My name is Robert
17 Garcia, and I'm on the San Felipe Gaming Commission. I
18 have a question on 559.6.

19 Is that necessary because you already -- we're
20 already providing the information on 559.4, and, in
21 part, on 551.1 already? Because 559.6, you're -- you
22 are requesting Indian lands or environment public health
23 and safety documentation requiring gaming place,
24 facility, or location where gaming will occur. We are
25 already providing that in the section above, in .4, and,

1 also, in .1, so that my question is, again, "Is 559.6
2 necessary?"

3 VICE CHAIR COCHRAN: In five -- in subsection
4 four, this is requiring that the tribe submit its own
5 facility license with its attestation. In subsection
6 six, this is preserving the Chair's right to ask for
7 documentation, specific documentation, regarding the --
8 the licensure.

9 So this would be -- the difference is, one,
10 we're taking the tribe -- the tribe has the right to
11 license, so we're accepting the license, plus the
12 attestation. If there is a situation that would
13 necessitate the Chair asking for additional
14 documentation because we've taken all of the
15 requirements out that currently are under subsection
16 three, this would preserve the Agency's ability to ask
17 the tribe for that documentation. That was the intent.

18 MR. ROBERT GARCIA: But the tribe has already
19 taken the necessary steps to ensure that, you know, the
20 land and the environment is already accounted for, and
21 the tribe has already submitted the necessary documents.
22 So is it really necessary for the Chair to continue to
23 ask for more documentation?

24 VICE CHAIR COCHRAN: There wouldn't be any
25 documents required under four. It is purely the

1 licensure, plus the attestation. And so that's what
2 that -- that's -- at least that's our intent, is to
3 eliminate the need for the documentation, the excess of
4 documentation that is currently provided for, and only
5 have it provided for if there is some situation that the
6 Chair, in his or her discretion, deems that we need to
7 look further into the licensure.

8 MR. ROBERT GARCIA: Can I -- I'll get -- can I
9 get with you afterwards to get more clarification on
10 this afterwards --

11 VICE CHAIR COCHRAN: Absolutely.

12 MR. ROBERT GARCIA: -- for more discussions?

13 VICE CHAIR COCHRAN: Absolutely.

14 MR. ROBERT GARCIA: I have a question.

15 VICE CHAIR COCHRAN: Uh-huh.

16 MR. ROBERT GARCIA: Does NIGC have an
17 environmental person on staff, an environmental person
18 that reviews environmental issues? I mean you're asking
19 for documentation on environmental. Do you have a
20 person on staff that looks at and reviews an
21 environmental impact statement, OSHA requirements?

22 VICE CHAIR COCHRAN: Yes. Well, part of the
23 discussion that has gone on in reaching the decision to
24 put out a discussion about that includes elimination of
25 all of those requirements because, yes, we do have an

1 EPA person on staff, which I don't know if you've seen
2 that he has looked at things before he comes out and
3 does a lot of trainings.

4 But the Commission believes that we're not the
5 experts. We shouldn't be the experts. There is OSHA.
6 There is the EPA. There are tribal entities. I mean
7 there are many, many other entities that are experts in
8 these various areas, and we're not one of them.

9 So yes, we have a staff member, but that staff
10 member, we, right now, don't believe is the appropriate
11 person that should be reviewing this. This is, again,
12 why we put out that the attestation from the tribe --
13 after it consults with its experts is what we believe
14 will meet the requirements of the statute, not to
15 have us go in and second guess and to do our independent
16 review in areas where we do not have expertise.

17 Is there anybody out there that wants us to do
18 that?

19 All right. We're doing good.

20 Any other questions? I don't want to cut
21 off -- if somebody has a comment or a concern, I
22 certainly don't want to cut that off.

23 GOVERNOR GARCIA: I'm sorry. If I may make a
24 general statement?

25 VICE CHAIR COCHRAN: Absolutely.

1 GOVERNOR GARCIA: You know, this is -- I
2 guess, maybe, the statement should have been made
3 earlier.

4 This is really ironic from the standpoint
5 that, you know, before I sat -- before I occupied this
6 current position, we never had true consultation.
7 During Mr. Phil Hogen's administration, it wasn't
8 consultation. It was meeting at each casino, and you
9 were given an hour's time, you know, to basically vent.

10 I think that it's really ironic. I mean
11 Albert and I know -- know one another, and we go way
12 back because that was the gist of how the consultation
13 was done. And so it's -- it really behooves somebody
14 like me, sitting in this capacity now, to try to provide
15 comments because how do you approach this issue because
16 it was never provided to you before? Now, I can deal
17 with it, the HHS. I can deal with IHS. I can deal with
18 the ACYF. But it's a -- it's a whole different issue,
19 you dealing with NIGC, because this was never bestowed
20 upon tribes. And so, you know, it's -- it's a
21 cat-and-mouse issue. And so I mean maybe that's why,
22 you know, we're not getting very -- a lot of comments
23 here.

24 But more so, I think the issue is it will be
25 helpful if we could go through the process, if not step

1 by step, looking at each of what you're proposing.
2 And -- and I think that, you know, maybe that would be
3 helpful where we could because, again, like my question,
4 you're asking about environmental concerns. You're
5 asking about health issues. And your explanation was
6 no, we don't have a person that deals 100 percent of
7 their time looking at it. So is there a need for that
8 documentation? And maybe not.

9 Now, do you have a realty person on board?
10 Somebody that deals with land classification? Somebody
11 that can say, "Oh, Pueblo of Acoma, you've got township
12 ten north, range five west." Is that proper
13 demographics for the location of the facility? How else
14 are you not going to know, or may not know, unless you
15 have somebody like Mr. Vallo coming out to the property.
16 Of course, he can't come out to Acoma. But, again, you
17 know somebody like Mr. Billingsly coming out, unless you
18 have those kinds of individuals on staff that can
19 provide you, or the Commission, to verify to say, yes,
20 that that is a good facility license, by all means.
21 Otherwise, I think you're guessing from the perspective
22 that you're taking somebody else's opinion about land
23 classification, about environmentals, about health and
24 welfare issues.

25 Again, these are just my comments, per se.

1 But, again, you know, without -- because this --
2 consultation was never really instilled upon the tribes.
3 Again, it was not anything Mr. Hogen initiated in his
4 tenure as Chairman of NIGC, except for what we initiated
5 at some training, an hour's time, et cetera.

6 Thank you.

7 VICE CHAIR COCHRAN: Well, I must say, if you
8 got an hour, you did well. I understand that many, many
9 places were down to 15 minutes.

10 Lieutenant Governor, it is kind of odd to sit
11 here in some respects, because I understand the history
12 of this Agency and its relationship with tribes. But
13 you have a Commission who is completely devoted to
14 doing, not only what the private executive order has
15 said will happen, but, also, we all come from Indian
16 country. We all -- we all understand the relationship
17 between the federal government and tribes. We also
18 understand that things have not been done well.

19 And so the things that we're doing now are an
20 attempt to bring this Agency into current practices, to
21 do the right thing, to hold consultations in a
22 meaningful manner. And some of the tribes are a
23 little -- they don't know what to do because it is new.
24 But I can tell you that the response that we're
25 receiving, both by tribal leaders showing up and

1 talking, by their experts showing up and talking, by the
2 written comments, only confirms what we knew, which is
3 tribes will respond. They have a very active voice in
4 the process, as they should.

5 And the -- the proposals that you're seeing us
6 put out reflect the Commission's commitment to staying
7 within our lane. The Agency has very defined
8 authorities. We have, perhaps, over time, overstepped
9 those authorities. And we're trying to -- to be more
10 realistic because we have a very meaningful role in
11 gaming. And we are experts in certain things in gaming.
12 But we've exceeded those lanes. We've exceeded those
13 roles. And by pulling back and relying upon who we
14 believe to be the experts, which is where we're at now.
15 We're deferring to the experts. We'll accept the words
16 of the experts because we don't have the expertise.

17 And the same is true in some of the licensing
18 decisions that are made for the -- for employees, for
19 vendor licensing. These are things that we can do which
20 we believe meet our statutory obligations. IGRA is very
21 clear on what our obligations are. And this is the best
22 way we know how, through consultation, to -- to bring
23 our Agency into compliance, not only with what IGRA
24 says, with what the Executive Order 13,175 tells us we
25 should do on consultation. And we will walk through

1 this process because we understand that this is a
2 different arena. We'll walk through with you the best
3 way we know how.

4 Thank you, Lieutenant Governor.

5 MR. GALLEGOS: I just need a point of
6 clarification. Manny Gallegos, Pueblo of Tesuque.

7 I made a note earlier that on part 559 that it
8 removes the requirement that every three years
9 notification or relicensing. Where is it, or where was
10 it? I have been looking this over, and I don't see the
11 section specifically dealing with that, where it was
12 deleted or omitted, or don't I have all of the 559
13 corrections?

14 MS. ECHO-HAWK: It was formerly -- it was
15 formerly part 559.3, how often must a facility license
16 be renewed. It said at least once every three years
17 after the initial issuance of a facility license, the
18 tribe shall renew or reissue a separate facility license
19 for each existing place, facility, or location on Indian
20 land for a tribe to be allowed gaming. And we struck
21 that part.

22 MR. GALLEGOS: Well, here -- I'm sorry. Here
23 it just -- I mean just as one thing, I'm talking about a
24 tribe must issue or a new facility. It doesn't say it's
25 deleted. The other part I -- I mean I see where, in

1 other places, you have footnoted the deletions. It's
2 not here. That is why I was asking.

3 VICE CHAIR COCHRAN: Didn't they have a -- do
4 you not have a version of -- on tribe changes? Okay.

5 MS. ECHO-HAWK: We'll take a look at the
6 draft. We have made a lot of edits, which is why it is
7 multicolored. And that part might have been deleted
8 from a bubble, but we'll take a look at that. Thank
9 you. But it was formerly 559.3 in the -- in the current
10 regulation.

11 MR. GALLEGOS: Okay.

12 MR. GREEN: Jess Green, again.

13 559.6 is particularly the most egregious
14 section you have here because it implies that the Chair
15 can demand any piece of information it wants, and the
16 tribes have to go get it. 25 USC 2706(b)(1) through (4)
17 says you can come look at anything we have, but nothing
18 there says you can command us to go get stuff we don't
19 have. This implies that you can.

20 Moreover, keep in mind that we're talking
21 about a license footprint. You can only require us to
22 give you information about the license footprint. The
23 reason is that's the limitation of our gaming
24 commission's jurisdiction. Your jurisdiction and the
25 gaming commission's jurisdiction are simultaneous, and

1 they cover the same area. You can't ask us about the
2 parking lot if it's not in the license footprint. And
3 while you might want to know where the sewage goes, if
4 it's not in the license footprint, the Commissioner
5 doesn't control it, nor does the tribe, for that point,
6 if they paid to dump it in somebody else's sewage
7 system. And to require them to go find out how the city
8 treats sewage, I don't think is an appropriate
9 requirement.

10 So if you leave 559.6 in, I think it needs to
11 be limited to the license location, and it needs to be
12 limited to the information that is on hand. And I think
13 we need to be very, very careful about giving the Chair,
14 at any point, the authority to demand, "Go get me
15 something," because that's going to be an area that we
16 have immense amounts of conflict.

17 VICE CHAIR COCHRAN: Thank you, Jess.

18 What else?

19 Jess, are you going to put any of your
20 comments in writing to help this whole --

21 MR. GREEN: Probably not. You've got them
22 recorded.

23 VICE CHAIR COCHRAN: So I have to go back and
24 listen over and over again?

25 MR. GREEN: No. Your staff -- your staff may

1 call me at any time on this stuff.

2 VICE CHAIR COCHRAN: Okay. Thank you.

3 MR. GREEN: And I'll give you -- I will be
4 able to recite specific examples of why this has been a
5 problem in the past.

6 VICE CHAIR COCHRAN: Thank you.

7 Anything else?

8 The final regulation that's put in this
9 section, as well -- we have not cut out a regulation
10 yet, although I'm sure there are many of you sitting
11 here who are familiar with how other agencies treat the
12 Buy Indian Act.

13 This was based on an internal review of how we
14 purchase things, how we spend our money. And it is also
15 based on underlying comments. And, again, to share with
16 you kind of our thought processes, it makes sense to us,
17 as commissioners, that we are -- since we are funded
18 entirely by tribal fees, that where we were able to, it
19 is appropriate for us to put these fees back into Indian
20 country to support the industry in a -- in a manner
21 that's meaningful. And this was consistent with the --
22 or with, even, the comments that came in on the NOI from
23 tribes was, "Yes, Agency, you should -- you should
24 implement something which requires you to -- to buy
25 Indian.

1 We've looked at some potential provisions.
2 We've looked at what other regulations are out there
3 with IHS, with the IA, to try to see what they do, see
4 what is looking well.

5 There are some federal requirements that were
6 asked -- we've asked our auditors, we've asked our legal
7 people to look at, which dictate how we -- we follow
8 federal purchasing guidelines. So we want to make sure
9 that we don't get crosswired with anything that will --
10 will cause problems. So that's the whole debate that
11 we're taking, whether or not we should do the
12 regulation, whether or not it ought to be a policy.

13 And there is some concern that we may have to
14 do it by regulation, but we haven't worked through those
15 issues completely. But we wanted to open it up to the
16 tribes for comment because I suspect some of you have
17 some experience with this Act and the federal
18 government, and ask questions, whether or not we should,
19 whether or not there is an agency that, maybe, has Buy
20 Indian regulations or policies that you think work well,
21 whether or not there is something that, maybe, we ought
22 to be aware of that isn't working so well.

23 And so I open up the -- the floor for
24 comments.

25 There -- there was -- or there has been, in

1 other consultations, questions about how this would
2 apply to the tribes. And -- and we want to be really
3 clear that this would be -- this would be something
4 imposed upon the Agency. This is how the Agency would
5 implement the Act, not any new requirements on tribes.
6 This -- this is only how we would do it.

7 Maxine?

8 MS. VELASQUEZ: Maxine Velasquez, Pueblo of
9 Tesuque.

10 February 8, 2011, we submitted our comments on
11 the Notice of Inquiry. We -- we discussed the Buy
12 Indian Act, and Pueblo Tesuque does feel a regulation
13 should be put in place, instead of a policy. And so
14 that's our position at this point, still is, has been.
15 And this would give -- make the -- the regulation
16 would -- basically gives preference to qualified tribe
17 folks to be able to deal with the NIGC on these issues.

18 VICE CHAIR COCHRAN: We've looked at the -- as
19 far as the federal acquisition regulations, and we've
20 looked at that definition as to what would be a
21 qualified Indian-owned, and that seems to be standard
22 language that is used.

23 GOVERNOR GARCIA: Lieutenant Governor of the
24 Pueblo of Acoma.

25 But, as you say, this is -- this is really

1 more for NIGC, not -- not imposed upon the gaming
2 tribes. My -- my comments, my recommendation would be
3 to take it out. If it is not applicable to the tribes,
4 the gaming tribes, then it doesn't apply. I think this
5 is something internally that would apply to you, NIGC.
6 But if you were to impose this upon the tribes, then I
7 would think that, not only would you include the Buy
8 Indian Act, you would include minority-owned business,
9 women-owned business provisions. You would employ
10 provisions under the Snyder Act. There are other
11 provisions, regulatory provisions, that you would have
12 to apply.

13 But I mean if this is something that's
14 applicable to only the Agency, then I think that's where
15 it should stay. I would not include this as part of a
16 provision that you want to pass on to gaming tribes
17 because I think we follow our own procurement provisions
18 relative to what we have locally with -- that -- that
19 tribes have established. And this isn't anything that's
20 federally funded. This is all revenue-generated.

21 So quite honestly, the tribal procurement
22 policies, procedures supersede whatever you have in
23 place. So I -- I would recommend you take it out.

24 VICE CHAIR COCHRAN: Thank you.

25 Are there any other thoughts?

1 MS. VELASQUEZ: Again, Maxine Velasquez,
2 Pueblo of Tesuque.

3 I just want to state this issue one more time.
4 I think it's really important to have a regulation on
5 this -- on this matter because IGRA is there to help the
6 tribal government's economic self-sufficiency. And when
7 we do this, tribal government and tribally-owned
8 businesses, we can put that money the tribes pay in fees
9 back into the pockets of Indian folks, whether it's the
10 government and/or tribally-owned individuals that have
11 computer companies, or whatever else they have. They're
12 going be able to help, you know, foster economic
13 development of Indian county. So I -- I really believe
14 that regulation should be in place. And it shouldn't be
15 a policy because that can change from administration to
16 administration. It should be a regulation.

17 VICE CHAIR COCHRAN: Thank you.

18 All right. Anything else?

19 The final group or topic of this morning's
20 session was the Class III MICS. And as Lael pointed out
21 during her PowerPoint, we did ask the question, and
22 we're asking the question in group one of how we -- how
23 should we address the Class III MICS. We understand
24 that it impacts tribes, states, regions very
25 differently. That is becoming increasingly evident as

1 we go throughout and consult on this.

2 We've heard, in general, just to overly
3 simplify that -- to give you a synopsis of the comments,
4 there has been a suggestion on -- that we replace 542
5 with recommended guidelines. There has been that we
6 address through agency tribal compacting processes the
7 MICS question, that we -- tribal ordinances
8 incorporating part 542 of the NIGC adjusting the fee
9 rates for those tribes. In other words, if you're going
10 to use the NIGC for Class II MICS, that you should --
11 that your fees should reflect the Agency's involvement
12 in this area. Maintaining part 542 is in the attached,
13 update the current regulation. And then, the other end
14 of the spectrum is to repeal the part in its entirety.
15 This, as most of you know, is going to be, and is, the
16 elephant in the room for us. This is the most
17 challenging part of, perhaps, the entire regulatory
18 review process that we will encounter.

19 There is currently discussion going on, and
20 what I bring to the table to you, now, is that we're
21 talking about, "How do we address this? How -- how,
22 tribes, do you want us to address this very challenging
23 issue?" The -- the current discussion really centers on
24 using the TAC again, a Tribal Advisory Committee. And I
25 know there's many of sitting you in here that have been

1 involved in -- in other TACS with this agency. And the
2 thought is that we would find a way to use a TAC to
3 bring this issue to resolution collectively, with
4 representatives from the tribes, hopefully
5 expeditiously, because the footwork has really been
6 done.

7 You have the proposed revisions that have been
8 out that were provided during the last TAC. You have a
9 tribal gaming working group who has put together
10 proposed revisions and will put those out in the
11 public -- or have put those out in the public for
12 discussion. So you have those comments. But so we
13 really have a lot of the footwork that's already done.
14 It's a matter of finding a way to get us at the table
15 and in a manner which is meaningful, but also respects
16 limited resources, respects the limited time.

17 This Commission, it is absolutely committed to
18 getting this resolved one way or another before we
19 finish. It's been pending for too long. Tribes have
20 been left with uncertainty on this issue for too long.
21 And however we need to do it, we want this resolved
22 during our time, and so our time is limited.

23 And we know that there are some creative ways.
24 We've been talking about the concept of, rather than one
25 in the spectrum, having a group that is over -- overly

1 large, perhaps unwieldy, trying to get a consensus
2 without real leadership coming from it, or the ability
3 to get consensus from a leadership prospective, all the
4 way to what you had under the Lang administration with
5 the committee being dominated by the Agency so that
6 we're sitting at the table, but not always interpreting
7 the tribal comments back into the proposed changes. So
8 we've got a spectrum there.

9 And one of things that are -- the ideas that
10 are being put out for discussion is, perhaps, using a
11 facilitative TAC, using a TAC which has a facilitator
12 which can set the ground rules for discussion, will help
13 keep the process moving, will find a way to get
14 resolution to those areas, maybe, where there isn't
15 consensus, but needs to be resolved, and move on.

16 And we want to know if you're interested in
17 this because it will require the Agency to very, very
18 promptly begin finding -- or putting the word out,
19 getting the group put together, finding space and time,
20 all of those things that the Agency would be required to
21 do in order to get something done in a manner which will
22 allow us to put out a proposed reg before we leave, if
23 that's -- if that's the way we go, or to do a bulletin,
24 if that's the decision that's made.

25 So that's what's on the table in this area.

1 And that's what I wanted to hear from you, your
2 thoughts. Again, I know many of you have a lot of
3 experience in -- in this area, and what your interests
4 are to help us get this issue solved.

5 Albert, you have -- you have prior experience,
6 don't you? Don't you before?

7 MR. APODACA: Albert Apodaca.

8 I think that kind of meetings, I have never
9 participated.

10 I think that the -- what you just -- your
11 statement, I think, would work better because I mean
12 you're going from one extreme to another. And
13 personally, dealing from the gaming commission side, or
14 the gaming commission, it's real helpful to have the
15 Class III. I know there's some tribes that oppose, you
16 know, that, that sort of thing. But I think we have to
17 be mindful of the -- the political arena and how we're
18 viewed by the public and all of that. I'm sure that has
19 come up.

20 But I think a TAC that is facilitated, I think
21 that would be great. Now, the forming of the TAC is
22 another challenge within itself, who will serve on it,
23 and that sort of thing. But I think that's the best way
24 to go.

25 I -- I believe that tribes need, whether you

1 want to call them guidelines or MICS, or whatever --
2 whatever term you put on them, I think they're needed, I
3 mean because we often have to -- at least it has been my
4 experience, sometimes we have to defend ourselves to
5 public -- to the public, and, maybe, officials, and that
6 sort of thing. And what do we fall back on?

7 I mean, you know, the common -- the comment
8 that we hear the most often is, "Well, you're the gaming
9 commission. You're part of the tribe, so it's
10 self-serving," right? Even though we may rule in favor
11 of the -- of the player or the public, or whatever the
12 case may be, that's always kind of the perception. If
13 you take that away, and if you can't point to the fact
14 that you've got a federal agency providing some
15 oversight, and that sort of thing, then I think it
16 weakens the credibility of the tribe and the gaming
17 comission, or the local tribal gaming regulatory
18 authority because I think it adds some -- some basis for
19 saying to the public, "Look. We're not only regulated
20 within, you know, the tribal gaming commission, the
21 local one."

22 But oftentimes, like we say in orientation, in
23 Vegas, you go in, and you go to the Clark County's
24 Sheriff Office, and you pass a background. And it's
25 kind of -- it's kind of superficial. I don't know if

1 that's the correct word. And then -- but with -- but
2 with the gaming tribe, you have -- you know, you have
3 federal -- federal oversight, you have the State, and
4 then, you've got the tribe. So it -- that -- that's a
5 plus when you're talking to the public or other people
6 that -- even people that have applied for a gaming
7 license. This is how it works. This is why it is so
8 regulated. This is why -- and I think -- I think you
9 need that.

10 So I think having a TAC, again, that's
11 facilitated, I think that's going to be your best
12 approach. At least, that's my opinion.

13 VICE CHAIR COCHRAN: Thank you.

14 MR. GREEN: I hate to take issue with you, but
15 I must.

16 In 2006 the CRIT case pointed out that in
17 regard to our compacting, which is quite -- which
18 includes our Class III, the NIGC didn't have any
19 business telling us what to do, that we -- we, as
20 sovereigns, could sit down with the State and work out
21 the details.

22 Now, that being said, at the -- at the same
23 time, there were a number of us that had worked out the
24 details by adopting 542. In other words, that's in our
25 compact. Almost all the tribes in Oklahoma, all of

1 those compacts over there say that we're going to use
2 the NIGC's MICS that was in effect in November of 2005.
3 It -- it won't get updated because it's in our compact.
4 That's when we use it.

5 One of the things that your list of
6 alternatives omits is doing nothing. The NIGC has done
7 nothing since 2006 when -- when CRIT said, "You do not
8 have jurisdiction to do anything with the Class III
9 MICS." And the world hasn't come to an end. 542 is
10 still there, so we still have some standard to follow --
11 to follow.

12 If you spend some of my 20 percent money, I
13 might sue you if you do it for something that the CRIT
14 court said you don't have any jurisdiction over. And,
15 again, that would be very divisive. As you point out, a
16 number of tribes welcome this, and I -- I don't welcome
17 that kind of division.

18 542 is still there. And, again, a lot of the
19 tribes follow it because it is in their compacts. You
20 know, what we're in a quandary of is how to update it.
21 Again, nobody is debating that it was valuable
22 because -- and so we have adopted it. The issue is how
23 to update it.

24 If I -- I have issues with trying to invest
25 the NIGC with the authority to update it when tribes

1 spend money pointing out, "You don't have jurisdiction
2 to interfere in our compact." And the more we approach
3 this topic, the more we -- we -- we churn up debate that
4 for five years has gone through Congress that, "Oh,
5 Indians are unregulated, and the sky's gonna fall."

6 We -- we've done a good job with what we
7 already have. I'm not saying we need to repeal 542.
8 Again, it's a good standard that's already been adopted.
9 And I'm not saying we don't need a mechanism to update
10 it. But I'm not sure that the NIGC, after CRIT,
11 provides that mechanism.

12 VICE CHAIR COCHRAN: Thank you, Jess.

13 MR. ROYBAL: Edward Roybal, attorney for the
14 Ak-Chin Indian Community.

15 We want to echo what Jess just said. In
16 Arizona, our compacts, and others from Arizona can help
17 me out, also incorporate the MICS. And, again, CRIT was
18 very clear as to the statutory authority and reached the
19 NIGC. And in the year since, you know, the sky hasn't
20 fallen. We're okay.

21 So 542 is there, part of our compact. And I
22 think IGRA was clear, as well, that those regulatory
23 standards are left to tribes in the state compacting
24 process. And CRIT reaffirmed that.

25 So going forward, that is a question, I think,

1 that is open, whether it's guidelines or leaving it to
2 those tribes in states that have compacts to do it that
3 way. But I think the CRIT -- the CRIT case was very
4 clear with your statutory jurisdiction, which -- and,
5 again, everything is still in place. Tribes are still
6 regulating their gaming operations without involving the
7 NIGC. So let's not create a fix where there is not this
8 impending problem to it.

9 VICE CHAIR COCHRAN: May I ask, one of the
10 things that has come up in our discussions -- I'm
11 curious if it's happening here. How many, if any,
12 tribes that their auditors are auditing to the MICS?
13 Not the TICS, but the MICS?

14 MR. GREEN: The compact says we will.

15 VICE CHAIR COCHRAN: Well, the reason why I'm
16 asking, though, is because that's where most of the
17 consternation comes in. The questions -- what's been
18 happening in our agency, historically, is the -- there's
19 been resolutions to questions or disputes or issues by
20 reference to the proposed MICS, which is -- you know, I
21 don't know that's how the issue is being handled, but
22 that's -- that's why I'm asking the question. I want to
23 understand, you know --

24 Jess, go ahead. Speak up.

25 MR. GREEN: Jess Green again.

1 MR. APODACA: Don't be bashful.

2 MR. GREEN: The standard is not at issue. We
3 all agree the standard is marvelous. The standard is
4 endorsed by our compacts, so we -- we test against it.
5 The issue is that CRIT says you're not the agency to
6 create those kinds of enforceable standards, and,
7 therefore, you don't have the ability to spend your
8 money to -- you know, to update it.

9 And, you know, my suggestion is that -- that
10 we might all have somebody like the National Tribal
11 Regulators Association form a task force to suggest
12 that, and, then, maybe send them over and say -- y'all
13 say, "Yeah, this would be great if we had the authority
14 to do this." And there are -- there are those kinds of
15 fringe concepts that we could come up with.

16 The issue remains that for you to spend money
17 in an area that a court has said you don't have
18 jurisdiction causes lawyers an immense amount of
19 problems, and causes those in Arizona to pay for that
20 litigation even more consternation.

21 And I do not want our message to Congress to
22 be "Fix IGRA," because I -- I don't think we need a fix.
23 We have a standard. What we need to do is figure out a
24 way to update our standards on it.

25 But we all -- all of us in Indian country can

1 agree we need a method to update it, but I'm not
2 suggesting it has to be the NIGC. There are other
3 entities that could come up with that. And then, you
4 could simply sign off on that and say, "We've read it
5 and think it's a good standard," and endorse it. And
6 that would be the next standard that the next round of
7 compacts would endorse that we had to -- had to follow
8 to.

9 And, yes, we do audit to those because our
10 compact said we'd audit to -- to what was there in '05.

11 MS. ECHO-HAWK: Jess, can I -- can I ask you a
12 question?

13 I understand what you're saying. I think the
14 issue that we've been grappling with at the Commission
15 in our staff discussions, and, then, within the
16 Commission itself, is that's a great alternative. But
17 in five years, it hasn't been done by anyone outside the
18 Agency. And we're sort of in the hot seat because we do
19 have part 542 on the books. And everyone does look at
20 them as sort of the -- the governing or the guiding --
21 you know, the guiding light of all MICS throughout all
22 Indian country everywhere.

23 So while I think your suggestion is -- is a
24 good one and something that would be useful if it were
25 in place, the problem is there's no such thing. And to

1 my knowledge, there is no such group that has decided to
2 do something like that since 2006. And there's nothing
3 that the NIGC can do to sort of make that happen.

4 So within sort of the umbrella of the
5 authority that we have, what is it that we can do in
6 order to meet the industry -- you know, meet the needs,
7 address the issues, the need for updated technology, all
8 of the -- all of the things that we know need fixed
9 within the current MICS. How do we do that given the
10 NIGC's limited -- limited role in that? Not to put the
11 ball back in your court, but --

12 MR. GREEN: Don't put me on the spot.

13 There are other tribal attorneys my age that
14 will point out to you very quickly that all you did is
15 copy the suggestion we already made. And you know to
16 whom I'm referring. She's real pointed when she's in
17 the room that she wrote most of the MICS that -- that
18 you have adopted, and that tribes adopted them.

19 I think, to this point, the reason tribes have
20 not moved forward is, as I said, the tribes in Oklahoma
21 don't have any real huge interest because we're locked
22 from 2005 until our compact comes back up. Those of you
23 who are looking to modernize your casino and want to get
24 rid of some of the problem in the older MICS, certainly,
25 we need another entity to -- to sponsor it so we can

1 advance it and move it forward.

2 And while you point out that no entity has
3 stepped up, the discussions still continue. And I would
4 suggest that an entity that might well do that would be
5 the National Tribal Regulators Association. All it
6 would take is someone that is a member of that
7 association to say, "This is critical. We need to have
8 a meeting," and I think you could probably get a
9 committee that would go through it for you.

10 MR. APODACA: I have to disagree because --
11 and I'm not -- and I'm one that wants to keep government
12 out so -- but because I -- I mean I believe what
13 sovereignty means, right?

14 But here's the deal: If we're going through
15 the National Tribal Gaming Regulators Association, or we
16 go through another one, we're going to be paying double.
17 We're already paying the NIGC fees. What are we getting
18 in return for that, right? And I -- I understand
19 that -- the legal thing about, "Well, if we're paying
20 for it, for something they don't have jurisdiction
21 over." But in this case, I would like to have it more
22 a -- like not a regulation like in the true sense, more
23 of like a guideline, that type of thing.

24 And I don't want to -- if I'm a tribe, I don't
25 want to pay double. I don't want to pay one of our

1 employees, or several employees with the National Tribal
2 Gaming Regulators Association, to go travel and do all
3 of that when I'm already -- we're already paying NIGC.
4 So that's kind of the issue there.

5 I mean I -- I agree with the CRIT. And I'm --
6 fully, fully agree with that. But -- but I think
7 that -- that, you know, we have to understand their
8 position, our position, too, from financial and the
9 ability to participate, are we going to be -- or have
10 that ability to participate in the National Tribal
11 Gaming Regulators, because you're going to run into the
12 same problems that the NIGC is going to run into with
13 the TAC. You're going to have the same thing with the
14 National Tribal Gaming Regulators, or any other group
15 that you try to do that with.

16 And for me, it's kind of a natural thing.
17 I -- but I -- I agree. I think it's a question of
18 updating 542, and -- and then adopting that and
19 accepting that. So good luck.

20 VICE CHAIR COCHRAN: Well, the discussion up
21 here is -- again, it's part of a microcosm. We hear
22 different views out of the Northwest. We hear different
23 views. California tribes have a very clear perspective
24 on this issue. And it -- you know, so this is what the
25 Agency is facing. I welcome the debate.

1 Well, I hate to be anyone who stands between
2 you and your food, so I -- unless there's a comment that
3 needs to be made before lunchtime, which I want to make
4 sure, is there anything that -- we'll break for lunch.
5 We'll resume at 1:30. And we will go through the next
6 group or two, which ought to be the lawyers' bailiwick,
7 in group four this afternoon.

8 So enjoy your lunch.

9 (Luncheon Recess.)

10 VICE CHAIR COCHRAN: Well, I did my best to
11 try to start on time, but, again I'm behind. Almost.

12 Welcome back from your lunch. I hope it was
13 good. And thank you for joining us again this
14 afternoon.

15 I'm going to turn it over to Lael. Lael,
16 again, will walk us through an introduction for this set
17 of these regs in this group. And we'll do like we did
18 this morning. We'll start through them one by one.

19 So, Lael, I turn it over to you.

20 MS. ECHO-HAWK: Okay. So this afternoon,
21 we're going to be -- the first part this afternoon,
22 we're going to be reviewing group two, which group two
23 covers part 573, which we do have a discussion draft
24 available for you -- it was on the table -- a handout.

25 And then, the remaining four sessions are --

1 all have to do with proceedings before the Commission.
2 So if you are in appeals of some kind, that's what those
3 -- those particular parts cover. We don't have a draft
4 for those just yet, but I anticipate that we will have
5 one by the end of the week for you to review.

6 So part 573, which is the enforcement
7 provisions, we heard -- we heard a number of comments
8 from tribes. And this Commission is -- I think you
9 heard this morning in our discussion on the ticket
10 system and then with the facility licensing, the
11 Commission is very committed to compliance and assuring
12 that tribes have the opportunity to come into compliance
13 before a notice of violation or an enforcement action is
14 taken.

15 So the discussion draft in part 573 -- this is
16 on the first page of your draft -- it adds that
17 voluntary compliance is a goal of the Commission. And
18 that's in the first, and that included that, and that's
19 573.1.

20 What that draft also does is it outlines a
21 pre-enforcement action process. So in -- what they --
22 what this process is designed to do is to notify the
23 tribe, through a letter of concern, or a letter of
24 noncompliance, or noncompliance notice, if -- if the
25 Agency sees that there are some issues that need to be

1 resolved.

2 So in the case where the tribe -- where the
3 tribe -- where the Agency sees that there's an issue, it
4 might be a compliance issue, they would issue a letter
5 of concern and indicate where the possible violation
6 could be.

7 In the situation where the Agency sees that
8 the tribe is not in compliance, it would issue a
9 noncompliance notice and say, "This is the issue that
10 needs to be resolved," and provide some -- some
11 mechanisms and suggestions on how to -- on how to
12 resolve that issue. Now, this is all contained in
13 573.2. It's a new section.

14 Important to note, and it says -- it's noted
15 in the discussion draft of this pre-enforcement -- these
16 pre-enforcement proceedings are not final Agency action
17 and that time frames may be provided in the notice or in
18 the -- in the letter of concern. If the recommended
19 corrective action isn't taken, so if the tribe doesn't
20 come into compliance, then in that scenario, the Agency
21 may have no choice but to move forward with a notice of
22 violation.

23 Additionally included in this section is that
24 this pre-enforcement action doesn't limit or constrain
25 the Chair's discretion to issue a notice of violation in

1 this situation. We included this section in there for
2 situations that are particularly egregious, and -- and a
3 notice of violation or temporary closure order needs to
4 be issued as soon as possible.

5 This discussion draft, the written comment
6 period closes on August 9th, and we look forward to your
7 comments.

8 The second part of the -- the second part --
9 the second group of regulations included in this group
10 all have to do with proceedings before the Commission.

11 The Notice of Inquiry asked tribes whether we
12 should review these particular parts. We've received a
13 lot of concerns, a lot of comments from tribes,
14 including concern about the formal process being more
15 burdensome and -- and may delay review; that -- that any
16 rules that we put forward should guarantee due process;
17 and that the rules needed to be consolidated because
18 they're kind of scattered throughout the regulations.
19 And we heard comments that -- that providing the
20 official proceedings should be eliminated, and, perhaps,
21 adding, I think one more hearing option for ordinance
22 and management contract appeals.

23 We had a number -- a number of other comments,
24 and we continue to hear them that, you know, sometimes
25 these appeals kind of go into this black hole that is

1 the NIGC and that there needs to be some resolution. If
2 the tribe files an appeal, you know, you can
3 conceivably -- I mean we've seen things as old as five
4 years that have been sitting in front of the Commission.
5 And there needs to be an answer. There needs to be some
6 time frames for the Commission to respond. There needs
7 to be some certainty provided to tribes in how the
8 process works.

9 And so internally, we're looking at these
10 regulations, and, again, hope to have a draft out by the
11 end of this week. And, hopefully, the goal is that we
12 lay out a process that is clear, that meets the needs of
13 tribes, that is transparent, that provides the due
14 process that -- that tribes have been requesting and
15 looking for.

16 So with that, I will turn it back over to the
17 Vice Chair.

18 VICE CHAIR COCHRAN: Thank you, Lael.

19 These particular group -- or this particular
20 group of sections seem to make a lot of sense together,
21 and I'm glad that we grouped them in this way.

22 In part 573, there is, as Lael pointed out,
23 what I think is one of more important aspects of what
24 this Commission can leave behind as far as leaving our
25 policy statement, and that is to include in this section

1 a very clear statement to the effect that we do seek,
2 first and foremost, voluntary compliance before we go to
3 the enforcement proceedings. We do feel very strongly
4 that that is our significant concern for this
5 Commission, as reflected in our training and technical
6 assistance activities, as reflected in our consultation
7 activities. It's reflected in just about everything
8 that we do. And so I'm very pleased to see that
9 we've -- we've taken it and done -- put this goal, or
10 this objective, into our regulations.

11 The provisions that allow for the issuance of
12 a notice of noncompliance, again, is an attempt to
13 implement that objective, which is to bring out into the
14 discussion that we believe, as an agency, there is an
15 issue of noncompliance, or a potential issue of
16 noncompliance, and work with the tribe very closely to
17 figure out how we can best address the concerns that we
18 have.

19 These would not be final Agency actions. They
20 are something that we intend to make a mechanism which
21 will allow us to, hopefully, avoid further enforcement
22 proceedings and to restrict enforcement proceedings to
23 those areas that we think are really what the statute
24 was designed to get at, and not to get at issues where
25 we can work with the tribe to correct something.

1 Are there any comments that you want to offer
2 regarding the concept itself? Do you think it's a good
3 idea? Do you think it's a bad idea? Do you think it
4 would be helpful?

5 One of the notations that I've made into this
6 section that was part of the conversation that we've had
7 in other areas of the country had to do with 573.2,
8 subsection (c), on page one, line 38, where there has
9 been a request that we consider spelling out what the
10 time period would be, so that, again, the tribe knows
11 what's expected. We know what we are looking for, too,
12 and, again, to bring more clarity to the process. And I
13 thought that was a -- a very good suggestion.

14 Okay. Jess?

15 MR. GREEN: With regard to -- in regard to --
16 Jess Green again.

17 In regard to 573.2(d), I appreciate that you
18 put all of these other sections in, which tend to give
19 us a notice opportunity, but you took it all away with
20 (d) when you said that the Chair had discretion to
21 ignore all of those things.

22 And in the past, I have been the recipient of
23 an NOV when I had a request for government-to-government
24 communication about an issue pending. The last time I
25 checked, the NIGC spoke of all government-to-government

1 communications. Lots of times, tribes know that there's
2 an issue, and they would like to sit down and discuss it
3 to see if there is a way, other than an NOV, that it can
4 be resolved. And in the circumstance that I had, the
5 NOV got issued. And it was later withdrawn, but it was
6 still issued. And that, in and of itself, carries
7 connotations that get bantered about in the tribal
8 political world, as well as elsewhere.

9 And I would -- I would like a provision that
10 if the tribe has made a government-to-government
11 request, that the Chair can't issue a NOV. Now, you may
12 expedite the government-to-government communication
13 process so it is the next day. I don't mind that
14 happening. But I don't want to put my request in at
15 3 o'clock and get my NOV at 5:00 because I drew
16 attention to a topic that I knew there was some issue
17 about.

18 Now, I've had that happen. It's not fair to
19 the government leaders that were trying to resolve the
20 issue. And, quite frankly, I've seen chairs of the NIGC
21 that thought they were on their way out do this. And
22 it's not fair to the tribal political process.

23 So if you are able to delay the Chair so we at
24 least get an opportunity to visit, I -- I think there
25 wouldn't be an NOV issued.

1 VICE CHAIR COCHRAN: Jess, I think that's a
2 valid concern, and I think it's something that we can
3 certainly think about. I'm trying to recall a
4 conversation that we had internally. And I can see this
5 being a complete -- or this being separate from issues
6 involving temporary closures, which may require
7 immediacy, depending on, you know, that --

8 MR. GREEN: I mean a notice of violation is
9 different than a temporary closure order. You've got a
10 list of requirements. Again, you don't need those. I'm
11 not suggesting that that's impeded in any way.

12 VICE CHAIR COCHRAN: Right. So that's --

13 MR. GREEN: I do not want my request for
14 government-to-government communications about a topic
15 with one of my elected leaders to cause an NOV to be
16 issued --

17 VICE CHAIR COCHRAN: Right.

18 MR. GREEN: -- so it can be done before the
19 meeting. I don't think that's good for communications
20 with tribal leadership. I would also --

21 VICE CHAIR COCHRAN: Would you -- I'm sorry,
22 Jess.

23 Would you be willing to submit some language
24 in to that effect? And the reason why I'm asking is
25 because it does open up -- I've got a friend that will

1 not leave me alone.

2 It -- it opens up, I guess, a potential for
3 further discussion about what does that mean if -- if
4 the Agency -- if we were to -- if the chair's discretion
5 to issue an NOV were restricted by a request to consult,
6 what, then, constituted reasonableness or due process
7 under that? Like what you were saying, if they were to
8 say, "This is a serious situation. We want to consult
9 within the next 72 hours," and the tribe says, "That's
10 not reasonable" is -- I'm asking for -- looking to you
11 for guidance on what you would think a reasonable
12 process might be in that situation.

13 MR. GREEN: Well, the situation I had, I made
14 the request at 3:30, and then I get the NOV at 5:00
15 because the Chairman wanted to make a pre-emptive
16 strike. And I had a tribal leader that was very upset
17 that there was not a communication, because if there had
18 been a communication, there would have been no NOV. You
19 know, if --- if something had -- if it been communicated
20 that you really want it done this way, and you're really
21 that serious, it would have stopped without it. But it
22 would not have allowed the Commissioner to set the
23 signpost for the rest of the world.

24 And that's -- but I've got a -- I've got a
25 tribal leader that was pointed enough to want to make

1 the request and inquire. And instead, it's -- all it
2 did was attract all the attention.

3 MS. ECHO-HAWK: I hear what you're saying,
4 Jess, and it may be something we should look at, the
5 consultation policy, as well. I'm trying to think here,
6 though, how we can modify this particular section to
7 address that concern.

8 The -- the intent and -- you know, we think we
9 wrote this perfectly. We thought we had written
10 everything, every draft regulation, perfectly. Clearly,
11 we haven't.

12 Is there a way we can qualify this section so
13 that if -- I'm thinking two things. Number one, every
14 tribe will then submit a request for consultation and
15 could delay situations that need to happen ASAP. That's
16 the concern here, is that if there is some sort of
17 egregious scenario where the -- the Agency needs to act
18 immediately, then we need to be able to do that without
19 having a tribe in, you know, Alabama or Montana fly all
20 the way out to DC because -- because that could take
21 some time. And there are scenarios where we just simply
22 don't have that time.

23 Is there a way that we can qualify this,
24 perhaps by including some sort of language that says,
25 "Only if these -- if these certain procedures don't

1 work, or there is not enough time, or extraordinary
2 circumstances," or something like that, that might
3 modify this, but still give the Chair the flexibility?

4 MR. GREEN: I do not have a problem with the
5 Chair -- with the Chair's restriction being limited to
6 72 hours, that he can accelerate that. I mean if you're
7 contemplating an NOV, even if I initiate the first
8 communication, I have no problem with the Chair saying,
9 "Well, then, you've got to be up here and visit with me
10 within 72 hours. That's the only way I'm not going to
11 issue it." I have no problem with that. But I would
12 like that opportunity, if tribal leadership has
13 initiated the request first, to have a telephone
14 conference, if nothing else.

15 I just don't think it's fair to tribal
16 leadership, when you initiate the request, and then your
17 response back is an NOV. I mean you thought enough to
18 say, "I think we might have a problem. I want to talk
19 to you about it, and I want to know how serious it is,"
20 and -- and the response back is you get an NOV notice.

21 And let's keep in mind what an NOV is. It's a
22 piece of paper. Nothing really happens if I don't
23 choose to stop. You have to issue me a closure order
24 for something to happen. You know, it may increase my
25 fine if I keep doing it. But we have had tribes

1 continue to operate even with closure orders.

2 So again, keep in mind you're just sending
3 pieces of paper. And, you know, most of the time, you
4 depend on voluntary compliance. If you evaluate how
5 effective your piece of paper is, it's much more
6 effective if you have a consultation.

7 And -- and so I'm not trying to -- to say that
8 paper is not upgradable, but I am suggesting that if
9 there has been a request for a consultation prior to
10 issuance, that some time in the next 48 to 72 hours you
11 get that opportunity to at least communicate.

12 VICE CHAIR COCHRAN: Thank you, Jess.

13 MR. GREEN: I have a comment on 573.3, as
14 well, (a).

15 It says, "The Chairman may issue a notice of
16 violation to any person." You don't have jurisdiction
17 over any person.

18 VICE CHAIR COCHRAN: Jess, it's a defined
19 term. I had the same issue. It's defined --

20 (Discussion off the record between
21 panel members.)

22 VICE CHAIR COCHRAN: Give us just a moment
23 because I had the same question. And the "person" is
24 actually a defined term.

25 MR. GREEN: If -- if it is, then I'm -- I'm

1 sorry I brought the point out.

2 VICE CHAIR COCHRAN: Well, but I want to make
3 sure, Jess, that what I'm thinking of applies to this
4 section, as well, so that we're consistent.

5 And under 571.2, "person" means "an individual
6 Indian tribe, corporation, partnership, or other
7 organization or entity." That's under -- okay. And it
8 may be under statute. But we'll tag it and look at it.

9 MR. GREEN: All right. And again, we're on
10 the same wavelength on these issues.

11 VICE CHAIR COCHRAN: Absolutely.

12 Are there any other comments?

13 Yes.

14 MR. GALLEGOS: Manny Gallegos, Pueblo of
15 Tesuque.

16 Under 573.2(c), I have a little problem with
17 the words that -- under -- which says "may provide a
18 time period" when you're issuing either your letter of
19 concern or a noncompliance notice. Does that mean that
20 if the Chair decides that there will be no time period,
21 that that letter of noncompliance becomes fixed, or
22 should it say "will contain a time period for responding
23 to comply"?

24 VICE CHAIR COCHRAN: Ask me your question
25 again.

1 MR. GALLEGOS: You know, it's just the word
2 "may." I have a little problem with the word "may" in
3 there. It says "either action or subsection (b) may
4 provide a time period," because that means if the Chair
5 decides not to put any time period, then what good is
6 sending that notice out?

7 VICE CHAIR COCHRAN: That is exactly, as I was
8 saying earlier, the conversation that we had about the
9 tribes requesting that we spell out the time period for
10 that --

11 MR. GALLEGOS: Or just put "will contain" --

12 VICE CHAIR COCHRAN: "Will" contain, yeah.

13 MR. GALLEGOS: -- or something to that effect,
14 because --

15 VICE CHAIR COCHRAN: Yeah. Yeah.

16 MR. GALLEGOS: -- otherwise, I mean it says
17 "it may," and I think I just get a notice, and then I
18 have to comply, so what is the voluntary compliance at
19 that point?

20 VICE CHAIR COCHRAN: Right. That's an
21 excellent observation. Thank you.

22 MR. GALLEGOS: Thank you.

23 VICE CHAIR COCHRAN: Any other comments?

24 The next four parts are really for our
25 attorneys, I think. This -- part 519 deals with

1 service; 524, appeals; 539, appeals, as well; and part
2 577 is also on appeals.

3 In these revisions that we put out for
4 discussion, the intent was to, first of all, clarify a
5 formal appeals process. The one that the Agency had
6 been operating under left a lot of uncertainty in many
7 areas. And in some places, it just wasn't addressed.

8 And then, the second thing was we were --
9 instructed our staff to draft it in such a way that
10 would ensure some due process into the system because
11 our experience, again, had been that the Agency's
12 choices in how to handle certain appeals may not have
13 resulted in a fair process to the tribes. So that was
14 kind of the overarching theme, or the overarching theme.

15 And in these various sections in 519, we did
16 include the service to extend to how we serve on --
17 under the late fees, if that provision is accepted and
18 put into regulation form. That's included in there so
19 that it would clarify that it would cover all civil-type
20 assessment that the Agency engages in.

21 We, also, at the request of the tribes, are
22 suggesting a provision that would remove service by fax
23 for official determinations, notices of assessments,
24 orders, or NOV's, but allowing for fax service of
25 subsequent documents. And this, again, was comments

1 that came in from the tribes saying, "This is not the
2 best method. You need to reach us personally. To do so
3 by fax is not the best method. We want you to do it in
4 a way that reaches us directly."

5 It does add for service of registered or
6 certified mail, return receipt requested. It kind of
7 surprised me that that wasn't in the original one.
8 That's been common practice in service statutes for a
9 long time. And then, also, in order to try to take
10 advantage of technology, and to be a little more
11 sensitive to the cost of producing and mailing. And
12 519.3 does add in service by e-mail for documents
13 subsequent to the official determinations, notices of
14 assessment, and orders.

15 So in other words, once we've made direct
16 one-on-one contact with the tribe or with its
17 representative to serve them, and after that, if the
18 parties agree, service by e-mail may be an inappropriate
19 way to serve subsequent documents. So this is kind of
20 straightforward. Like I said, this is attorneys' fodder
21 for discussion.

22 But does anybody have any thoughts or
23 choose -- you don't want us to go that way?

24 Good. All right. Moving on.

25 MR. WEST: We have -- we have a comment.

1 VICE CHAIR COCHRAN: Oh, we have a comment.
2 Jess, even on 519?

3 MR. GREEN: It has to do with appeals.

4 VICE CHAIR COCHRAN: Okay.

5 MR. GREEN: I would like for a section that --
6 to be added that deals with recusals.

7 When a commissioner participates in the
8 submission of an issue, I would like for that
9 commissioner to be recused from hearing the appeal.

10 I have had the experience of having the Chair
11 that set up the case have the opinion written before the
12 case was ever submitted. And there was only one other
13 commissioner there, therefore, the Chair would have been
14 able to get a ruling in his favor.

15 It is not appropriate for the trier of fact to
16 participate in the submission, make the ruling, and then
17 participate in the appeal in any forum I've ever been
18 in.

19 MS. ECHO-HAWK: That is something that we've
20 talked about internally and heard a number of comments
21 on, particularly, in the situation that you bring
22 forward, and that is, "When there is not a full
23 Commission, what happens?" And we've tried -- we're --
24 we're looking at -- we're working on the draft. When
25 you see the draft, I hope that you'll have some

1 comments.

2 But one of the things that we -- we didn't
3 think about a -- a separate recusal provision, and that
4 might be something that we should look at. But we did
5 go into the statute. The statute defines the Commission
6 as the Chair, the Vice Chair, and the Associate
7 Commissioner.

8 So we can't -- you know, we -- there's a lot
9 of comment that said you need to include a section that
10 says the Chair can't participate in any appeals because
11 the Chair is, essentially, the prosecutor and brings it
12 forward. So we've tried to put in some mechanisms
13 whereby, when the appeal is before the whole Commission,
14 that the Chair isn't standing up there prosecuting,
15 going back and forth, back and forth, and then coming
16 back around on the other side of the bench and making a
17 ruling.

18 I hope that we've addressed your concerns.
19 And I wish we had the draft ready. It will be ready
20 soon. But we really look forward to your comments on
21 that particular issue. We've tried to do the best we
22 can to resolve it because it is a very, very important
23 issue to tribes. It's one we've heard over and over
24 again.

25 MR. GREEN: Well, it's a recusal issue. I

1 don't mind a commissioner realizing there's a problem
2 and encouraging somebody to the bring it forward. But
3 when it gets to the appeal, that -- that commissioner,
4 particularly for the Chair, needs to back out and let
5 the other people make the decision because there is
6 nothing fair about somebody bringing the issue forward,
7 making the original decision, and then, as you point
8 out, making the decision on appeal.

9 MS. ECHO-HAWK: The problem is the language of
10 the statute that says that appeals go before the
11 Commission. This is after the Chair brings it forward.
12 So we've tried to in -- in the draft -- because there's
13 sort of two -- this sort of goes two ways. One, the --
14 the person, the tribe, or whoever, bringing the appeal
15 can go before a presiding official, hold a quasi-like
16 administrative hearing. The presiding official then
17 presents their decision, recommendation for decision to
18 the Commission, and they sign off on it.

19 In the alternative, there is the situation
20 where there is the appeal on a written submission
21 straight to the Commission itself. In that scenario,
22 we've tried to limit what the -- what the Commission --
23 what the Chair does, how they participate, so there's
24 not this back and forth motions here, motions there.
25 And then, the Chair, you know, is making a motion, and

1 it goes back around, and rules on his own motion. So we
2 tried to resolve some of that. But we will consider the
3 recusal section, or look at that, and see how, maybe,
4 that might be worked in.

5 MR. GREEN: Again, that does not affect the
6 statute, the fact that you point out that there is
7 prejudice because they participated in the original
8 submission, even if he made the decision. The recusal
9 lets you have a mechanism that is in writing that --
10 that requires, or lets, somebody be pulled off. I do
11 not know of a state judiciary that does not have some
12 kind of recusal rules because once you get involved, if
13 there aren't some rules, it's really hard for someone to
14 back out from participating in a decision.

15 And if you had that in the appellate
16 section -- again, I'm not suggesting a closure because
17 the Chair does make those initial decisions under the
18 statute. But if you had that in the appellate section,
19 we would not have the problem that we've previously had.

20 Thank you.

21 VICE CHAIR COCHRAN: I think, included along
22 with that, Jess, though, would have to be, also, some
23 provisions which allow or address situations where you
24 end up with something less than the full Commission, and
25 final decisions getting static, although I know we

1 talked about this internally, about getting -- getting
2 something into the regulations which say, "If the
3 Commission cannot go any further -- any further, then it
4 becomes a final Agency action once the Chair has taken
5 action," allowing the tribes to move the -- the decision
6 on.

7 And this would probably be one of these areas
8 where we would have to look at it, as well, because if
9 you've got one commissioner already recusing, down to
10 two, and if, for some reason, you lose another one, for
11 whatever reason, you've got nowhere to go.

12 And recusals are not uncommon. We, as
13 commissioners, are recused. I'm recused from the
14 Chickasaw Nation. I'm recused from Pojoaque for ethical
15 reasons. But it's the same kind of concept.

16 I'm just looking through my notes to see if
17 there is particularized questions I want to put out
18 there.

19 One of the things that came up during our
20 discussions with the attorneys in the Agency, when we
21 were looking at the appellate process, is some real, in
22 my opinion, unclear language saying, "If this happens,
23 this is your appellate right. If this happens, this is
24 your appellate right," and making sure that we clearly
25 give the tribes understanding of are they going before

1 the Commission? Are they going before a private
2 presiding official? What, exactly, under what
3 circumstance are they going to be able to exercise as an
4 appellate right.

5 And we've been working on those and asked the
6 attorneys to come up with some clear language so that
7 general counsels and all attorneys spend their time in
8 gaming full time. I know that, as a former general
9 counsel, you're a jack of all trades. And they may have
10 to dip their toe into gaming on a case-by-case basis.
11 So our rules should be very clear to tell your attorneys
12 that -- exactly what they need to do when there is an
13 appellate issue because, also, as you know, with any
14 appellate issue, if you don't exercise that right within
15 a certain amount of time, that right is -- is waived.
16 So I know that we've been clear with the attorneys to
17 get some language that walks you through that process in
18 a manner that -- that's very clear.

19 All right. If there is no other questions, I
20 am going to ask Lael to go ahead and walk us through and
21 introduce us to group four, and then we'll take our
22 break and just go right into a discussion.

23 MS. ECHO-HAWK: Okay. So group four covers a
24 number of things, primarily having to do with licensing
25 and background, background being with our primary

1 management officials, key employees, and management
2 contractors.

3 The Notice of Inquiry asked whether or not we
4 should formalize what has been commonly called the
5 "pilot program." Well, the pilot program has been
6 around for, oh, several years, so it's no longer a pilot
7 program. And about 99 percent of tribes participate in
8 this program or in this -- in this process, which, to be
9 very concise, it basically allows the tribe to simply
10 submit a notice of results of background information of
11 the background investigation for key employees and
12 primary management officials. Instead of sending us
13 piles and piles of paperwork and documents, you fill out
14 this form that is a "Notice of Results," submit it to
15 us, and we take a look at it, and -- and object or not
16 object.

17 We asked tribes whether we should consider
18 putting in some regulations. It was unanimous that --
19 that we should. And so generally, one of the people
20 that worked on formalizing this -- this process -- and
21 we formalized it into two -- two regulations, part 556
22 and part 558, which are in your handouts. We divided
23 the parts into two, so in part 556 you have all of the
24 procedures that happened prior to the tribes issuing a
25 license to the employee.

1 Now, this is important because once a tribe
2 has issued the license, if there is -- for some reason,
3 the Agency has an objection to that particular
4 individual or has a concern about their background
5 information, once the license has been issued, that
6 person, then, is entitled to a notice and a hearing. So
7 we try to draw a line because that same right is not
8 available to a licensee or an applicant for a licensee
9 until the license has actually been issued. So 556
10 covers everything before the license has been issued.
11 558 covers everything after.

12 So a tribe seeking to license for a key
13 employee or a primary management official has to notify
14 the Agency of the applicant's background results within
15 60 days after the applicant begins work. We also
16 included in here a mechanism for tribes who -- say --
17 say an employee, a key employee or primary management
18 official works at the Pueblo of Sandia, and then decides
19 they want to come over and work for the Pueblo of
20 Pojoaque. The Pojoaque licensing agency, or the person
21 in charge of the licensing, calls Sandia and says, "Hey.
22 Do you have the background? Do you have this guy's
23 background results?" And they say, "Yes." "Send it
24 over." Well, we've now included in the regulation
25 mechanism where all the Pueblo of Pojoaque would have to

1 do is update that information and then send us a notice
2 of results, instead of having to do all the work again.
3 So hopefully, it makes life a little bit easier for
4 tribes and -- and not have to duplicate effort and
5 expense.

6 Everything contained in the -- in most of --
7 well, the first couple of pages, the first three pages
8 of the -- of 556 are the same. The section I was
9 talking about is on page four, line four. And you can
10 see we have in the -- in comments where we've moved
11 things around from and included elsewhere.

12 So once the tribe has -- has issued the
13 notice, has -- and has submitted the notice of results,
14 the -- and we move on to part 558. So within the --
15 once the notice of results have been submitted to the
16 Agency, the NIGC has 30 days to respond to the tribe
17 about -- about the information that is received.

18 Now, we have -- as an agency, we have 30 days
19 to either say, "This person is good to go," or we have
20 30 days to object. And this is 30 days within the --
21 and we changed some of the words -- within the
22 complete -- within the receipt of the complete notice of
23 results. So if the Agency sees that there's just -- the
24 information isn't all there, that's not a complete
25 notice of results, we send it back. The 30 days hasn't

1 begun to run. It doesn't begin to run until the
2 complete notice of results has been submitted.

3 So after providing the notice of results, the
4 tribe can license the key employee or primary management
5 official, and -- and the tribe has to also notify the
6 tribe of the licensee -- of the license issuance. This
7 is a little glitch that we found in the -- in the pilot
8 program where the pilot program didn't necessarily match
9 up with the statute.

10 The statute requires the tribe to not -- not
11 only notify the NIGC of the background investigation
12 results, but, also, that they've issued a license. And
13 it's not something that we did regularly. It was kind
14 of an oversight on our part. And we've included it,
15 now, in the regulations.

16 This is a little bit of a difference than what
17 you've seen previously, and we're trying to think of
18 ways that we can decrease, since you are submitting --
19 sending two submissions, two notices to the NIGC,
20 hopefully, through electronic means or some other
21 database or mechanism -- we can sort of mitigate how --
22 how burdensome that is. Hopefully, it's just an e-mail
23 or, you know, an online form you fill out notifying the
24 NIGC of license issuance.

25 So upon the receipt of a complete notice of

1 results, the NIGC can either request additional
2 information -- but it -- but in any situation, the NIGC
3 has to either object or not object within 30 days.

4 If the NIGC objects to the -- let's -- if the
5 NIGC objects to the -- to the individual, then the
6 tribe, once it's issued the license, has to suspend the
7 license, has to suspend the license to the individual,
8 issue them a notice telling them of their right to have
9 a hearing to discuss the issues that are -- that
10 pertain -- that the NIGC is concerned about that
11 pertains to their license.

12 The tribe holds a hearing. You guys are very
13 familiar. You make a decision on whether or not the
14 person retains their license or not. And then you have
15 to notify the NIGC. That process is common. It's not
16 new. But that's -- that's the process that this
17 regulation now formalizes, and, in part, by 556 and 558.

18 We, again, are trying to move into, at least
19 the 20th Century, and, hopefully, you can submit these
20 documents to us electronically. I know we are working
21 on that internally. I know that, oftentimes, you will
22 e-mail your regions and talk to them that way. And it
23 seems to be working.

24 We are also working on developing a form, a
25 single form, that has the information. We also realize

1 that regions use different formats, and so we want it be
2 uniform and consistent throughout all regions.

3 And, then, finally, while your current
4 ordinance may not -- may not have this procedure laid
5 out in it, that's okay. But if you make a future
6 ordinance amendment, we've included in this -- in these
7 regs that that future ordinance amendment has to fix it
8 to make sure that you comply with these regulations when
9 it comes to these licensing issues.

10 This -- these drafts are on the website.
11 They're in your hands. And they are open for comment
12 and discussion drafts until August 10th.

13 This section also addressed fingerprint
14 processing. We asked whether or not tribes would like
15 to have fingerprint process -- access to fingerprint
16 processing through the NIGC. Tribes are very supportive
17 of that, and we're working with the FBI to see how we
18 can make that possible.

19 Part 537, we do have a draft of this. We've
20 done two things in this -- no, 537.

21 We have this one. This particular section
22 addresses the question of the -- that the NOI asked
23 whether or not we needed to clarify that a management
24 contractor of a Class II and a Class III facility needs
25 to submit to -- needs to have a completed background

1 investigation.

2 We had some concerns about this, but as a
3 point of clarification, most commenters did not have an
4 issue with that. And that is included in your handout,
5 and it is on page one. And there's an additional
6 section in page -- on page -- oh. On page -- these are
7 not numbered.

8 On page four, we also added a section that
9 tribes -- tribes said, "Well, is there a way you can
10 streamline the process for backgrounding a management
11 contractor or someone who has already gone through a
12 bunch of regulatory hoops?" And, you know, "Instead of
13 having to recreate the wheel and generate more paper, is
14 there a way we can streamline this?"

15 So on page four, starting on line 15, it says,
16 "The Chair may exercise discretion and reduce the
17 background investigation to be conducted," et cetera,
18 "for any tribe, a wholly-owned tribal entity, national
19 bank, or institutional investors that is federally
20 regulated or required to undergo a background
21 investigation and license -- or licensure by a State or
22 a tribe pursuant to tribal state compact." So we are
23 just trying to streamline things, create efficiency, not
24 make tribes have to repeat work that's already been
25 done.

1 If any of you have questions on this, or you
2 have comments, again, please send them in. Comments on
3 this close on August 9th.

4 The next section, part 531 -- I'm going
5 backwards here -- you do not have a draft in front of
6 you. But one of the questions that the Notice of
7 Inquiry asked was whether or not the NIGC should require
8 submission and approval of collateral agreements to
9 management contracts. We received a -- well, we asked
10 the question in the Notice of Inquiry, and we received
11 such a variety of comments and that spanned from one
12 side to the other. The majority of commenters supported
13 the submission of the collateral agreement with
14 management contracts, but there's significant
15 disagreement about whether or not the NIGC should have
16 the -- have the authority to approve or disapprove those
17 agreements.

18 There was concern that requiring approval of
19 collateral agreements would discourage private
20 investments, that there -- we don't have -- the NIGC
21 doesn't have the statute authority; that if the NIGC did
22 do this, then it could be construed as second guessing a
23 business decision; and that those agreements, other than
24 management contracts -- management agreements should be
25 left to the discretion of -- to the discretion of

1 tribes.

2 Then we heard, on the other side, that the
3 trust responsibilities require the review and approval
4 of these agreements, that the approval protects tribes'
5 proprietary interests. Approval could discourage
6 businesses attempting to take advantage of tribes, and
7 that the approval reduces risks to both parties of the
8 agreement.

9 Now, we haven't drafted anything. We have
10 only just the comments that were received by tribes on
11 this. And -- and, again, we're looking for additional
12 comments, if you have any. We've heard significant
13 discussion on this because it is something that is very
14 contentious, which is why it was included in the review.

15 The next section, part 571 -- you do have a
16 handout for this -- does two things. Well, first, we
17 asked the question about whether or not the NIGC needs
18 to clarify that it has access to papers, books, and
19 records that were held included -- in places including
20 sites that are owned by third parties. We heard
21 comments on this, that this is unnecessary, that you
22 have to have at least subpoena authority, but that if it
23 was a point of clarification, then there was not a huge
24 objection to including it in the regulation.

25 The concern has been that -- the concern has

1 been that some third parties, such as management
2 contractors or developers or consultants, held tribes'
3 proprietary information off site, and that the tribes
4 were unable to get it, and, perhaps, the NIGC would be
5 able to -- to do that through this provision.

6 There were comments that we could resolve this
7 by simply requiring tribes to maintain all records on
8 site. Again, issues with making sure that we stay
9 within our statutory authority and -- and clarifying
10 what our authority is with regard to Class III
11 documents.

12 The other thing that this -- that this section
13 does is it provides a provision in 571.4, which, I
14 believe, is on page two of your -- of the draft, that
15 basically says that when the NIGC has concluded its
16 investigation, and it's decided it's not going to begin
17 enforcement action at that time, the Commission can
18 advise the party by letter that the investigation has
19 been -- has been concluded. We've included language,
20 also, that says notification is not a finding that there
21 is no violation or that -- that -- and that this
22 notification doesn't preclude further action.

23 But we've received a number of comments from
24 tribes saying they were under investigation two years
25 ago, and they don't know if they're still under

1 investigation now, and that they're required to tell the
2 management contracts, banks, you know, they're under
3 investigation. And if there's no closure, then they
4 have to -- there's no notification of closure, then they
5 have to keep disclosing this over and over again, even
6 if the investigation has been -- has -- nothing has
7 happened on the investigation in -- in a significant
8 amount of time.

9 Written comments on this section close on --
10 on August 9th, as well.

11 And, finally, the last issue that came up in
12 section four was whether or not we needed to define --

13 MR. APODOCA: Albert Apodoca for Mescalero.

14 On the management contract, on the
15 investigation, one of the things that -- that I know has
16 been helpful to the -- to the gaming commission, the
17 local gaming, tribal gaming regulatory authority, is we
18 went through that, right. We have a management
19 contract. And I met with the NIGC investigators on --
20 on what they had done versus what we had done.

21 But what I felt was lacking is I had asked for
22 a copy of the background, okay? I mean -- I mean we
23 figure, right, we're the ones entering into the
24 contract. And we're the ones that did -- we did a
25 background on them. But so does -- the NIGC does one

1 independent of the local tribal gaming regulatory
2 authority. So wouldn't it make sense to share that
3 information, rather than -- we -- we didn't -- we
4 weren't allowed to -- to see that. We weren't allowed
5 to -- you know, it would be nice to have a copy because
6 I mean we don't know that -- the NIGC has far greater
7 resources, than, let's say, the local tribal gaming
8 regulatory authority.

9 So it would be nice to have access to that
10 information because there may be something in there
11 that, if -- if we're dealing with a -- the management
12 company, and let's say that the -- let's say that --
13 that you have -- in that company, you have certain
14 people that have a relationship with each other, or an
15 interest in the company, or whatever, and then they're
16 buying or selling within, or having some transactions
17 that maybe the local tribal gaming regulatory authority
18 would have no idea that it may be a conflict of interest
19 or something because we didn't have that additional
20 information, we didn't find that out in our background?
21 You see, and if it's not shared, how are we going to
22 know that that would have been helpful? I mean that --
23 that would have been extremely helpful.

24 MS. ECHO-HAWK: Yeah, thank you. That's a
25 good point. And I will -- we'll take that back to the

1 chief of staff and see if there's -- see what -- I'm
2 not -- I don't think we're sure -- certain what the
3 policy is there. And it's not, you know, ready. And it
4 does seem to make sense. So we'll take that back and
5 see if we can't find an answer for you or --

6 MR. APODOCA: I had one other thing. I had
7 brought this up some time back, but I'm not sure how
8 viable this is. But I know that one of the things is
9 vendor background investigations. It's not management
10 contracts, but vendor background investigation. I mean
11 I think of all the tribes that do background
12 investigations, and so it's redundant. We duplicate
13 each other as we go back and forth, all that money
14 spent. It would be nice, I mean it would be great, if
15 the -- if the NIGC would do these and share them with
16 us. But, of course, we don't want to pay additional
17 fees. We just want the information, and we want it
18 free.

19 Thank you.

20 VICE CHAIR COCHRAN: That is an ongoing topic
21 of discussion for us because we understand the need.
22 And I know that the Office of the General Counsel is in
23 discussions with the FBI to try to make sure that we
24 have no institutional barriers to it, and to also flesh
25 out any other potential concerns that might come up

1 before we jump -- get ahead of ourselves, because we
2 know the need is great. We absolutely do know the need
3 is great. And we just don't have the mechanism right
4 now to really share that information, either, to those
5 who participate.

6 The information that is available is very
7 restrictive, and we understand that. And we understand
8 that the system could be more useful. But there are
9 some other concerns, I know, that we have to get through
10 on the legal side. Considering, especially -- one thing
11 that I'm concerned about is -- it is we don't license.
12 The tribes license. We're not licensing agents. And to
13 the extent that, even when it is meant to be helpful,
14 that we get involved in the process, I worry about the
15 future of what -- the Agency's role in that, with having
16 that information and passing it along, and being kind of
17 the conduit just gives me a moment of pause. And I know
18 that it's -- you know, we're looking at it. We know
19 there's -- there's a need, and there has got to be a way
20 to address it. Absolutely.

21 Mr. Green?

22 MR. GREEN: I think the only place you have
23 jurisdiction over vendors would be under 2702, organized
24 crime. We all have a duty to keep organized crime out
25 of any gaming, and that's the only place, I think, that

1 has any ability to exercise any authority over vendors
2 in any way, shape, or form.

3 They certainly could approve, however, you
4 getting direct information and receiving and using it
5 from another gaming commission that you believe is
6 reputable, which would stop the requirement that you
7 have to physically go back and redo that examination.

8 If I could, I would like to take you back to
9 556.

10 VICE CHAIR COCHRAN: Can I -- can I ask you
11 to -- Lael has not finished the outline on the last
12 part. Can I -- do you need to go forward? Can you hold
13 off and let her finish and then go?

14 MR. GREEN: You're the boss.

15 VICE CHAIR COCHRAN: Thank you, sir.

16 MR. APODOCA: May I comment on my statement?

17 VICE CHAIR COCHRAN: Sure.

18 MR. APODOCA: It was just to do the background
19 information. You would not license. The NIGC would not
20 license. Right?

21 VICE CHAIR COCHRAN: Right.

22 MR. APODOCA: I just wanted free information.

23 VICE CHAIR COCHRAN: Well, we've talked about
24 it, I mean internally, and I know this has been
25 discussed amongst the tribes, is tribes are

1 backgrounding, as well, and spending money. You know,
2 is there a way to give it -- you get it independent of
3 us? Is there a way to use the associations -- these
4 are -- these are things I'm sure people have thought
5 about -- that shares resources, you know.

6 And I know that tribes I've served for have
7 their own independent reasons why they do and do not
8 share or not, and I understand these reasons. So that's
9 why we look, and, you know, and turn to Jess. Jess is
10 correct, I mean as far as what we have -- again, trying
11 to stay in our lane. But we understand the need.

12 MS. ECHO-HAWK: So the final issue before we
13 start getting -- delving into the substance was part
14 502, and I'll call this just the definitions section.
15 And particularly, it's the definition of "net revenues."
16 And we did talk about this earlier. We talked about the
17 concerns that this region particularly has with changing
18 or messing around at all with these definitions.

19 We had internal comments, thoughts about
20 defining -- changing how we define "net revenue" for the
21 purpose of a management contract calculation. We asked
22 tribes whether or not we should revise that to be
23 consistent, again, with GAAP.

24 Comments were sort of all over the board. We
25 haven't made any changes to this for the reasons that I

1 discussed earlier, and that is, that the concern with
2 the statutory definition, which is gross gaming of net
3 revenue means gross gaming revenue of Indian gaming
4 activity, less amounts paid out or paid for prizes --
5 paid out as or paid for prizes or total operating
6 expenses, excluding management fees.

7 So now, we have a statutory definition. We
8 are -- don't believe that if we use -- that GAAP
9 would -- would comply with that statutory definition.
10 And so, right now, we have no draft of recommended
11 changes to this at all. But it was an issue that we
12 raised, and we raised it primarily because we'd heard a
13 variety of comments on the issue. But, you know, a
14 number of comments did, in fact, come from this region
15 with those concerns about how you define that net
16 revenue and then how people outside of the industry will
17 interpret that change.

18 So with that, I turn it back over to the Vice
19 Chair.

20 VICE CHAIR COCHRAN: So group four is pretty
21 extensive. That's why I think I will save our
22 discussion until afterwards.

23 But, Jess, I know you wanted to go back to
24 519, so I thank you for your patience in letting Lael
25 finish.

1 Let's go back to 519.

2 MR. GREEN: Excuse me. 556.

3 VICE CHAIR COCHRAN: Oh, 556.

4 All right. Go ahead.

5 MR. GREEN: Again, we've always had the
6 requirement -- and I say "always" -- that key employees'
7 associations be explored. But to my knowledge, we've
8 never had any training suggested by that NAGA, suggested
9 by the NIGC, or anybody else, about how we do it.
10 You've got a list of things that ought to be required.
11 I would suggest this be added to the list, that the key
12 employees provide a list of all associations that are
13 evidenced by written -- (a) written membership forms;
14 (b) written membership dues; (c) taxable income
15 received; and (d) membership announcement in public
16 forums or social media.

17 I -- I do not want to find out that my manager
18 is the Royal King of the Ku Klux Klan in a social
19 meeting.

20 Lael, you've got your head down. That could
21 happen. Can you imagine a bigger disaster for us?

22 MS. ECHO-HAWK: I worked at a gaming
23 operation. I know that.

24 MR. GREEN: I mean if we -- the -- the one
25 place we really haven't done our jobs over the years --

1 and I said "we" because I've been around as long as
2 y'all have -- is we have really not explored that we
3 often do a better job, particularly the ones where there
4 is written evidence of having everybody declare it. I
5 mean if you have a church membership, it would be good
6 to know it. If you were a member of Al-Qaeda before
7 911, it would have been nice to know.

8 Well, I mean -- and -- and it is pretty easy
9 that by interjecting a rule that says you have to list
10 all of your associations that are evidenced by written
11 membership forms, written members -- or -- or membership
12 dues, by taxable -- taxable income received. And,
13 again, if you get a taxable income from some association
14 that you have, you get a taxable stipend every year and
15 it shows up on your incomes taxes, I think your -- your
16 license -- it ought to be in your license review.

17 And if there are membership announcements that
18 are going to be made in some public forum or social
19 media, I think we ought to know about that because,
20 again, I'm much more worried these days of social media
21 than I am of anything else.

22 Thank you.

23 VICE CHAIR COCHRAN: Thank you, Jess.

24 Are there any other statements that should be
25 made? If not, I'm thinking we'll take a short break and

1 then get right into discussion, and maybe have an
2 opportunity to wrap it up early, if we can.

3 So how about a ten-minute break, and then
4 we'll pick up from there?

5 (Recess.)

6 VICE CHAIR COCHRAN: If we could get seated
7 again, we'll go into our last group, and, hopefully, get
8 you out of here a little bit early.

9 We were just having a conversation about our
10 website. And we certainly understand that some of you
11 have a hard time navigating that website. I have a hard
12 time navigating that website. We are doing everything
13 we can to get our IT services in a position to handle
14 today's technology. And we're doing a -- a couple of
15 different things to make that happen. And part of that
16 is -- is the access to resources that we just have not
17 accessed in many years. And so, if you will be patient
18 with us, if you can't find anything, don't hesitate to
19 call somebody in the field. You can have my number, and
20 go ahead and call to my office. It's -- our intent is
21 to get as much out there as we can, but if you can't
22 find it, then we're not doing any good. So we need
23 to -- to try to do the best we can. And if you will
24 bear with us, hopefully, we'll have a better website in
25 the very near future.

1 MR. APODOCA: And a directory, right?

2 VICE CHAIR COCHRAN: That would be nice.

3 Yeah.

4 MR. APODACA: Yes.

5 VICE CHAIR COCHRAN: I keep all of those, but
6 they're not on the phone list.

7 MR. APODOCA: Yeah, but we never get to see
8 your copy.

9 VICE CHAIR COCHRAN: It has my number.

10 MR. APODOCA: Yeah. That's just what I
11 needed.

12 VICE CHAIR COCHRAN: All right. Group four,
13 Lael gave us a summary, and I know Mr. Green had some
14 initial comments. And I certainly want to turn this
15 over to you for your thoughts, if you want, or we can
16 start with Part 556, unless there is another part that
17 you'd prefer to talk about.

18 In part 556, one of the discussions that we've
19 had internally has to do with a suggestion that we issue
20 a no objection letter. And part of that, part of the
21 thought behind that is, of course, to be responsive, to
22 not be the black hole, to not delay any further than we
23 have to so that, if we have no objection and we know --
24 as soon as we know, that that decision can be provided
25 to the tribe, bring clarity to the process, a little

1 bit.

2 Any thoughts?

3 We also -- as Lael said, we broke up those two
4 parts to discuss the different times in the licensing
5 events so that it was more clear you weren't going
6 between the two sections to -- to find out what was
7 needed to do to comply. We hope that that is useful.

8 MR. APODOCA: I have a statement.

9 VICE CHAIR COCHRAN: Please.

10 MR. APODOCA: It's just something recent, and
11 I had a vendor call me.

12 Albert with the Mescalero again.

13 Anyway, I had a vendor call me just recently.
14 And we've been doing business with the vendor for years,
15 and then, all of a sudden, it's an issue. They were
16 asking -- and it's a major gaming vendor -- what
17 information, vendor information on employees, like
18 officers and so forth, do we share with the National
19 Gaming Commission, which caught me off guard because I
20 told him, "We don't unless they inquire, you know,
21 unless they specifically ask."

22 So I was wondering, is there -- has the NIGC
23 done anything different that, all of a sudden, I have --
24 and this is one of two vendors, not necessarily on the
25 same -- the exact same topic, but somewhat similar,

1 questioning the NIGC, of course, the vendor application,
2 and do we share information with the NIGC for like the
3 employee information.

4 They were concerned about identity theft. I
5 was kind of -- they were saying they were concerned, I
6 guess, with the hacking, especially with government
7 units being targeted, that how safe was that
8 information? What do we share with the NIGC and all of
9 that, you know. And I -- I was just curious as have you
10 heard about that or --

11 VICE CHAIR COCHRAN: What I was actually
12 thinking when you were saying that was not really
13 identity theft, but the expense to some vendors to be
14 licensed in multiple jurisdictions. I know it can be
15 quite extreme, and I was thinking, maybe, that's what
16 they were trying to get at, whether or not there would
17 be some central repository.

18 But the -- as far as on the criminal side, any
19 information that we keep, of course, is stored under
20 agreements and -- and systems between us and the FBI and
21 the DOJ. I'm not aware of an identity-theft issue.

22 MR. APODOCA: She mentioned -- okay.

23 She mentioned -- well, she mentioned the
24 Freedom of Information Act, right, because she says that
25 because the NIGC is subject to that. And I was kind

1 of -- her statements were, "It's relatively easy to get
2 information under that," and, "What would be shared by
3 the NIGC on -- under that Act?" And that was the
4 concern. It wasn't so much the -- the -- the costs and
5 all of that. But that was her statement.

6 MS. WARD: Yeah. The Freedom of Information
7 Act doesn't apply, necessarily, to individuals, so when
8 they're concerned about the identity theft, to -- even
9 if we had information on vendors and their employees, we
10 could only release that if we had a signed statement
11 from that employee of the vendor allowing us to release
12 it.

13 But as Steffani and Lael said, we don't know
14 of any -- anything that would prompt this new question
15 about identity theft and what kind of information we get
16 from vendors other than to say, in the last, probably,
17 year to two years, there has been an uptake in the
18 number of tribes that want us to do background
19 investigations for vendors. And that's been a stronger
20 movement, but we're still working on that.

21 VICE CHAIR COCHRAN: Are there any other
22 thoughts or comments on 556 and 558?

23 On page two of 558, and, specifically, 558.2,
24 subsection (c)(2), which is line eight, we've included
25 in this -- and I put it out for discussion again,

1 "shall" and "may." Under the section, if the tribe does
2 not license an applicant, the tribe shall notify the
3 Commission and shall or may forward copies of the
4 determination to the Commission for inclusion in the --
5 in the gaming individual's record system.

6 MS. ECHO-HAWK: This issue came up because the
7 current regulation -- this isn't a change, but that the
8 tribe has to notify the NIGC if it does not license an
9 applicant. Now, you may not license an applicant for
10 all kinds of reasons. The employee may not take that
11 position, may move out of town. There's -- there's a
12 bunch of reasons why an applicant might not be licensed
13 that doesn't include, you know, some sort of problem
14 with their background investigation.

15 And so internally we're thinking, "Okay. So
16 the -- you know, instead of us sort of having a flag, a
17 red flag next to this individual's name as someone who
18 is not licensable, maybe if we received the information
19 from the -- from the tribe about why the person wasn't
20 licensed, then there wouldn't -- you know, in certain
21 instances, there wouldn't be those types of red flags."

22 We've heard stories of employees who are
23 licensed applicants who simply forget or -- or overlook
24 the fact that they may be -- you know, around here, they
25 had applied to work at Isleta and Sandia, and got hired

1 at Isleta. They didn't get -- had -- had received an
2 offer of employment at another place, but didn't go
3 forward with that job, and so was not licensed. That
4 individual failed to report that they didn't get a
5 license, that they had applied for a license, but they
6 didn't receive it, and received some license action that
7 was very negative on their history. And it had nothing
8 to do with that person's background investigation, just
9 had to do with he took another offer of employment and
10 forgot that he had begun a licensing process over at
11 another -- at another tribe.

12 And so for us, we're thinking, "Well, how can
13 we make it clear internally? How do we know that this
14 person is -- was not licensed by the tribe because the
15 tribe -- you know, because they withdrew the application
16 or because there was something wrong, or the tribe
17 didn't like what they uncovered on the background
18 investigation?" And so the "shall" or "may" came up.
19 It would provide us with the information. We would know
20 the reason why -- or at least we'd know whether or not
21 there was an issue in the background investigation if
22 the tribe were to send us that information.

23 But so the question there is, "Should we
24 require that? Is it useful information for the NIGC to
25 have? And should the tribe be mandated, then, by

1 regulation, to send it to us because it would be -- you
2 know, if there's an eligibility determination, that
3 contains all of that background investigation, as well,
4 and it might be somewhat burdensome." We don't know the
5 answer to that and wanted to ask the tribes.

6 MR. APODOCA: If I can comment?

7 Anyway, on that -- in a scenario like that, we
8 would not want to notify the Gaming -- the NIGC because
9 we don't feel that -- we don't feel that we went through
10 the whole licensing procedure, right? And if the -- if
11 the applicant withdrew or was at a point -- let's say
12 they were in their 55th day, and you haven't hit the
13 60-day where we have to send it into the NIGC, the
14 suitability and all of that, that they withdrew, and we
15 decided that we weren't going to license them because
16 there is no need to -- or sometimes I know we've had
17 situations where a licensee, or the applicant, has gone
18 to a certain point and then decided, "Well I don't want
19 to go through," but they've submitted the application.
20 And now, it's -- you know, we term it the "investigative
21 process," so we don't feel we have to notify the
22 National Indian Gaming Commission.

23 Now, how they report it -- like if -- if
24 another tribe regulatory authority called us and said,
25 "Was Albert licensed?" We would say, "No. And it

1 wasn't because he wasn't licensable. It was because
2 either the process was terminated or because he -- he
3 decided not to be hired there or be employed there," or
4 for whatever reasons. But if we -- if we turned it --
5 if we -- if the background was so bad, at that point,
6 you know, at the beginning, I mean we would just deny it
7 up front.

8 But I -- I would think that -- and I know that
9 the -- the New Mexico tribes, for the most part, we have
10 that form that we send back and forth on the
11 verification. And -- and I would hope that it would not
12 be necessary that -- that one tribe would call another
13 and say, "Well, how come Albert wasn't licensed? He
14 didn't tell us about that," or whatever, right? I mean
15 the whole point of us agreeing on a standard one and
16 verification was to have this communication. I don't
17 think it should be mandated by the National Indian
18 Gaming Commission. I think the tribes should work
19 together, work through this.

20 VICE CHAIR COCHRAN: Thank you.

21 Part 571, there was a discussion about that,
22 on potential changes to this part.

23 Part of the discussion on this particular
24 regulation has to do with whether or not the NIGC would
25 issue letters. Let's say that an investigation had

1 closed. There is a further finding, or a finding of no
2 violation, and that we closed an investigation. And
3 that is included in 571.4, beginning on the first page,
4 line 28.

5 One of things that has come to our attention
6 during the course of talking to tribes about this
7 discussion is -- interestingly enough, is the -- the --
8 the terminology "investigation closure letter." I know
9 that that was a really -- was a really good point, that
10 maybe we should go back and look at my terminology
11 because closures have such a distinct meaning under IGRA
12 that maybe we could use "conclusion," or some -- some
13 other terminology. And I thought that that was a really
14 important point.

15 We have included in here that in those
16 instances where we have concluded its investigation --
17 our investigation in a particular matter, and we've
18 determined that we will not recommend commencement of
19 enforcement proceedings, that the Commission's
20 authorized representative, in his or her discretion, may
21 advise the parties by letter that the investigation has
22 been terminated. This is most likely to be at the
23 regional level, is what I imagine is how this would
24 actually be executed.

25 We do also include language that says, "Such

1 notification is not a finding that no violation of IGRA,
2 its regulations, or the tribe's gaming ordinances
3 occurred. Such a notification does not preclude further
4 action based on the investigation."

5 So this is an attempt to -- to really bring
6 some closure where we can, to not get ahead of
7 ourselves, which, at the time, there appeared to be
8 something which may later come to -- to light to be
9 something that we need to be concerned with. So it's a
10 balance, an attempt to balance.

11 Jess, there is that word in 571.5, "entry of
12 premises." We have inserted the language, "The
13 Commission's authorized representatives may enter the
14 premises of an Indian -- Indian gaming operation, or any
15 other person," that's where I scratched my head and how
16 you enter the premises of a person, but, apparently, you
17 can.

18 MR. GREEN: The definition of "person"
19 includes the world.

20 VICE CHAIR COCHRAN: It does. The -- and
21 that's part of what -- what prompted this additional
22 language. It came at the request of the tribes, during
23 the NOI comment period, asking about the Agency's
24 ability to obtain materials from third parties.

25 Now, one of the things that has been suggested

1 in this particular section -- in 571.5 it has been
2 suggested to us that we include some type of
3 notification to the tribes when this is going to happen.
4 And I think that's, again, a suggestion that's worthy of
5 further consideration. And I know it's on our list to
6 take back to the Agency to have discussions about.

7 And then, in subsection (b) in that same
8 section, there is language in there that says, "The
9 Commission's authorized representative shall present or
10 shall show an identification card upon entering gaming
11 operation or other facility." Again, this is the
12 third-party facilities.

13 Yes.

14 MR. GALLEGOS: Just -- it's Manny, again, from
15 Tesuque.

16 Clarification on, I guess, page three, lines
17 25 to 27, why you're limiting the availability or --
18 only to the convenience of the Commission entering a
19 third party's place of business or location of record.
20 Is there a purpose where you're limited only to the
21 Commission's convenience? Shouldn't it also be both,
22 that person and the Commission's?

23 VICE CHAIR COCHRAN: I'm looking at the terms
24 because I didn't draft this.

25 MR. GALLEGOS: I mean you're saying here that

1 convenience to the Commission's authorized
2 representative, time and place convenient to. It's sort
3 of making it one-sided. Is that what you really want?
4 I -- I think it should be more a mutual time and place.

5 VICE CHAIR COCHRAN: Well, actually, I'm
6 looking at the comment here. It does say in here that
7 this language mirrored 571(6)(b), which is the existing
8 language in the statute, which says, "If such papers,
9 books, or records are not available at the location of
10 the gaming operation, the operation shall make them
11 available at the time and place convenient to the
12 Commission's authorized representative." So I'm not
13 sure if --

14 MR. GALLEGOS: So maybe it needs agreement
15 with both of them. I know you're trying -- I mean I
16 know you're trying to enforce something. But when you
17 go strictly on force, it could say -- well, you may say,
18 "You can only come in between 2:00 and 5:00 on
19 Saturdays." I'm not open on Saturdays.

20 VICE CHAIR COCHRAN: Well, the reverse can
21 happen, too, if we're talking third parties: "We're
22 only here on Saturdays from 2:00 to 5:00."

23 MR. GALLEGOS: Right. So it could be
24 conveniently you agree, if both parties agree.

25 VICE CHAIR COCHRAN: Right. I -- I appreciate

1 that thought. And I will definitely have this noted,
2 and we'll take it back to the lawyers and talk about it.

3 MS. ECHO-HAWK: And to kind of follow up on
4 that, this is in the context of investigations. And so
5 I think that the reason that that's there is that if
6 it's something that needs to be expedited, we don't
7 have -- you know, we're walking this line of regulation,
8 while at the same time respecting the tribes, you know,
9 authority as the tribal government, but making sure that
10 we get what we need when we need it, particularly in the
11 course of an investigation. So we'll definitely look at
12 it, but we have to -- we have to balance that.

13 MR. GALLEGOS: I understand that. It's just
14 that it sounds a little one sided.

15 VICE CHAIR COCHRAN: Well, I've got a
16 question?

17 MR GREEN: Yes.

18 I reiterate that if you look at your
19 definition of "person," it includes everybody --

20 VICE CHAIR COCHRAN: Thank you, Jess.

21 MR. GREEN: -- and individuals. And you do
22 not have jurisdiction over everybody. And, in fact, in
23 2002, in the Northern District of Oklahoma, the Justice
24 Department pled it on your behalf to get a case
25 dismissed in -- that Multimedia filed against the

1 Commission. So you have precedent that you have used it
2 to get cases dismissed. You do not have jurisdiction to
3 compel an accountant to give you the business records of
4 a tribe if the reason he's holding them is he has -- he
5 has a workmen's lien against them, because that's an
6 ownership interest.

7 You have issued closure orders in the past
8 against tribes in Oklahoma that I represented because
9 they did not have money to pay for the accountant, and
10 the accountant had the records, and he would not give
11 them back to us unless we paid him \$10,000 that we
12 didn't have. And it was a catch 22. We couldn't do an
13 annual report because we didn't have the money, and we
14 couldn't give them to somebody else because the
15 accountant would find the lien for previous work that he
16 had done and not been paid for work. And we couldn't
17 even get the records back until we closed the gaming
18 establishment and then made enough money elsewhere to
19 pay him for his lien to get those records to get the
20 report.

21 You need to be very careful about asserting
22 jurisdiction against third parties that neither you nor
23 the tribe has jurisdiction over. Your third-party
24 jurisdiction probably extends to everyone a tribe has
25 licensed. It probably -- and except to vendors. I mean

1 I'm talking about licensing in the -- in the workplace
2 concept. But it does not extend to vendors, but -- but
3 you have successfully pled that in a federal court
4 proceeding. And that will be used against you. It
5 probably won't include professionals because they have
6 liens on their products.

7 And I would give you great caution at trying
8 to exercise jurisdiction over these individuals when you
9 don't have it because your lack of jurisdiction will
10 extend to both of us out here, both you and the tribe.
11 And recently, there has been a rash of decisions where
12 the tribe was told it did not have jurisdiction over
13 individuals if they hadn't specifically given it to
14 them.

15 VICE CHAIR COCHRAN: Thank you, Jess.

16 Any other comments on part 571?

17 Part 531, collateral agreements.

18 Jess, I know you've got something to say on
19 this.

20 When the Commission issues a NOI on a
21 particular person or -- the question that was posed to
22 the tribes was whether or not this part should be
23 amended to require the submission of approval of
24 collateral agreements. The response came back that
25 about half of the tribal respondents explicitly stated

1 that the Commission should continue to require the
2 submission of these agreements with management
3 contracts, another 23 percent favored making the
4 submission voluntary, and, then, the remaining offered
5 no opinion.

6 Those not in favor, of course, note that
7 approval of collateral agreements is outside the scope
8 of our authority. One thing that I know I hear
9 consistently, a lot in this area, in particular, is that
10 the NIGC should not second guess a tribe's business
11 dealings, that the tribe has -- is a sovereign, and has
12 the ability to make its own business decisions. Whether
13 these are good or bad, it is the tribe's purview.

14 And -- and those who -- who did comment, said
15 that they would like to see collateral agreements
16 included, commented that -- that -- that the federal
17 government -- and the NIGC is part of the federal
18 government -- has a trust responsibility to -- to review
19 those agreements to look for items which are not in the
20 best interest of the tribes; that it would provide an
21 additional protection to ensure the cumulative effect of
22 the agreement does not violate sole proprietary
23 interest. And they also noted that it would help reduce
24 overreaching by certain entities into tribes that are
25 more vulnerable on the business front right now, for

1 whatever their own individual reasons are. And that
2 kind of gets to the -- the trust responsibility.

3 So we've -- we don't have a draft of that.
4 It's still an issue for discussion. If anybody has
5 generalized comments, please, we would welcome them.

6 MR. GREEN: Last year, there was a decision
7 from Sac and Fox in Oklahoma that had 15 pages of
8 recitals of filings in federal court and in NIGC's
9 determinations whereby the collateral agreements taken
10 with the management -- with the other agreements were
11 determined to be a management contract. And the tribal
12 Supreme Court used that as the basis to determine that
13 they didn't have to pay back the developer monies. That
14 case has been floating around Indian country for some
15 substantial time. We also have a case from up north
16 where they didn't submit the security agreements for a
17 bond that contained language that equaled a management
18 contract.

19 Again, both of these things are nothing that
20 tribal attorneys haven't been telling management people
21 for years, so I -- I don't see a problem with you asking
22 for the collateral agreements if you are considering
23 something to be a management contract.

24 The problems that I run into with the NIGC
25 have been that you have been trying to scrutinize

1 collateral agreements and call them management
2 contracts. And you have been scrutinizing the same
3 agreement when I -- when I do it again four or
4 five years later, which is just a burden. I mean if I
5 create a file that's five inches thick for the NIGC, and
6 they looked at it five years ago, why should I have to
7 do it all over again if all that I've changed are the
8 names of the participants?

9 Now, I realize under 2706(b)(1) through (4),
10 you have a right to come view and look at any agreement
11 I have in my file. But I really have a huge issue with
12 the NIGC requiring me to make copies and bring them to
13 you because those copies are very proprietary. If I can
14 come up with an idea that lets me do something in
15 management that nobody else has done in management in my
16 operation, that provides funding for my management, and
17 I give you a copy of that agreement, every lawyer in the
18 NIGC will have a copy of it. When they leave, they will
19 have a copy of it. And they will be free to copy it
20 when they go someplace else and didn't pay us for any of
21 it. So that's an issue for us. The privacy becomes a
22 huge issue.

23 What I would request is that, if you choose to
24 review any collateral agreement that's not immediately
25 associated, that you come on site and read it. And if

1 you don't deem you need it, leave it there. That way,
2 no one can accuse you of being the one that left the
3 agreement out in the general public because most of
4 these large agreements contain a whole lot of privacy
5 clauses.

6 Thank you.

7 VICE CHAIR COCHRAN: Thank you, Jess.

8 Any other comments?

9 All right. The last part is part 502. Again,
10 the -- the NOI asked for comments on whether the Agency
11 should consider changing the definition of "net
12 revenues" for management contracts.

13 Correct. Thank you.

14 It is currently defined in our -- our
15 regulations as, "Such gross gaming revenues of an Indian
16 gaming operation less (a) amounts paid out as or paid
17 for, prizes; and (b) total gaming-related operating
18 expenses, including all those expenses of the gaming
19 operation commonly known as operating expenses and
20 nonoperating expenses consistent with professional
21 accounting pronouncements, excluding management fees."
22 I think we wrote that. Wow. That was a lawyer.

23 Any thoughts?

24 I will give you something to think about: Why
25 in the NOI comments that came back on this rule, a

1 little over 60 percent agreed that the Commission should
2 attempt a revision. Some of those commentators
3 mentioned that the change would help them to achieve a
4 uniform, consistent standard. Others stated that the
5 change would help clarify the definition, avoid
6 confusion, disputes. There were -- the remaining
7 35 percent or so opposed any type of a change. They
8 stated that the NIGC is not the authority to change the
9 statutory definition of IGRA. 21 percent requested
10 repeal of the most recent change to this definition so
11 that it would track the definition of IGRA. One
12 commentator said that the definition was not ambiguous,
13 so leave it alone.

14 That is a summary of the feedback that we've
15 gotten.

16 One commentator said that they would support a
17 change only if it made the cal- -- if it affected the
18 calculation of NIGC fees.

19 I know it's been a long day, and I know it is
20 late in the afternoon, so let me just -- before we
21 conclude the afternoon, let me just offer, did anybody
22 have additional thoughts, even from this morning, that
23 they wanted to share, questions that, maybe, came up
24 over the course of your lunch conversations? I know
25 we've given you a lot in today's agenda.

1 All right. With that, I think we'll conclude
2 today. We -- tomorrow, we do have group five. This is
3 the self-regulation, sole proprietary interest, Class
4 III MICS, and minimum external -- excuse me -- the Class
5 II MICS, and the TAC are also on tomorrow's agenda. So
6 there is a little bit on there for us to discuss.

7 I wish you safe travels home, and I thank you
8 again for your time. And I look forward to seeing you
9 tomorrow.

10 (Whereupon, the proceedings adjourned
11 for the day at 3:43 p.m.)
12
13
14
15
16
17
18
19
20
21
22
23
24
25

STATE OF NEW MEXICO)

)

COUNTY OF BERNALILLO)

REPORTER CERTIFICATE

I, Karen Lee Clark, RPR, CCR No. 277, Certified Court Reporter in the State of New Mexico, do hereby certify that the foregoing pages constitute a true transcript of the proceedings by National Indian Gaming Commission, held in New Mexico, in the matter therein stated.

In testimony whereof, I have hereunto set my hand on August 3rd, 2011.

KAREN LEE CLARK, RPR, CCR No. 277
License Expires: 12/31/11
Bean & Associates, Inc.
201 Third Street, Northwest
Albuquerque, New Mexico 87102

&	20th 28:2 123:19	5	571.4 128:13 147:3
& 160:15	21 15:11 158:9	5 58:9	571.5 148:11 149:1
0	21st 28:3	502 134:14 157:9	573 96:23 97:6,15
05 92:10	22 152:12	514 18:15 19:1	100:22
1	227 1:21	24:16,21,23 31:15	573.1 97:19
1 50:14,14 67:1	22nd 48:17	33:13 49:4 51:14	573.2 102:7,17
75:16 156:9	23 48:13 154:3	56:8	109:16
1,400 41:6	233 45:6	514.1 24:21,24 25:2	573.2. 98:13
1,800 52:15	25 42:21 45:19	519 110:25 111:15	573.3 108:13
10 42:22 45:9	75:16 149:17	113:2 135:24 136:1	577 111:2
10,000 152:11	25,000 41:9 45:18	519.3 112:12	6
100 71:6	47:9 51:22 52:6,11	523 18:17 24:8	6 150:7
101 23:7 37:7	52:19,21 54:14	56:17	60 16:5,7 24:5 26:11
10th 124:12	27 149:17	524 111:1	26:12 28:12 42:17
12/31/11 160:15	2702 132:23	531 126:4 153:17	52:7,19 53:15,17
120 26:9 58:15 65:9	2706 75:16 156:9	537 124:19,20	55:3 58:14,23 59:25
65:14,24 66:4	277 160:5,14	539 111:1	66:5,7 120:15
13 21:17 25:14	28 147:4	542 18:19 82:4,8,12	145:13 158:1
13,175 15:2 73:24	2:00 150:18,22	87:24 88:9,18 89:7	66 1:12 2:22 4:4
14500 1:13	3	89:21 92:19 95:18	7
1469k 1:25	3 103:15	551.1 66:21	72 105:9 107:6,10
15 48:9 72:9 125:15	30 21:9 26:17 27:9	556 119:21,23 120:9	108:10
155:7	42:16 50:13 52:7,19	121:8 123:17 133:9	8
17th 28:8 57:6	53:14,17 55:3 59:25	136:2,3 139:16,18	8 79:10
1993 48:17,23	121:16,18,20,20,25	142:22	87102 160:16
1:30 96:5	123:3	558 119:22 120:11	89th 55:1
1st 19:15,16	30th 19:9 20:10	121:14 123:17	9
2	31st 24:3	142:22,23	90 52:8,19 53:15,17
2 142:24	32 45:7	558.2 142:23	53:25 55:4
20 1:11 45:9 47:6,7	33 11:20 14:10	559 18:21 25:17	911 137:7
48:11 88:12	44:21 45:6,23 46:20	57:2 74:7,12	91st 42:24
2002 151:23	35 158:7	559.1 62:6	92 21:2,24 53:25
2005 88:2 93:22	37 58:10	559.2 26:10	92nd 43:5 50:17
2006 87:16 88:7	38 102:8	559.3 74:15 75:9	53:24
93:2	3:30 105:14	559.4 66:20	99 119:7
2009 20:18 44:18,21	3:43 159:11	559.5 27:16 58:25	9th 99:6 126:3
45:24	3rd 160:12	559.6 66:21 67:1	129:10
201 160:16	4	75:13 76:10	a
2010 44:17 47:25	4 25:9,13 66:25	559.6. 66:18	abide 22:20
48:1	75:16 156:9	55th 145:12	ability 26:13 66:8
2011 1:11 79:10	40 45:18	571 127:15 146:21	67:16 84:2 91:7
160:12	48 108:10	150:7 153:16	95:9,10 133:1
	4th 44:17	571.2 109:5	

148:24 154:12 able 17:25 18:2 21:25 37:8 46:12 47:18 62:17 77:4,18 79:17 81:12 103:23 106:18 113:14 118:3 128:5 absolutely 33:4 68:11,13 69:25 83:17 109:11 132:2 132:20 accelerate 107:6 accept 73:15 acceptable 12:21 accepted 35:21 111:17 accepting 67:11 95:19 access 124:15 127:18 130:9 138:16 accessed 138:17 accommodating 46:6 account 23:16 accountant 152:3,9 152:10,15 accounted 67:20 accounting 22:23,23 32:14 35:21 36:8 37:15,16,25 38:14 38:18 157:21 accrue 50:17 accurate 17:6 19:10 19:18 30:2 accuse 157:2 achieve 41:23 58:1 158:3 achieved 48:3 acoma 5:17 7:1 35:16 51:17 63:23 71:11,16 79:24 acquisition 79:19 acronym 37:16	act 27:5 34:24 36:15 38:4,7 77:12 78:17 79:5,12 80:8,10 106:17 141:24 142:3,7 action 43:8 97:13,21 98:16,19,24 110:3 117:4,5 128:17,22 144:6 148:4 actions 101:19 active 73:3 activities 38:12 101:6,7 activity 38:20 44:5 135:4 actual 15:23 20:5 acyf 70:18 add 23:15 37:1 51:24 54:24,24 58:19 112:5,12 added 51:24 113:6 125:8 136:11 adding 38:24 99:21 addition 10:17 53:18 additional 21:9,14 22:22 24:6 26:12 28:11 36:19,22 67:13 123:1 125:5 127:11 130:19 131:16 148:21 154:21 158:22 additionally 26:23 98:23 address 29:10,20 81:23 82:6,21,22 93:7 101:17 106:7 116:23 132:20 addressed 111:7 114:18 124:13 addresses 124:22 addressing 16:17 adds 86:18 97:16 adequately 27:4 57:19	adjourned 159:10 adjust 23:1 adjusting 82:8 administration 70:7 81:15,16 84:4 administrative 10:4 115:16 administrator 50:8 adopted 88:22 89:8 93:18,18 adopting 87:24 95:18 advance 12:21 94:1 advantage 112:10 127:6 advise 128:18 147:21 advisor 7:19 advisory 82:24 affairs 7:19 10:6 affect 38:13 116:5 affiliation 17:4 30:1 afternoon 96:7,14 96:20,21 158:20,21 age 93:13 agencies 15:2 77:11 agency 7:10 19:22 19:25 20:20 22:5 26:25 27:20 28:15 28:16,22,25 29:13 30:17 31:6 32:13,22 37:11 39:8,11,15 41:7,19 43:12 44:24 45:22 46:1,10 47:21 52:24 53:6 55:23,24 56:3,4,20 58:13,24 59:16 72:12,20 73:7 73:23 77:23 78:19 79:4,4 80:14 82:6 83:1 84:5,17,20 86:14 90:18 91:5 92:18 95:25 97:25 98:3,7,16,20 101:14 101:19 105:4 106:17 111:5,20	117:4,20 120:3,14 120:20 121:16,18 121:23 149:6 157:10 agency's 31:21 32:18 46:17 49:14 67:16 82:11 111:11 132:15 148:23 agenda 2:10 11:19 12:12 13:1,19 18:5 48:10 158:25 159:5 agent 9:1 agents 132:12 aggressive 11:15 18:5 ago 10:5 19:22 64:4 128:25 156:6 agree 25:25 26:1 38:23 57:21 62:20 63:1 91:3 92:1 95:5 95:6,17 112:18 150:24,24 agreed 2:14 11:15 24:8 30:24 41:16 158:1 agreeing 146:15 agreement 126:13 127:8 150:14 154:22 156:3,10,17 156:24 157:3 agreements 126:8 126:17,19,23,24 127:4 141:20 153:17,24 154:2,7 154:15,19 155:9,10 155:16,22 156:1 157:4 ahead 2:7 50:18 90:24 118:20 132:1 136:4 138:20 148:6 aicpa 35:22 36:5,6 38:11,15 ak 7:14 89:14 al 137:6
--	--	--	--

alabama 106:19 albeita 8:7,7 albert 5:14 39:16 60:15 70:11 85:5,7 129:13 140:12 145:25 146:13 albuquerque 1:14 160:16 allow 32:16,24 55:18 84:22 101:11 101:21 116:23 allowed 74:20 105:22 130:4,4 allowing 111:24 117:5 142:11 allows 119:9 alternative 92:16 115:19 alternatives 88:6 ambiguous 158:12 amended 153:23 amendment 124:6,7 amount 21:5,10 25:10 27:25 45:1 46:1 51:2,3,6,9,10 53:14 54:18,21 59:24 91:18 118:15 129:8 amounts 53:16 76:16 135:4 157:16 ana 7:12 andrea 9:13 andrew 3:14 7:2 angela 6:12 announcement 136:15 announcements 137:17 annual 19:23 25:4 32:9 51:3 52:10 54:6,7 152:13 annually 33:1 answer 38:8 44:8 100:5 131:5 145:5	anticipate 54:13 97:4 antonio 7:6 anybody 3:20 31:12 43:20 56:22 69:17 112:22 136:9 155:4 158:21 anyway 140:13 145:7 apache 4:22 5:1,4 5:12,15,21 7:19 39:17 apodaca 5:13,14 39:16,16 60:15,15 61:21,24 85:7,7 91:1 94:10 139:4 apodoca 129:13,13 131:6 133:16,18,22 139:1,7,10 140:8,10 141:22 145:6 apologize 3:21 30:15 apparently 148:16 appeal 100:2 113:9 113:17 114:13 115:3,8,14,20 appeals 97:2 99:22 99:25 111:1,1,2,5 111:12 113:3 114:10 115:10 appeared 148:7 appellate 116:15,18 117:21,23,24 118:4 118:13,14 applicable 60:8,10 80:3,14 applicant 120:8,15 143:2,9,9,12 145:11 145:17 applicant's 120:14 applicants 143:23 application 141:1 144:15 145:19 applied 53:14,17 87:6 143:25 144:5	applies 48:16 109:3 apply 36:3 40:6 79:2 80:4,5,12 142:7 appointed 6:18 appreciate 2:6,23 4:4 9:20,20 11:11 48:11 102:17 150:25 appreciative 3:1,8 approach 43:14 49:20 70:15 87:12 89:2 appropriate 15:10 42:23 69:10 76:8 77:19 113:15 approval 48:15,18 126:8,18 127:3,4,5 127:7 153:23 154:7 approve 126:16 133:3 approved 48:24 area 39:12 59:1,20 76:1,15 82:12 84:25 85:3 91:17 154:9 areas 23:5 29:18 40:20 57:4 69:8,16 84:14 101:23 102:7 111:7 117:7 arena 31:16 74:2 85:17 arguably 53:9 argument 49:21 arguments 34:4 arisen 14:17 arizona 89:16,16 91:19 arnold 5:3 arrears 54:11 asap 106:15 aside 18:20 asked 14:12 15:19 22:11 25:20 28:14 33:1 78:6,6,6 99:11 118:5 119:3,17 124:14,22 126:7,9	127:17 129:21 134:21 157:10 asking 14:8 23:7,22 53:12 67:13 68:18 71:4,5 75:2 81:22 90:16,22 104:24 105:10 140:16 148:23 155:21 aspects 100:23 asserting 152:21 assessable 50:15 assessed 20:7 22:7 23:13 51:21 54:23 55:2,3 assessing 51:23 assessment 52:20 111:20 112:14 assessments 54:4 111:23 assist 37:11 assistance 101:6 associate 10:2 114:6 associated 42:6,16 42:17 53:3 156:25 associates 160:15 association 91:11 94:5,7,15 95:2 137:13 associations 134:3 136:7,12 137:10 assuring 97:11 attach 53:18 62:9 63:7 attached 21:9 82:12 attack 47:15 attempt 16:14 31:1 33:5 58:12 72:20 101:12 148:5,10 158:2 attempting 127:6 attempts 65:17 attend 14:21 attention 12:15 29:11 33:18 34:12 59:21 103:16 106:2
---	---	---	---

147:5 attestation 27:2 60:12 67:5,12 68:1 69:12 attestations 60:5 attorney 6:1,9 7:14 10:25 11:8 89:13 attorneys 64:7 93:13 110:25 112:20 117:20 118:6,7,11,16 155:20 attract 106:2 audience 2:20 30:14 audit 23:7 37:9,17 37:20 92:9,10 audited 19:6,17 35:21 auditing 90:12 auditor 7:3 8:18 23:10 auditors 30:16 31:22 78:6 90:12 audits 23:11 35:20 37:12 august 99:6 124:12 126:3 129:10 160:12 authorities 73:8,9 authority 7:4 76:14 86:18 88:25 89:18 91:13 93:5 126:16 126:21 127:22 128:9,10 129:17 130:2,8,17 133:1 145:24 151:9 154:8 158:8 authorized 147:20 148:13 149:9 150:1 150:12 availability 149:17 available 16:8,12 18:23 25:18 96:24 120:8 132:6 150:9 150:11	avenue 1:13 avoid 34:18 101:21 158:5 aware 12:17 56:25 78:22 141:21	backgrounding 125:10 134:1 backwards 126:5 bad 102:3 146:5 154:13 bailiwick 96:6 balance 148:10,10 151:12 ball 93:11 bank 125:19 banks 129:2 bantered 103:7 barbara 8:3 barriers 131:24 base 19:10 based 19:6 29:13 46:10 47:22 51:4,6 51:10 52:9,11 54:6 54:18,19,21 77:13 77:15 148:4 bashful 91:1 basically 15:11 23:17 36:13 70:9 79:16 119:9 128:15 basis 54:6 62:21 86:18 118:10 155:12 basket 44:11 bathrooms 3:4 battle 40:8 beach 5:2,3 beagles 62:4 bean 160:15 bear 138:24 becoming 81:25 began 14:8 begaye 6:8,9 beginning 14:7 54:17 146:6 147:3 begins 120:15 begun 16:2 122:1 144:10 behalf 12:10,10 62:12 151:24	behooves 70:13 believe 10:23 11:21 12:2 30:17 43:9 44:18 45:7,7 51:6 57:24 58:14 69:10 69:13 73:14,20 81:13 85:25 94:12 101:14 128:14 133:5 135:8 believed 48:5 believes 69:4 bench 114:16 benefit 52:14,14,15 52:16,24 53:7,8 bernalillo 160:2 best 12:3 45:21 73:21 74:2 85:23 87:11 96:10 101:17 112:2,3 114:21 138:23 154:20 bestowed 70:19 better 23:23 42:9 43:18 85:11 137:3 138:24 beyond 58:22 66:7 bigger 136:21 biggest 20:12,13 45:12 billingsly 71:17 binder 17:10 bit 20:3 32:13 34:21 121:3 122:16 138:8 140:1 159:6 black 17:18 99:25 139:22 blank 21:14,16 27:16,19 28:1 59:17 blanket 31:23 blanks 42:20 board 3:17 8:23 26:3 33:12 34:9 41:13 71:9 134:24 bob 3:17 bond 20:23 155:17
--	--	---	---

books 92:19 127:18 150:9 bore 14:1 born 9:23 boss 133:14 bottom 52:13 bound 37:23 break 3:6 12:9 31:10 43:15 48:8 66:12 96:4 118:22 137:25 138:3 brett 30:16 brevity 50:23 bring 32:18 33:5,18 34:11 45:15 48:2 57:24 59:21 72:20 73:22 82:20 83:3 101:13 102:12 113:21 115:2 139:25 148:5 156:12 bringing 115:6,14 brings 114:11 115:11 broke 140:3 broken 12:13,13 brought 109:1 131:7 bubble 75:8 budgetarily 32:20 budgeting 32:18 budgets 32:13 bulletin 84:23 bunch 125:12 143:12 burden 58:3 156:4 burdensome 11:19 99:15 122:22 145:4 business 42:4 80:8,9 87:19 126:23 140:14 149:19 152:3 154:10,12,25 businesses 81:8 127:6 button 13:10	buy 18:24 28:15,22 28:25 77:12,24 78:19 79:11 80:7 buying 130:16 c c 25:9,11,13 102:8 109:16 136:14 142:24 cal 158:17 calculate 37:18 38:19 calculating 22:15 38:1 calculation 19:10 23:19,21 36:2 134:21 158:18 calculations 20:5 23:4 24:25 34:25 calendar 19:8 20:9 42:24 california 95:23 call 20:14 44:13 77:1 86:1 134:14 138:19,20 140:11 140:13 146:12 156:1 called 119:4 145:24 calling 42:1 calls 120:21 capacity 70:14 card 149:10 cards 22:5 care 2:4 career 10:1 careful 76:13 152:21 carefully 39:21 56:14 carlene 6:5 carries 20:22 103:6 cart 17:9 case 12:8 17:20 59:21 64:23 86:12 87:16 90:3 94:21	98:2 113:11,12 118:10,10 151:24 155:14,15 cases 152:2 casino 1:12 2:22 7:18,18 8:18 70:8 93:23 casinos 41:21 cat 70:21 catch 152:12 category 40:24 caught 140:19 cause 38:16 63:10 78:10 104:15 causes 91:18,19 caution 38:11 153:7 ccr 1:21 160:5,14 centered 58:8 centers 82:23 central 1:13 141:17 century 28:3 123:19 certain 27:25 49:24 59:8 73:11 106:25 111:12 118:15 130:13 131:2 143:20 145:18 154:24 certainly 12:21 17:19 21:19 22:8 23:6,9 24:1,4 28:9 29:5 31:3 37:10,24 55:9,12 56:16 64:11 69:22 93:24 104:3 133:3 138:10 139:14 certainty 32:18 100:7 certificate 160:4 certified 112:6 160:5 certify 63:6 160:7 cetera 19:9 56:6 72:5 125:17 chair 1:18 2:1 4:5 5:23 6:18 8:23 9:10	9:15 10:22 11:14 21:25 26:11 29:22 30:3,10 33:12 35:12 38:8 39:2,6 40:15 43:1,7 44:15 47:24 48:13,18,24 49:11 50:2,23 51:13 52:2 52:21 53:23 55:6,13 56:7 58:22 61:15,23 62:3 63:19 66:3,7 66:14 67:3,13,22,24 68:6,11,13,15,22 69:25 72:7 75:3,14 76:13,17,23 77:2,6 79:18 80:24 81:17 87:13 89:12 90:9,15 95:20 96:10 100:17 100:18 102:20 103:11,23 104:1,12 104:17,21 107:3,5,8 108:12,18,22 109:2 109:11,20,24 110:4 110:7,12,15,20,23 113:1,4,10,13 114:6 114:6,10,11,14 115:4,11,23,25 116:17,21 117:4 125:16 131:20 133:10,15,17,21,23 135:19,20 136:3 137:23 138:6 139:2 139:5,9,12 140:9 141:11 142:21 146:20 148:20 149:23 150:5,20,25 151:15,20 153:15 157:7 chair's 66:6 67:6 98:25 105:4 107:5 chairman 4:22 72:4 105:15 108:15 chairperson 55:11 chairs 4:17 55:14 103:20
--	--	--	---

chairwoman 1:18 12:10 challenge 85:22 challenging 82:17 82:22 chance 56:23 change 19:11,19 20:12 22:13,16,24 22:25 31:23 32:4 34:16 39:3,7,14 81:15 135:17 143:7 158:3,5,7,8,10,17 changed 24:24 27:7 45:4 121:21 156:7 changes 20:9,13 26:5 60:13 75:4 84:7 134:25 135:11 146:22 changing 134:17,20 157:11 charge 120:21 charles 3:10 5:8 chavarris 9:9,10 checked 102:25 cherish 40:21 cheryl 7:15 chestnut 6:24 chewiwi 7:5,6 chickasaw 9:22 117:14 chief 131:1 chin 7:14 89:14 chino 6:5,5 chiwiwi 46:20 choice 98:21 choices 111:12 choose 107:23 112:23 156:23 chooses 26:20 chris 8:17 church 137:5 churn 89:3 circulated 30:22 32:3	circumstance 103:4 118:3 circumstances 55:10 107:2 citizen 62:15 city 76:7 civil 111:19 clan 136:18 clara 8:15,18 9:10 9:11 49:2 clarification 20:4,7 68:9 74:6 125:3 127:23 149:16 clarify 15:20 23:25 35:5 111:4,19 124:23 127:18 158:5 clarifying 20:2 49:12 128:9 clarity 36:3 51:17 51:18 52:18 102:12 139:25 clark 1:21 86:23 160:5,14 class 18:19 29:7,10 29:14 37:7 81:20,23 82:10 85:15 87:18 88:8 124:24,24 128:10 159:3,4 classification 71:10 71:23 classifications 44:5 clauses 157:5 clear 17:24 22:10 23:14,22 32:11 35:10 37:4,6,10 38:2,6 40:22 50:21 60:4 61:20 63:12 73:21 79:3 89:18,22 90:4 95:23 100:12 101:1 118:6,11,16 118:18 140:5 144:13 clearly 22:6 38:25 41:16 106:10	117:24 clinton 4:25 close 60:21 126:3 129:9 closed 24:3 27:21,25 28:8 59:12,17,25 61:1 147:1,2 152:17 closely 37:20 101:16 closer 50:6 57:24 closes 27:10,14 99:6 closing 59:5 closure 27:14,15,18 27:19 59:15 61:7,25 62:1 99:3 104:9 107:23 108:1 116:16 129:3,4 147:8 148:6 152:7 closures 59:4,9,10 59:14 60:18 61:16 104:6 147:11 cochran 1:18 2:1 4:5 9:15,22 10:22 11:14 29:23 30:3,10 35:12 38:8 39:2,6 40:15 44:15 47:24 48:13 49:11 50:2,23 51:13 52:2,21 53:23 56:7 61:15,23 62:3 63:19 66:3,14 67:3,24 68:11,13,15,22 69:25 72:7 75:3 76:17,23 77:2,6 79:18 80:24 81:17 87:13 89:12 90:9,15 95:20 96:10 100:18 104:1,12,17,21 108:12,18,22 109:2 109:11,24 110:7,12 110:15,20,23 113:1 113:4 116:21 131:20 133:10,15 133:17,21,23 135:20 136:3 137:23 138:6 139:2 139:5,9,12 140:9	141:11 142:21 146:20 148:20 149:23 150:5,20,25 151:15,20 153:15 157:7 codifies 22:3 cognizant 12:22 coleen 7:11 collateral 126:8,13 126:19 153:17,24 154:7,15 155:9,22 156:1,24 collect 52:15 54:12 54:14 55:20 collected 52:25 collection 55:19 collectively 57:21 83:3 come 2:23 6:1 10:11 16:6,17 20:5 27:12 28:24 29:9 31:9 40:7 55:21 56:3,4 61:11 71:16 72:15 75:17 85:19 88:9 90:10 91:15 92:3 97:12 98:20 118:6 120:19 131:25 135:14 146:13 147:5 148:8 150:18 156:10,14,25 comes 33:22 34:1,8 36:16 69:2 90:17 93:22 124:9 coming 9:20 31:6 39:12 43:5 46:9 56:13 71:15,17 84:2 114:15 comission 86:17 command 75:18 commencement 147:18 comment 16:5,6,8 17:8 24:5 28:7,12 29:21 31:2,9 34:20 35:17 49:3 69:21
---	---	--	---

78:16 86:7 96:2 99:5 108:13 112:25 113:1 114:9 124:11 133:16 145:6 148:23 150:6 154:14 commentator 158:12,16 commentators 158:2 commented 31:21 154:16 commenters 125:3 126:12 comments 2:18 11:13 15:16 16:15 16:16,20 17:12,16 17:17,23 21:18 24:2 24:4,9,14 25:22 28:9 39:12 42:19 43:16 48:20 56:11 56:13,18 57:6,7 66:15 70:15,22 71:25 73:2 76:20 77:15,22 78:24 79:10 80:2 82:3 83:12 84:7 97:7 99:7,13,19,23 102:1 109:12 110:23 111:25 113:20 114:1,20 121:10 126:2,2,11 127:10 127:12,21 128:6,23 129:9 134:19,24 135:13,14 139:14 142:22 153:16 155:5 157:8,10,25 commission 1:9,17 5:15 6:7,16,19 7:12 7:23,25 8:6,16,20 9:8,12,14 11:15 12:1,8 14:5,8,12,25 15:11 16:4 17:7,23 30:23 39:17 40:16 41:3 45:14 49:2	50:5 60:16,25 61:12 62:8,10 63:4,6 66:17 69:4 71:19 72:13 83:17 85:13 85:14 86:9,20 92:14 92:16 97:1,8,11,17 99:10 100:4,6,24 101:5 113:23 114:5 114:13 115:11,18 115:21,22 116:24 117:3 118:1 128:17 129:16 133:5 140:19 143:3,4 145:22 146:18 149:18 152:1 153:20 154:1 158:1 160:9 commission's 34:12 73:6 75:24,25 147:19 148:13 149:9,21,22 150:1 150:12 commissioner 5:20 8:2 9:6 50:18 76:4 105:22 113:7,9,13 114:7 115:1,3 117:9 commissioners 5:18 5:24 12:4 13:15 40:18 41:13 77:17 117:13 commitment 4:8 12:18 17:7 73:6 commits 17:22 committed 17:24 83:17 97:11 committee 82:24 84:5 94:9 common 46:22 86:7 112:8 123:15 commonly 119:4 157:19 communicate 108:11 communicated 105:19	communication 64:3 102:24 103:12 105:17,18 107:8 146:16 communications 103:1 104:14,19 communities 41:16 community 7:14 8:23 89:14 compact 34:1,24 60:11 87:25 88:3 89:2,21 90:14 92:10 93:22 125:22 compacting 82:6 87:17 89:23 compacts 88:1,19 89:16 90:2 91:4 92:7 companies 81:11 company 130:12,13 130:15 compare 21:7 compel 152:3 compelled 63:10 complete 63:8 104:5 121:22,22,24 122:2 122:25 completed 124:25 completely 72:13 78:15 compliance 7:16 9:3 45:15 46:21 48:2 60:8,12 73:23 97:11 97:12,17 98:4,8,20 101:2 108:4 110:18 complicated 23:20 23:21 36:17 complied 60:6 comply 37:22 38:4 109:23 110:18 124:8 135:9 140:7 comps 36:20 comptroller 19:4 computer 81:11	conceivably 100:3 concept 83:24 102:2 117:15 153:2 concepts 91:15 concern 39:18 40:3 40:11 69:21 78:13 97:23 98:5,18 99:14 101:4 104:2 106:7 106:16 109:19 120:4 126:18 127:25,25 135:1 142:4 concerned 29:12,17 40:9 45:14 123:10 132:11 141:4,5 142:8 148:9 concerns 22:22 23:2 24:14 71:4 99:13 101:17 114:18 125:2 131:25 132:9 134:17 135:15 concise 119:9 conclude 158:21 159:1 concluded 128:15 128:19 147:16 conclusion 37:20 147:12 conclusions 33:15 condition 61:13 conditions 59:9 conducted 27:3 57:19 125:17 conduit 132:17 conference 107:14 confirms 73:2 conflict 39:22 76:16 130:18 confronting 48:2 confused 36:23 confusing 20:3 50:9 confusion 158:6 congress 89:4 91:21 connotations 103:7
---	--	---	---

consensus 84:1,3,15 consider 50:10,11 102:9 116:2 119:17 157:11 consideration 31:24 55:9 149:5 considered 17:8 56:14 59:14 considering 17:17 36:12 132:10 155:22 consistent 22:14,19 22:21 33:7 34:2 35:10 48:19 77:21 109:4 124:2 134:23 157:20 158:4 consistently 154:9 consolidated 99:17 consternation 90:17 91:20 constitute 59:15 160:7 constituted 105:6 constitutes 59:14 constrain 98:24 construction 27:2 57:18 60:6 construed 126:22 consult 82:1 105:5,8 consultants 128:2 consultation 1:10 11:16,19 14:4,4,19 14:24 15:1 24:6 28:11 58:18,20 70:6 70:8,12 72:2 73:22 73:25 101:6 106:5 106:14 108:6,9 consultations 11:20 14:11,16 16:19 46:5 46:18 58:7 72:21 79:1 consults 15:7 69:13 contact 63:13 112:16	contain 109:22 110:11,12 157:4 contained 26:24 98:12 121:6 155:17 contains 145:3 contemplating 107:7 contentious 127:14 context 151:4 continue 29:14 31:8 41:19 43:3 54:11 67:22 94:3 99:24 108:1 154:1 continues 31:18 42:25 contract 99:22 129:14,19,24 134:21 155:11,18 155:23 contractor 124:24 125:11 contractors 119:2 128:2 contracts 126:9,14 126:24 129:2 131:10 154:3 156:2 157:12 control 8:23 33:12 34:9 35:3 76:5 controls 18:20 convene 48:9 convenience 149:18 149:21 150:1 convenient 150:2,11 conveniently 150:24 conversation 102:6 104:4 110:8 138:9 conversations 43:4 44:23 45:3 158:24 conveyed 61:19 copies 143:3 156:12 156:13 copy 93:15 129:22 130:5 139:8 156:17 156:18,19,19	corporation 109:6 correct 44:19,20 51:19 66:13 87:1 101:25 134:10 157:13 corrections 74:13 corrective 98:19 correctly 11:22 cost 42:6,16,17 52:1 112:11 costs 142:4 council 3:15 5:1,3,6 8:4,8,10 councilman 3:10 9:19 30:9 councilmen 30:4 counsel 1:18,19 5:12 6:21 8:22 10:5,7,7 10:25 11:8 33:11 63:13 118:9 131:22 counsels 118:7 country 13:13,13 29:11,18 39:21 40:20 46:4 57:5 59:20 72:16 77:20 91:25 92:22 102:7 155:14 county 81:13 160:2 county's 86:23 couple 2:4,5 19:1,2 19:22 28:21 41:1 64:4 121:7 138:14 course 13:15 33:17 40:19 41:18 42:18 42:24 52:22 66:5 71:16 131:16 139:21 141:1,19 147:6 151:11 154:6 158:24 court 62:18 63:11 88:14 91:17 93:11 153:3 155:8,12 160:6 cover 76:1 97:3 111:19	covers 96:23 118:23 120:10,11 cpa 47:15 create 31:25 90:7 91:6 125:23 156:5 created 32:12,19 creative 83:23 credibility 86:16 crime 132:24,24 criminal 141:18 crit 87:16 88:7,13 89:10,17,24 90:3,3 91:5 95:5 critical 94:7 crosswired 78:9 cumulative 154:21 curious 90:11 141:9 current 26:8 39:11 39:15 58:14 70:6 72:20 75:9 82:13,23 93:9 124:3 143:7 currently 11:8 14:15 15:25 16:12 39:3,9 67:15 68:4 82:19 157:14 cushion 46:11 cut 69:20,22 77:9
			d
			d 102:17,20 136:15 dah 7:18 daniel 6:20 darwin 9:3 database 122:21 date 19:16 daunting 13:7,14 david 6:25 35:15 43:22 51:17 day 16:5,7 17:1 18:8 18:13 24:5 26:11 28:3 32:10 42:24 43:6 47:10 50:13,18 52:5,8 53:24 55:1,4 103:13 145:12,13 158:19 159:11

days 12:13 21:2,9,24 26:9,12,17 27:9,19 28:12 42:16,17 47:6 47:7 52:7,7,19 53:14,17,25,25 55:3 55:4 58:14,15,23 59:25,25 65:9,14,24 66:4,5,7 120:15 121:16,18,20,20,25 123:3 137:20 dc 11:1 106:20 deal 33:20 34:14 42:8,11 47:11 70:16 70:17,17 79:17 94:14 dealing 11:9 34:7,13 38:18 70:19 74:11 85:13 130:11 dealings 154:11 deals 71:6,10 110:25 113:6 death 14:1 debate 29:3 78:10 89:3 95:25 debating 88:21 decided 93:1 128:16 145:15,18 146:3 decides 109:20 110:5 120:18 decision 32:9,11 51:7 55:12 58:24 63:9 68:23 84:24 115:5,7,8,17,17 116:8,14 117:5 123:13 126:23 139:24 155:6 decisionmaking 17:25 44:25 decisions 13:17 18:4 58:15 73:18 116:17 116:25 153:11 154:12 declare 137:4 decrease 122:18	deduct 23:14,18 37:1,1 deduction 37:3 deem 40:2 157:1 deems 68:6 defend 86:4 deferring 73:15 define 23:23 32:2 129:12 134:20 135:15 defined 40:4 73:7 108:18,19,24 157:14 defines 114:5 defining 134:20 definitely 40:11 43:24 151:1,11 definition 22:12,13 22:17,17,19,24,25 23:1 31:20 32:4,25 33:14,21 34:21,22 34:23 36:13 37:22 38:3 39:18 40:4,5 79:20 134:15 135:2 135:7,9 148:18 151:19 157:11 158:5,9,10,11,12 definitions 33:25 34:15 35:3,8 40:10 56:24 134:14,18 delay 62:18 99:15 103:23 106:15 139:22 delegates 3:11 deleted 74:12,25 75:7 deletions 75:1 delinquent 42:5,25 44:9 48:1 52:4 deloris 3:14 7:2,3 delving 134:13 demand 75:15 76:14 demanding 12:22 demographics 71:13	deny 146:6 department 6:11 23:7 37:9,17,25 47:4 55:18 64:5,7 64:16,18 151:24 depend 108:4 depending 104:7 deserves 12:16 designed 43:2 97:22 101:24 designees 14:21 details 64:6 87:21 87:24 determination 64:16 65:20 143:4 145:2 determinations 58:13 64:11,22 111:23 112:13 155:9 determine 25:9 155:12 determined 28:1 147:18 155:11 determining 15:5 54:8 developer 155:13 developers 128:2 developing 15:5 20:25 37:18,21 123:24 development 62:16 81:13 develops 38:11 devoted 72:13 dialogue 10:14 dictate 46:6 78:7 difference 35:23 67:9 122:16 different 15:12,24 26:11 29:18 32:5,6 33:19 35:8 39:1 42:8 48:25 56:22 70:18 74:2 95:22,22 104:9 124:1 138:15	140:4,23 differently 29:18 39:13 81:25 difficult 16:22 23:8 32:19,22 35:1,8 44:7 dilemma 33:23 ding 6:10,10 dip 118:10 direct 112:15 133:4 directly 112:4 director 5:14 6:6,15 7:9,18,22 8:15 9:8 49:1 directory 139:1 disagree 94:10 disagreement 126:15 disapprove 126:16 disaster 136:21 disclosing 129:5 discourage 126:19 127:5 discretion 26:13,21 43:1 55:7,15 66:6 68:6 98:25 102:20 105:4 125:16 126:25,25 147:20 discuss 29:8 103:2 123:9 140:4 159:6 discussed 49:17,24 49:25 51:5 79:11 133:25 135:1 discussion 12:7 16:6 16:11 18:15 20:11 21:13 22:15 24:2 25:18 27:7 28:7 30:21,24 31:5,7,16 31:17,19 32:3 39:2 39:8 41:24 49:23 57:4,8,10,23 58:6 59:1 68:23,24 82:19 82:23 83:12 84:10 84:12 95:20 96:23 97:9,15 98:15 99:5
--	---	--	---

101:14 105:3 108:20 111:4 112:21 118:22 124:12 127:13 131:21 135:22 138:1 142:25 146:21,23 147:7 155:4 discussions 13:12,22 46:4 58:8 68:12 90:10 92:15 94:3 117:20 131:23 139:18 149:6 dismissed 151:25 152:2 disposal 36:22 disputes 90:19 158:6 distinct 147:11 distinction 21:21 district 5:11 151:23 divided 15:11,22 119:22 division 37:20 88:17 divisive 88:15 document 62:9 63:5 63:18 documentation 66:23 67:7,7,14,17 67:23 68:3,4,19 71:8 documents 18:2 28:5 63:8 67:21,25 111:25 112:12,19 119:13 123:20 128:11 doi 65:22 doing 33:6 47:21 66:11 69:19 72:14 72:19 88:6 107:25 138:12,14,22 140:14 doj 141:21 dollar 21:5 51:9	domain 56:16 dominated 84:5 door 3:5 63:25 double 94:16,25 draft 16:14 18:16,22 18:25 19:12,13 20:11 21:13 22:15 23:3 24:3 25:18 26:4,15 27:7,16 28:7,15 29:5 31:7 31:18 32:3 39:2,8 41:24 42:10,13 57:6 57:23 65:16 75:6 96:23 97:3,15,16,20 98:15 99:5 100:10 106:10 111:9 113:24,25 114:19 115:12 124:19 126:5 128:14 135:10 149:24 155:3 drafted 127:9 drafting 14:15 15:8 15:22,23,24 drafts 16:6,11,13,18 30:21,24 124:10,12 drag 62:18 draw 33:3 120:7 drawing 26:3 drew 103:15 due 51:3,7,10 57:6 99:16 100:13 105:6 111:10 dues 136:14 137:12 duly 6:18 dump 76:6 duplicate 121:4 131:12 duplicative 11:18 duration 27:19 duty 132:24 e e 112:12,18 122:22 123:22	eagle 8:11,12 earlier 11:23 54:5 70:3 74:7 110:8 134:16 135:1 early 14:1 60:21,22 138:2,8 ears 13:25 easier 35:5 121:3 easy 137:8 142:1 echo 1:18 11:4,6 13:24 24:18,20,23 25:2,5,8,14,16 34:18 36:10 46:24 50:20 51:5 54:16 64:4 65:6 74:14 75:5 89:15 92:11 96:20 106:3 113:19 115:9 118:23 130:24 134:12 136:22 143:6 151:3 economic 4:7 81:6 81:12 ed 7:13 eddie 7:8,17 edits 75:6 edward 89:13 effect 61:9 88:2 101:1 104:24 110:13 154:21 effective 53:22 108:5,6 efficiency 125:23 effort 121:4 egregious 47:17 75:13 99:2 106:17 eight 142:24 either 35:5 42:3 52:24 61:25 65:5 109:18 110:3 121:19 123:1,3 132:4 146:2 elders 4:16 elected 104:15 electronic 122:20	electronically 28:5 123:20 elements 63:6 elephant 82:16 eleven 11:22 eligibility 145:2 eligible 64:17 elijah 8:14 49:1 eliminate 68:3 eliminated 58:4 99:20 elimination 68:24 else's 71:22 76:6 emphasis 35:19,24 35:25 emphasize 14:25 employ 80:9 employed 146:3 employee 119:25 120:13,17,17 122:4 141:3 142:11 143:10 employees 45:18 73:18 95:1,1 119:1 119:11 136:6,12 140:17 142:9 143:22 employment 144:2,9 emptive 105:15 empty 62:24 63:15 enacted 26:2 48:16 encounter 82:18 encourage 31:8 36:19,22 56:10 encouraging 115:2 ended 41:8 endorse 92:5,7 endorsed 91:4 ends 19:9 enforce 150:16 enforceable 91:6 enforcement 97:6 97:13,21 98:15,16 98:24 101:3,21,22 128:17 147:19
---	---	---	---

engages 111:20 enjoy 96:8 ensure 41:21 67:19 111:10 154:21 enter 16:3 148:13,16 entering 129:23 149:10,18 enterprise 6:22 7:16 entire 82:17 entirely 77:18 entirety 48:22 82:14 entities 60:9 69:6,7 92:3 154:24 entitled 120:6 entity 60:10 93:25 94:2,4 109:7 125:18 entry 148:11 environment 27:4 57:20 66:22 67:20 environmental 68:17,17,18,19,21 71:4 environmentals 71:23 epa 69:1,6 ephs 58:4 equaled 155:17 escalated 21:5 especially 64:12 132:10 141:6 essence 34:4 essentially 114:11 establish 15:6 established 80:19 establishment 152:18 estimated 15:15 et 19:9 56:6 72:5 125:17 ethical 117:14 evaluate 108:4 evaluation 62:14 events 140:5 everybody 5:2,8,10 5:13,16,19 10:20	43:10 137:4 151:19 151:22 evidence 137:4 evidenced 136:13 137:10 evident 81:25 exact 36:15 140:25 exactly 61:15 110:7 118:2,12 examination 133:7 example 23:17 examples 63:14 77:4 exceeded 73:12,12 excellent 110:21 excess 68:3 excited 12:1 excluding 135:6 157:21 excuse 42:13 45:4 136:2 159:4 executed 147:24 executive 5:14 6:6 6:15 7:9,22 8:15 9:8 15:2 49:1 72:14 73:24 exempt 59:7,13 exercise 118:3,14 125:16 133:1 153:8 existed 48:23 existing 11:16 48:15 48:22 57:21 61:13 66:11 74:19 150:7 expect 43:10 expected 102:11 expedite 103:12 expedited 26:13 151:6 expeditiously 83:5 expense 121:5 141:13 expenses 135:6 157:18,18,19,20 expensive 45:1 experience 17:9 62:19 78:17 85:3,5	86:4 111:11 113:10 expertise 69:16 73:16 experts 69:5,5,7,13 73:1,11,14,15,16 expires 27:10 28:19 160:15 explain 38:21 explained 41:6 explaining 45:10,17 explanation 45:3 71:5 explicitly 153:25 explored 136:7 137:2 extend 58:22 111:16 153:2,10 extends 152:24 extensive 12:12 135:21 extent 132:13 external 159:4 externally 24:10 extraordinary 107:1 extreme 45:11 85:12 141:15 extremely 130:23 f faces 4:12 9:17,18 11:3 facilitated 85:20 87:11 facilitative 84:11 facilitator 84:11 facilities 27:21 40:21 46:12 57:19 59:3,4,16,22 60:7 61:5 149:12 facility 18:21 25:17 26:6,9,18 27:3,13 27:24 57:2,16 59:11 60:24 65:3,7,13,14 65:25 66:12,24 67:5 71:13,20 74:15,17	74:18,19,24 97:10 124:24 149:11 facing 40:23 95:25 fact 27:16 86:13 113:15 116:6 135:14 143:24 151:22 factors 15:14 46:22 49:16 failed 52:3 144:4 fails 21:23 failure 21:23 fair 34:3 42:23 46:17 103:18,22 107:15 111:13 115:6 fairness 46:5,16 fall 86:6 89:5 fallen 89:20 familiar 9:17 10:13 77:11 123:13 family 27:1 fancy 11:4,4 far 9:16 32:1 44:22 45:13 79:19 100:24 130:6 134:10 141:18 favor 86:10 113:14 154:6 favorable 32:1 favored 154:3 fax 111:22,24 112:3 fbi 124:17 131:23 141:20 fe 9:24 fear 31:21 february 19:15 79:10 federal 14:20 15:2,6 15:6 26:25 27:1 32:22 62:18 63:10 72:17 78:5,8,17 79:19 86:14 87:3,3 153:3 154:16,17 155:8
---	---	---	---

federally 80:20 125:19 fee 18:16 19:5,14,15 20:6,6,6 21:9,15 23:4,6,11 37:7,12 41:24 42:12,21,22 43:25 45:15 46:13 51:3,23,23 52:6,15 64:13 82:8 feedback 19:24 31:7 31:17 34:18 42:21 59:18 158:14 feel 9:16 79:12 101:3 145:9,9,21 fees 19:10 20:15,19 21:2,15,22,23,24 22:4,7,10,15 23:13 25:10 31:15 32:10 33:2 36:24 38:1 39:24,25 41:6 43:5 43:10,11 44:10,21 45:1 46:9,9 47:19 49:4 50:3,6 52:24 52:25 55:20,21 56:2 56:3 77:18,19 81:8 82:11 94:17 111:17 131:17 135:6 157:21 158:18 felipe 8:20 66:17 felt 42:8 129:21 fernando 8:7 fewer 44:22 field 1:19 10:21 28:17 138:19 figure 34:10,11 66:1 91:23 101:17 129:23 figured 34:5 file 62:17,20,23 63:7 63:15,17 156:5,11 filed 151:25 files 100:2 filings 155:8 fill 62:20 119:13 122:23	final 16:10 17:22 18:1,3 77:8 81:19 98:16 101:19 116:25 117:4 134:12 finally 16:9 18:24 27:6 29:7 124:3 129:11 finance 23:20 37:25 47:4 financial 32:7 34:10 37:25 38:22 42:3,6 95:8 financials 19:6,18 find 16:22 50:8 55:10 58:22 76:7 83:2 84:13 130:20 131:5 136:17 138:18,22 140:6 152:15 finding 83:14 84:18 84:19 128:20 147:1 147:1 148:1 fine 36:15 38:5 41:9 42:6 45:20 53:3 107:25 finer 56:1,4,6 fingerprint 22:4 124:13,15,15 fingerprinting 22:5 finish 83:19 133:13 135:25 finished 133:11 firm 4:8 firmlly 12:17 first 2:8 4:13 7:1 12:5 14:12 15:7 17:1 19:3,3 30:18 31:11 35:16 40:16 54:23 57:14 96:21 97:16,18 101:2 107:7,13 111:4 121:7,7 127:16 147:3	fiscal 19:6,8,9,11 20:10 32:17,25 33:7 fit 56:24 five 15:12,12,12 18:10 42:13 44:1 58:25 67:3 71:12 89:4 92:17 100:3 156:4,5,6 159:2 fix 90:7 91:22,22 124:7 fixed 93:8 109:21 flag 143:16,17 flags 143:21 flat 50:14 flesh 131:24 flexibility 107:3 floating 155:14 floods 59:12 floor 31:11 43:16,19 78:23 flows 53:9 fly 106:19 focus 39:1 fodder 112:20 folks 34:10 38:22 79:17 81:9 follow 25:19 38:2 48:6 78:7 80:17 88:10,11,19 92:7 151:3 follows 9:25 food 96:2 footnoted 75:1 footprint 75:21,22 76:2,4 footwork 83:5,13 force 91:11 150:17 forcing 38:14 foregoing 160:7 foremost 2:8 4:13 101:2 forget 143:23 forgot 37:16 144:10 form 12:3 16:15 42:2 57:6 91:11	111:18 119:14 122:23 123:24,25 133:2 146:10 formal 45:23 99:14 111:5 formalize 22:6 119:4 formalized 119:21 formalizes 22:3 123:17 formalizing 119:20 formats 124:1 formed 15:13 former 30:7 41:3 50:7 118:8 formerly 74:14,15 75:9 forming 85:21 forms 136:13 137:11 forth 114:15,15 115:24 131:13 140:18 146:10 forum 113:17 137:18 forums 136:16 forward 2:16 4:9 10:14 11:13 14:6 28:6 89:25 93:20 94:1 98:21 99:6,16 113:22 114:12,20 115:2,6,11 133:12 143:3 144:3 159:8 foster 81:12 found 3:3 10:4 13:10 122:7 four 18:6,9,9 58:25 67:4,25 96:7,25 110:24 118:21,23 121:9,9 125:8,15 129:12 135:20 139:12 156:3 fox 155:7 frame 26:6 27:23 61:17
---	---	--	--

frames 98:17 100:6 frankly 103:20 free 33:19 34:8 38:19,19 131:18 133:22 156:19 freedom 141:24 142:6 frequently 23:12 35:7 friend 104:25 fringe 91:15 front 26:4 33:2 100:4 126:5 146:7 154:25 full 63:8 113:22 116:24 118:8 fully 95:6,6 funded 77:17 80:20 funding 41:19 156:16 further 3:2,24 36:7 65:1 68:7 101:21 105:3 117:3,3 128:22 139:22 147:1 148:3 149:5 future 47:21 124:5,7 132:15 138:25	7:19,23,25 8:2,6,15 8:20,25,25 9:6,8,10 9:12,14 19:11 20:8 22:14,20 25:9 33:12 34:9,22 36:13 37:19 39:17 40:24 44:10 44:13 45:6 49:2 50:5 52:16 53:4 57:18 60:16,24,25 61:12 62:8,10 63:4 63:5 64:2,17 65:2 66:17,23,24 73:11 73:11 74:20 75:23 75:25 80:1,4,16 83:9 85:13,14 86:8 86:16,17,20 87:2,6 90:6 94:15 95:2,11 95:14 118:8,10 129:16,17,17 130:1 130:7,17 132:25 133:5 135:2,3,3 136:22 140:16,19 143:5 145:8,22 146:18 148:2,14 149:10 150:10 152:17 157:15,16 157:17,18 160:8	generalized 155:5 generally 11:1 36:14 49:9 119:19 generate 125:13 generated 13:11 44:6 80:20 gentleman's 65:1 gentlemen 4:21,25 george 3:16 8:5 getting 21:7 31:17 70:22 83:18 84:19 94:17 116:25 117:1 117:1 133:4 134:13 giant 17:10 gist 70:12 give 12:15 13:19 31:1,2 43:17 45:21 63:14 65:9 75:22 77:3 79:15 82:3 102:18 107:3 108:22 117:25 134:2 152:3,10,14 153:7 156:17 157:24 given 4:1 15:1 46:21 49:7 59:15 60:18 70:9 93:9 153:13 158:25 gives 79:16 132:17 giving 46:11 76:13 glad 100:21 glen 8:12 glitch 122:7 go 2:7 3:5,24 16:2,8 18:8,25 28:17,17,21 28:25 30:19 32:9,15 32:20,23 36:6 38:22 43:15 47:15 49:16 50:17,18 52:18,25 53:1,6 54:25 55:22 56:5 63:10,25 66:4 69:15 70:11,25 75:16,18 76:7,14,23 82:1 84:23 85:24 86:23,23 90:24 94:9	94:16 95:2 96:5 99:25 101:2 112:23 114:5 115:10,15 117:3,11 118:20,22 121:19 131:13 133:7,12,13 135:23 136:1,4 138:7,20 144:2 145:19 147:10 150:17 156:20 goal 41:23 48:3 97:17 100:11 101:9 goes 76:3 115:13 116:1 going 2:7,15,17,25 4:12 10:16,18 12:2 13:8,18,19 16:4,7 18:6,14 27:24 28:19 28:20 31:11 32:2 33:13,16 34:9 38:23 39:25 40:8 48:8 49:9 50:12 51:2,4,6 52:9,11 53:10 54:12 54:13 56:8 60:20 61:5,6,10,25 64:25 64:25 66:7 71:14 76:15,19 81:12 82:9 82:15,19 85:12 87:11 88:1 89:25 94:14,16 95:9,11,12 95:13 96:15,21,22 107:10 114:15 117:25 118:1,3,20 126:4 128:16 130:21 137:18 140:5 145:15 149:3 gomez 7:8,8 gonna 89:5 good 2:1,19,20,21 4:20,22,24 5:2,5,7 5:10,13,16,19,22,25 6:5,8,10,12,14,17,20 6:23,25 7:2,5,8,11 7:13,15,17,21,24 8:1,3,5,9,11,14,17
g	gap 32:19 34:1 garcia 6:25,25 7:11 7:12 35:15,16 38:10 39:5 43:22,22 50:25 51:11,16,17 52:4 53:20,25 63:22 64:25 66:10,16,17 67:18 68:8,12,14,16 69:23 70:1 79:23 gather 19:17 gaylene 8:1 general 1:19 6:21 8:22 10:7,25 33:11 35:21 42:20 53:1,7 53:10 56:5 57:13 69:24 82:2 118:7,8 131:22 157:3		
gaap 22:14,17,21,22 22:25 31:20,22 32:4 33:14,17,19,25 34:8 34:14,14 35:13,18 35:19 36:4 37:14,15 39:7 134:23 135:8 gallegos 6:17,17 50:4,4 74:5,6,22 75:11 109:14,14 110:1,11,13,16,22 149:14,25 150:14 150:23 151:13 game 65:5 gaming 1:9 3:12 5:15,18,20,23 6:15 6:18,21 7:4,9,12,16			

8:19,21,24 9:2,5,7,9 9:13,15 10:20,24 11:6 14:3 30:6,8,10 30:11 33:9,10 39:16 41:7 42:19 44:16 45:8 49:11 50:23,25 53:13 69:19 71:20 89:6,8 92:5,24 95:19 96:13 102:2 102:13 104:19 110:5 112:24 121:19 130:25 137:5 138:22 147:9 154:13 goods 28:25 gotten 30:21 36:17 158:15 governing 92:20 government 14:20 14:24,24 15:6 72:17 78:18 81:7,10 94:11 102:23,23,25,25 103:10,10,12,12,19 104:14,14 141:6 151:9 154:17,18 government's 81:6 governments 14:19 14:20 governor 2:13,15,19 2:21 3:10 4:2,5,6 5:9 6:25 7:1,5,6 30:7,11 35:15,16 38:10 39:5 43:22 51:15,16 52:4 53:20 53:25 63:21,22,22 64:25 66:10 69:23 70:1 72:10 74:4 79:23,23 graduated 50:7 grammatical 62:4 grappling 92:14 great 4:3 11:1 42:11 47:13 59:3 62:4 85:21 91:13 92:16 131:14 132:2,3	153:7 greater 55:1 130:6 green 5:25 24:16,19 24:21,24 25:3,6,13 25:15 62:5,5 75:12 75:12 76:21,25 77:3 87:14 90:14,25,25 91:2 93:12 102:15 102:16 104:8,13,18 105:13 107:4 108:13,25 109:9 113:3,5 114:25 116:5 132:21,22 133:14 136:2,5,24 139:13 148:18 151:17,21 155:6 gross 22:13,20 34:22 36:13 44:6 135:2,3 157:15 ground 84:12 group 2:25 15:18,20 18:7,7,9,10,10,15,15 28:13 29:7,22 30:18 37:17 81:19,22 83:9 83:25 84:19 93:1 95:14 96:6,7,17,22 96:22 99:9,9 100:19 100:20 118:21,23 135:20 138:7 139:12 159:2 grouped 100:21 groups 12:6,14 15:13,13,21 18:7,8 62:15 grow 4:9 guarantee 99:16 guard 140:19 guess 33:23 38:10 43:23 44:2,13 51:25 52:10,13,17 53:9 54:8 63:24 64:25 69:15 70:2 105:2 141:6 149:16 154:10	guessing 71:21 126:22 guidance 3:25 29:15 35:5 62:9 63:5 105:11 guideline 37:18 94:23 guidelines 38:2 78:8 82:5 86:1 90:1 guiding 92:20,21 guy's 120:22 guys 123:12	hard 116:13 138:11 138:11 hate 87:14 96:1 havoc 32:14 hawk 1:18 11:4,6 13:24 24:18,20,23 25:2,5,8,14,16 34:18 36:10 46:24 50:20 51:5 54:16 64:4 65:6 74:14 75:5 92:11 96:20 106:3 113:19 115:9 118:23 130:24 134:12 136:22 143:6 151:3 head 66:14 136:20 148:15 health 27:4 57:20 66:22 71:5,23 hear 18:12 21:20 24:1,14 35:6,7 65:10 85:1 86:8 95:21,22 99:24 106:3 154:8 heard 17:17 19:3 34:20 41:1,3 46:24 47:13,13,16 82:2 97:7,7,9 99:19 113:20 114:23 127:2,12,20 135:12 141:10 143:22 hearing 29:6,19 46:15 52:8 99:21 113:9 115:16 120:6 123:9,12 heart 47:15 heavily 4:7 39:9 heavy 49:19 held 127:19 128:2 160:9 help 23:25 76:20 81:5,12 84:12 85:4 89:16 154:23 158:3 158:5
---	---	---	---

helpful 19:25,25 70:25 71:3 85:14 102:4 129:16 130:22,23 132:13 helps 34:4 hereunto 160:11 hesitate 16:23 138:18 hey 43:10 65:22 120:21 hhs 70:17 higher 15:20 42:7 hinton 4:20,21 hired 143:25 146:3 historically 90:18 history 43:23 44:1 45:22 72:11 144:7 hit 45:18 47:8,19 50:16 53:15 145:12 hogen 72:3 hogen's 70:7 hold 28:17 72:21 115:15 133:12 holding 152:4 holds 123:12 hole 17:18 99:25 139:22 home 9:23 10:10,11 17:11 159:7 homework 36:7 hon 7:18 honestly 80:21 hoops 125:12 hope 63:12 96:12 100:10 113:25 114:18 140:7 146:11 hopefully 12:14 83:4 100:11 101:21 121:3 122:20,22 123:19 138:7,24 hoping 2:5 12:4 28:3 hospital 47:15	hot 92:18 hotel 1:12 8:18 hour 72:8 hour's 70:9 72:5 hours 105:9 107:6 107:10 108:10 house 8:22 33:11 49:9 housekeeping 3:3 14:17 huge 40:11 61:6 93:21 127:23 156:11,22 huh 25:5 68:15 hurts 6:4	immediacy 104:7 immediately 106:18 156:24 immense 76:16 91:18 impact 29:13,17 32:1 39:19 41:4 64:24 68:21 impacts 31:24 59:19 81:24 impede 65:2,25 impeded 104:11 impending 90:8 implement 77:24 79:5 101:13 implementation 52:8 implementing 49:6 52:7 implication 65:6,11 implies 75:14,19 important 14:18,23 33:15,24 41:18 56:9 62:12 81:4 98:14 100:23 114:22 120:1 147:14 impose 80:6 imposed 79:4 80:1 inappropriate 112:18 incentive 56:6 incentivized 55:25 56:2 inches 156:5 include 23:3 32:4 38:3 39:24 42:11 80:7,8,15 100:25 111:16 114:9 143:13 147:25 149:2 153:5 included 35:3 37:2 37:22 97:18 98:23 99:1,9 111:18 116:21 120:16,24 121:11 122:14	124:6 125:4 127:14 127:19 128:19 142:24 147:3,15 154:16 includes 18:15 68:24 87:18 148:19 151:19 including 15:14 17:23 52:25 99:14 106:24 127:19,24 157:18 inclusion 20:14 143:4 income 46:8 136:14 137:12,13 incomes 137:15 incorporate 89:17 incorporating 82:8 increase 39:23 53:14 107:24 increases 53:15 increasingly 81:25 independent 69:15 130:1 134:2,7 indian 1:9 7:14 9:14 10:6 13:13 18:24 28:15,22,25 40:20 46:4 57:4,15,16 64:10,17,22 65:20 66:22 72:15 74:19 77:12,19,25 78:20 79:12,21 80:8 81:9 81:13 89:14 91:25 92:22 109:6 135:3 145:22 146:17 148:14,14 155:14 157:15 160:8 indians 89:5 indicate 15:18,20 98:5 individual 66:9 109:5 120:4 123:5,7 144:4 155:1 individual's 143:5 143:17
--	---	---	---

individually 12:15 31:14 individuals 71:18 81:10 142:7 151:21 153:8,13 industry 19:21 31:25 36:17 37:19 77:20 93:6 135:16 information 13:7,11 16:23,24 19:17 26:24 57:14,17 62:25 63:1 64:1 66:20 75:15,22 76:12 119:10 120:5 121:1,17,24 123:2 123:25 128:3 130:3 130:10,20 131:17 132:4,6,16 133:4,19 133:22 140:17,17 141:2,3,8,19,24 142:2,6,9,15 143:18 144:19,22,24 initial 16:13,18 37:14 74:17 116:17 139:14 initially 31:6 61:2 initiate 107:7,16 initiated 72:3,4 107:13 initiatives 3:12 4:7 inquire 106:1 140:20 inquiry 14:9 15:17 22:12 25:20 79:11 99:11 119:3 126:7 126:10 insert 38:13 inserted 148:12 instance 15:7 20:17 21:25 instances 143:21 147:16 instilled 72:2 institutional 125:19 131:24	instructed 111:9 integrity 38:6 intelligent 44:19 intend 101:20 intended 58:10,11 intent 43:18 47:20 48:1 57:25 59:6 65:17,18 67:17 68:2 106:8 111:4 138:20 intentional 43:12 interest 39:22 42:7 43:24 44:12 93:21 130:15,18 152:6 154:20,23 159:3 interested 19:4,5 29:6,19 64:15 84:16 interestingly 147:7 interests 43:22 85:3 127:5 interfere 89:2 interior 62:19,21 63:15,25 64:5,8,16 interior's 63:16 interjecting 137:9 internal 7:3 8:18 18:19 77:13 134:19 internally 16:16 20:24 24:9 32:2 49:13 51:8 64:21 80:5 100:9 104:4 113:20 117:1 123:21 133:24 139:19 143:15 144:13 interpret 135:17 interpreting 34:1 84:6 interruption 13:9 13:23 interviews 41:4 introduce 4:13,14 4:15,18,18 10:16,18 118:21 introduction 44:12 96:16	introductions 2:9 13:20 invest 88:24 investigation 119:11 122:11 125:1,17,21 128:16,18,24 129:1 129:3,6,7,15 131:10 143:14 144:8,18,21 145:3 146:25 147:2 147:8,16,17,21 148:4 151:11 investigations 62:22 62:23 131:9,12 142:19 151:4 investigative 145:20 investigator 1:19 9:3 10:21 investigators 129:19 investments 126:20 investors 125:19 involved 4:7 39:10 83:1 116:12 132:14 involvement 82:11 involving 90:6 104:6 ironic 70:4,10 isleta 7:7,10 8:4,8,10 9:19 10:2 143:25 144:1 issuance 26:17 52:12,22 74:17 101:11 108:10 122:6,24 issue 16:22 21:25 23:25 26:20 27:1 28:10,13,14 29:8,11 29:15,20 33:14 34:7 34:13,15 35:18 36:12 39:13 43:1 44:25 45:16 50:18 51:18 52:10 55:8,25 56:6 70:15,18,21,24 74:24 81:3 82:23 83:3,20 85:4 87:14 88:22 90:21 91:2,5 91:16 92:14 95:4,24	98:3,4,4,8,9,12,25 101:15,15 102:24 103:2,11,16,20 105:5 107:11,23 108:15,19 113:8 114:21,23,25 115:6 118:13,14 123:8 125:4 129:11 134:12 135:11,13 139:19 140:15 141:21 143:6 144:21 146:25 155:4 156:11,21,22 issued 24:12 26:16 29:5 41:2 44:17,20 45:5,24 99:4 103:5 103:6,25 104:16 120:2,5,9,10 121:12 122:12 123:6 152:7 issues 10:13 14:13 16:17 24:7 38:18 52:5 53:3 64:8 66:9 68:18 71:5,24 78:15 79:17 88:24 90:19 93:7 97:25 101:24 104:5 109:10 123:9 124:9 128:8 153:20 issuing 23:17 54:13 109:18 119:24 item 31:18 items 154:19 j jack 118:9 january 32:9 44:17 48:17 jennifer 1:19 10:24 jess 9:25 56:12 62:5 63:19 75:12 76:17 76:19 89:12,15 90:24,25 92:11 102:14,16 104:1,22 106:4 108:12,18 109:3 113:2 116:22 134:9,9 135:23
---	---	---	--

137:23 148:11 151:20 153:15,18 157:7 jicarilla 5:21 jicarillo 5:23 jim 9:7 job 1:24 89:6 137:3 144:3 jobs 136:25 joe 6:23 johnson 3:18 join 12:5 joined 30:4 joining 30:11 40:18 96:13 josephine 8:9 jr 4:25 judge 10:2,4 60:8 judiciary 116:11 july 1:11 jump 132:1 june 28:8 57:6 jurisdiction 75:24 75:24,25 88:8,14 89:1 90:4 91:18 94:20 108:16 132:23 151:22 152:2,22,23,24 153:8,9,12 jurisdictions 141:14 justice 6:11 151:23	136:6,11 kill 13:25 kind 28:6 31:5,19 39:22 49:16 61:21 65:5 72:10 77:16 85:8 86:12,25,25 88:17 95:4,16 97:2 99:18,25 111:14 112:6,19 116:12 117:15 122:13 132:16 141:5,25 142:15 151:3 155:2 kinds 20:23 56:1 71:18 91:6,14 143:10 king 136:18 kino 5:11 klc 1:25 klux 136:18 knew 73:2 103:16 know 4:11 9:21 11:14 13:4 17:12,16 19:7 23:4,9 27:21 32:7 34:5 36:20,21 36:25 37:15 39:9,11 39:25 40:4,12 42:1 43:23 44:7 46:1 47:9,11,17 48:3 52:2,12 56:8,25 58:11 59:16 60:20 61:3,10 63:16 64:13 67:19 69:1 70:1,5,9 70:11,11,20,22 71:2 71:14,14,17 72:1,23 73:22 74:3 76:3 81:12 82:15,25 83:23 84:16 85:2,15 85:16 86:7,20,25 87:2 88:20 89:19 90:20,21,23 91:8,9 92:21 93:6,8,15 95:7,24 99:24 100:2 102:11 103:1 104:7 105:19 106:8,19 107:19,24 108:3	110:1 114:8 115:25 116:11,25 118:8,13 118:16 122:23 123:20,21 125:12 128:25 129:2,15 130:5,6,22 131:3,8 131:22 132:2,2,9,17 132:18,18 133:24 134:1,5,6,9 135:13 135:23 136:23 137:6,7,19 139:13 139:23,24 140:20 141:9,14 142:13 143:13,16,20,24 144:13,15,19,20 145:2,4,16,20 146:6 146:8 147:8 149:5 150:15,16 151:7,8 153:18 154:8 158:19,19,24 knowing 44:8 knowledge 13:21 57:12 93:1 136:7 known 56:11 157:19 knows 102:10 ku 136:18	land 57:15,16 64:1 64:10,13,17,22 65:20 67:20 71:10 71:22 74:20 lands 64:12 66:22 lane 57:22 73:7 134:11 lanes 73:12 lang 84:4 language 27:5 58:19 59:7 61:18,19 79:22 104:23 106:24 115:9 117:22 118:6 118:17 128:19 147:25 148:12,22 149:8 150:7,8 155:17 large 40:25 84:1 157:4 larger 46:9 largo 5:19,20,22,23 late 20:16,20 21:1,2 21:15,22,22,24 41:8 42:12,16,17 43:19 44:21 45:1,15 47:6 47:6 52:3 111:17 158:20 law 6:24 10:4 60:11 64:23 lawsuit 62:17 lawyer 9:24 45:9 156:17 157:22 lawyers 91:18 96:6 151:2 lay 22:6 100:12 leader 6:1 105:16,25 leaders 4:14 12:19 72:25 103:19 104:15 leadership 4:16 12:18 84:2,3 104:20 107:12,16 lease 28:19 leave 13:3 76:10 84:22 100:24 105:1
k		l	
kansas 59:11 karen 1:21 160:5,14 karis 6:8 keep 28:6 75:20 84:13 94:11 107:21 107:25 108:2 129:5 132:24 139:5 141:19 keeping 13:14,15 kessay 4:24,25 key 21:21 119:1,11 120:12,17 122:4		lack 153:9 lacking 129:21 ladies 4:20,24 lael 1:18 11:6 13:6 13:18 30:3 31:21 49:12 81:20 96:15 96:15,19 100:18,22 118:20 133:11 135:24 136:20 139:13 140:3 142:13 lael's 48:13 laguna 3:11,17 5:6,9 7:4 8:6 laid 124:4 lance 1:19 10:20	

156:18 157:1 158:13 leaving 90:1 100:24 lee 1:21 160:5,14 left 3:18 21:14 46:2 59:17 61:17 83:20 89:23 111:6 126:25 157:2 legal 62:3 63:13 64:9,20 78:6 94:19 132:10 leslie 9:5,5 letter 97:23,23 98:4 98:18 109:18,21 128:18 139:20 147:8,21 letters 17:15,15,19 146:25 letting 135:24 level 147:23 levels 44:6 lewis 8:24,25 licensable 143:18 146:1 license 18:21 25:17 26:6,16,18 27:9 57:2 65:7,13,14 67:5,11,11 71:20 74:15,17,18 75:21 75:22 76:2,4,11 87:7 119:25 120:2,5 120:9,10,12 122:4,6 122:12,24 123:6,7,7 123:11,14 125:21 132:11,12 133:19 133:20 137:16,16 143:2,8,9 144:5,5,6 145:15 160:15 licensed 141:14 143:12,20,23 144:3 144:14 145:25 146:13 152:25 licensee 120:8,8 122:6 145:17	licensing 8:20 73:17 73:19 97:10 118:24 120:20,21 124:9 132:12 140:4 144:10 145:10 153:1 licensure 67:8 68:1 68:7 125:21 lien 152:5,15,19 liens 153:6 lieutenant 3:9 5:9 7:1,6 35:16 44:15 51:15 63:21,22 72:10 74:4 79:23 life 121:3 light 92:21 148:8 likes 40:5 limit 98:24 115:22 limitation 75:23 limited 76:11,12 83:16,16,22 93:10 93:10 107:5 149:20 limiting 149:17 line 21:17 25:14 33:5 38:5 42:14 52:13 58:9,10,25 102:8 120:7 121:9 125:15 142:24 147:4 151:7 lines 21:11 149:16 list 88:5 104:10 136:10,11,12 137:9 139:6 149:5 listen 76:24 litigation 91:20 little 12:10 20:3 32:13 36:20 37:7 46:11 50:6,8,21 72:23 109:16 110:2 112:10 121:3 122:7 122:16 138:8 139:25 151:14 158:1 159:6 local 60:10 86:17,21 129:17 130:1,7,17	locally 80:18 located 16:23 location 66:24 71:13 74:19 76:11 149:19 150:9 locked 93:21 lockett 7:17,18 long 3:4 60:20 64:19 83:19,20 112:9 137:1 158:19 longer 26:19,22 58:24 119:6 look 2:16 4:9 10:14 11:12 14:13 15:15 18:25 24:17 31:3,4 37:6 39:11,13 44:1 50:11,22 55:12 62:4 65:23 68:7 75:5,8 75:17 78:7 86:19 92:19 99:6 106:4 109:8 114:4,20 116:3 117:8 119:15 134:9 147:10 151:11,18 154:19 156:10 159:8 looked 22:16,17 37:19 39:1 45:3 69:2 78:1,2 79:18 79:20 156:6 looking 2:10 32:6 33:16,18 42:18 43:23 44:4 49:7,16 50:6 58:1 61:18 71:1,7 74:10 78:4 93:23 100:9,15 102:11 105:10 113:24 117:16,21 127:11 132:18 149:23 150:6 looks 68:20 loosely 41:25 loretta 9:9 lose 117:10 lot 9:17 11:2 13:7,11 13:12 15:14 19:8	20:20 26:24 30:19 32:12 40:3,17 49:16 50:19 69:3 70:22 75:6 76:2 83:13 85:2 88:18 99:13,13 100:20 111:6 114:8 154:9 157:4 158:25 lots 31:6 103:1 love 11:12 luarkie 2:13,19,21 4:2 luck 95:19 lunch 3:6 96:4,8,12 158:24 luncheon 96:9 lunchtime 96:3
m			
mail 112:6,12,18 122:22 123:22 mailing 112:11 maintain 39:8 41:19 128:7 maintaining 38:6 82:12 maintenance 27:2 57:18 60:7 major 140:16 majority 126:12 making 13:16 49:22 50:11 114:16 115:7 115:8,25 117:24 128:8 150:3 151:9 154:3 manage 32:19 management 99:22 119:1,1,12 120:13 120:17 122:4 124:23 125:10 126:9,14,24,24 128:1 129:2,14,18 130:11 131:9 134:21 135:6 154:2 155:10,11,17,20,23 156:1,15,15,16			

157:12,21 manager 136:17 managing 35:7 mandate 15:1 28:24 mandated 26:21 144:25 146:17 mandates 28:16 manner 23:2 27:3 34:3 57:19 72:22 77:20 83:15 84:21 118:18 manny 6:17 50:4 74:6 109:14 149:14 march 19:16 maria 7:24 marks 21:16 martinez 7:24,24 8:1,2 marvelous 91:3 match 23:17 34:25 36:20 122:8 material 30:19 materials 148:24 math 45:8 matrix 37:5 matter 15:16 40:8 81:5 83:14 147:17 160:9 maximum 50:15,16 50:16 maxine 8:21 33:9,10 35:17 39:9 79:7,8 81:1 maylenie 8:19 mean 24:3 27:13 28:8 35:18,22 36:8 38:11 42:7 44:4,7 47:16 49:15 50:19 52:13 60:22 61:3 65:4,4 68:18 69:6 70:10,21 74:23,25 80:13 85:11 86:3,7 94:12 95:5 100:3 104:8 105:3 107:6 107:17 109:19	110:16 129:22,22 130:6,22 131:10,14 133:24 134:10 136:24 137:5,8 146:6,14 149:25 150:15 152:25 156:4 meaning 147:11 meaningful 72:22 73:10 77:21 83:15 means 49:14 71:20 94:13 109:5 110:4 122:20 135:3 meant 65:7 132:13 measure 45:11 mechanism 89:9,11 101:20 116:9 120:16,25 122:21 132:3 mechanisms 36:21 55:20 98:11 114:12 media 136:16 137:19,20 meet 46:13,14 69:14 73:20 93:6,6 meeting 2:14,17 4:3 11:24 70:8 94:8 104:19 136:19 meetings 14:19,22 17:2 28:18 85:8 meets 100:12 member 3:15 9:22 11:7 30:14 69:9,10 94:6 137:6 members 1:17 3:17 108:21 137:11 membership 136:13 136:14,15 137:5,11 137:11,17 memorandum 64:6 memory 11:22 44:18,20 mentioned 38:16 141:22,23,23 158:3	mentions 48:14 mescalero 5:15 39:17 60:16 129:13 140:12 mesh 35:9 message 91:21 messaging 134:18 met 129:19 method 36:2 50:7 92:1 112:2,3 methods 36:8 mexico 1:14,21 9:24 10:5 33:20,21 34:8 34:9 38:17 40:13 56:10 146:9 160:1,6 160:9,16 mickey 6:10 microcosm 95:21 microphone 17:3 mics 29:7,8,10,14 81:20,23 82:7,10 86:1 88:2,9 89:17 90:12,13,20 92:21 93:9,17,24 159:4,5 middle 10:1 mike 5:17 29:25 mind 48:21 75:20 103:13 107:21 108:2 115:1 mindful 85:17 minimum 18:19 159:4 minority 80:8 minus 36:14 minute 138:3 minutes 31:11 48:9 72:9 mirrored 150:7 miscalculated 23:12 36:24 miscalculations 37:12 missed 3:20 60:14 mitigate 122:21	modernize 93:23 modifications 60:3 modify 106:6 107:3 moment 108:22 132:17 money 23:18 53:10 77:14 81:8 88:12 89:1 91:8,16 131:13 134:1 152:9,13,18 monies 32:21 53:4 155:13 montana 106:19 month 50:15,15 morning 2:1,3,6,14 2:19,20,24 3:25 4:20,23,24 5:2,5,7 5:10,13,16,19,22,25 6:5,8,10,12,14,17,20 6:23,25 7:2,5,8,11 7:13,15,17,21,24 8:1,3,5,9,11,14,17 8:19,21,24 9:2,5,7,9 9:13,15 10:20,24 11:6 13:25 14:3 18:14 30:6,8,10,11 33:9,10 39:16 50:25 96:18 97:9 158:22 morning's 81:19 motion 115:25 116:1 motions 115:24,24 mountain 4:22 5:1,4 5:12 7:19 9:4 mouse 70:21 move 12:16 20:10 28:2,5 58:13 65:19 84:15 94:1 98:21 117:5 121:14 123:18 143:11 moved 19:21,22 93:20 121:10 movement 142:20 moving 19:15,23 25:16 28:19,20 65:23 84:13 112:24
--	--	--	---

multicolored 75:7 multimedia 151:25 multiple 141:14 mutual 150:4	87:9 89:7,9 91:22 91:23 92:1 93:7,8 93:25 94:7 97:25 104:10 106:15,18 112:2 114:9 118:12 131:21 132:2,2,19 133:12 134:11 138:22 145:16 148:9 151:10,10 152:21 157:1 needed 2:4 86:2 99:17 124:23 129:12 139:11 140:7 needs 36:6 49:25 65:20 76:10,11 84:15 93:6 96:3 98:10 99:3 100:1,5 100:5,6,12 106:17 115:4 124:24,25 127:17 150:14 151:6 negative 144:7 neglected 30:13 neither 152:22 net 34:23 134:15,20 135:2,15 157:11 never 70:6,16,19 72:2 85:8 136:8 139:7 new 1:14,21 4:12 9:24 10:5 11:3 22:2 26:6,9,15 33:20,21 34:7,8 38:17 40:13 47:4 56:10 65:16,16 72:23 74:24 79:5 98:13 123:16 142:14 146:9 160:1 160:6,9,16 newly 26:16 64:13 nice 11:2 130:5,9 131:14 137:7 139:2 niga 3:12 nigc 6:3 10:7 15:7 17:18 20:16 26:9,16	27:8,9 32:10 36:6 38:21 39:23 40:5 44:2 49:10 52:5,14 53:1 55:21,22 56:13 60:25 62:13 63:24 64:5,6,10,15 65:19 68:16 70:19 72:4 79:17 80:1,5 82:8 82:10 87:18 88:6,25 89:10,19 90:7 92:2 93:3 94:17 95:3,12 100:1 102:25 103:20 121:16 122:11,19,24 123:1 123:2,4,5,10,15 124:16 126:7,15,20 126:21 127:17 128:4,15 129:19,25 130:6 131:15 133:19 136:9 140:22 141:1,2,8,25 142:3 143:8 144:24 145:8,13 146:24 154:10,17 155:24 156:5,12,18 158:8 158:18 nigc's 52:18 88:2 93:10 155:8 night 17:11 nine 42:14 nj340546 1:24 noi 77:22 124:22 148:23 153:20 157:10,25 nois 56:19 noncompliance 46:23 97:24,24 98:9 101:12,15,16 109:19,21 nonoperating 157:20 nonpayment 43:25 normally 42:5 nors 48:20	north 71:12 155:15 northern 151:23 northwest 95:22 160:16 notations 102:5 note 14:18,23 33:16 74:7 98:14 154:6 noted 19:12 98:14 151:1 154:23 notes 117:16 notice 14:9,9 15:17 16:1,9 20:21 21:3 22:1,11 24:5,13 25:20 26:6,9 27:7,8 27:9 28:10 30:25 46:21 47:9,19 52:5 55:6,8 65:9,9 79:11 97:13,24 98:9,17,21 98:25 99:3,11 101:12 102:19 104:8 107:20 108:15 109:19 110:6,17 119:3,10 119:14 120:6 121:1 121:13,13,15,22,25 122:2,3,25 123:8 126:6,10 notices 20:18 111:23 112:13 122:19 notification 20:8 27:18 58:20 59:8 61:8,17 65:14 74:9 128:20,22 129:4 148:1,3 149:3 notifications 57:3 notify 20:11 27:24 60:1,17,25 62:1 97:22 120:13 122:5 122:11 123:15 143:2,8 145:8,21 notifying 122:23 nov 42:9 43:2,18 45:11,11,16,18,20 46:15 47:1,8,12 50:17,19 51:18,22
---	---	--	--

52:12,22,23 53:3,4 53:11,15,19,22 54:13,25 102:23 103:3,5,11,15,25 104:15 105:5,14,18 107:7,17,20,21 november 14:7 88:2 novs 41:2 44:17,21 44:25 45:5,6,23 49:8,13 52:25 111:24 number 6:2 11:21 15:14 20:18 22:4 23:5,15 25:21,24 26:5 64:14 87:23 88:16 97:7 99:23,23 106:13 113:20 118:24 128:23 135:14 138:19 139:9 142:18 numbered 125:7 numbers 15:18	occupied 70:5 occur 66:24 occurred 148:3 october 44:17 odd 72:10 offends 6:4 offer 3:24 12:3,20 12:25 32:6 43:16 102:1 144:2,9 158:21 offered 154:4 office 1:19 10:21,25 44:16 86:24 131:22 138:20 officer 7:16 officers 140:18 offices 6:24 28:20 official 99:20 111:23 112:13 115:15,16 118:2 120:13,18 122:5 officials 86:5 119:1 119:12 oftentimes 34:23 86:22 123:21 oh 3:18 71:11 89:4 113:1 119:6 125:6 136:3 okay 9:15 13:2,24 13:24 14:2 25:16 31:15 39:5 48:7 54:1,4 57:1 75:4,11 77:2 89:20 96:20 102:14 109:7 113:4 118:23 124:5 129:22 141:22 143:15 oklahoma 6:1 9:23 11:7,24 87:25 93:20 151:23 152:8 155:7 old 65:15 100:3 older 93:24 omits 88:6 omitted 74:12	once 5:7 16:3 26:20 50:16 61:2 74:16 112:15 116:12 117:4 120:1,5 121:12,15 123:6 ones 40:25 129:23 129:24 137:3 ongoing 131:20 online 49:7 122:23 open 2:14 12:24 14:22 31:11 43:19 46:2 57:9 59:17,22 65:25 78:15,23 90:1 104:25 124:11 150:19 opened 12:6 26:10 61:1 opening 2:18 65:2 openings 62:18 opens 27:11,13 105:2 operate 19:8 108:1 operated 61:3 operating 27:21 111:6 135:5 157:17 157:19 operation 19:25 20:9 25:9 27:3 36:18,25 47:1 136:23 148:14 149:11 150:10,10 156:16 157:16,19 operation's 19:11 operations 7:18 19:7 33:6 41:20,22 90:6 opinion 36:9 71:22 87:12 113:11 117:22 154:5 opportunity 10:12 24:6 31:2 43:13 97:12 102:19 103:24 107:12 108:11 138:2	oppose 85:15 opposed 158:7 option 41:17 99:21 options 33:3 order 15:2 72:14 73:24 84:21 93:6 99:3 104:9 107:23 112:9 orders 108:1 111:24 112:14 152:7 ordinance 99:21 124:4,6,7 ordinances 48:15,16 48:22 82:7 148:2 oregon 10:3 organization 109:7 organized 132:23,24 orientation 86:22 original 112:7 115:7 116:7 ortiz 8:19,19 osha 68:21 69:5 ought 78:12,21 96:6 136:10 137:16,19 outline 133:11 outlines 97:20 outside 3:19 10:22 18:23 57:22 92:17 135:16 154:7 overall 46:16 overarching 111:14 111:14 overlook 143:23 overlooked 30:15 56:24 overly 11:19 82:2 83:25 overreaching 154:24 oversight 86:15 87:3 122:14 oversimplified 36:16 overstepped 73:8
o			
o'clock 103:15 o'odham 6:21 object 119:15,16 121:20 123:3,3 objection 120:3 127:24 139:20,23 objective 101:10,13 objects 123:4,5 obligation 41:20 42:3 59:16 60:5 obligations 42:5 49:15 57:25 73:20 73:21 observation 110:21 obsolete 24:10 obtain 39:25 62:7 63:3 148:24 obtained 62:7 obtaining 63:2 obviously 27:20 29:16 40:3,5			

overview 13:19 owed 41:6 46:9 54:18 55:21 owned 79:21 80:8,9 81:7,10 125:18 127:20 ownership 152:6	99:8 100:22 102:6 110:25 111:1 119:21,22,23 121:14 122:14 123:17 124:19 126:4 127:15 133:12 134:13 138:15 139:16,16 139:18,20,20 146:9 146:21,22,23 148:21 153:16,17 153:22 154:17 157:9,9 participants 156:8 participate 14:22 95:9,10 113:16,17 114:10 115:23 119:7 132:5 participated 85:9 116:7 participates 113:7 participating 116:14 particular 20:13 21:17 29:20 31:12 31:13,24 51:10 54:19 56:8,19 57:10 57:12 58:11 97:3 99:12 100:19,19 106:6 114:21 120:3 124:21 146:23 147:17 149:1 153:21 154:9 particularized 117:17 particularly 15:3 34:21 75:13 99:2 113:21 115:4 134:15,17 137:3 151:10 parties 112:18 127:7 127:20 128:1 147:21 148:24 150:21,24 152:22	partnership 109:6 parts 31:13 34:21 97:3 99:12 110:24 119:23 140:4 party 62:24 128:18 149:12 152:23 party's 149:19 pass 80:16 86:24 passing 132:16 patience 2:3,6 135:24 patient 138:17 pause 132:17 pawnee 11:7 pay 21:8,23,23 24:19,22 25:1,7 32:2 33:1,2 40:2 41:7 43:10,11 46:10 46:12 47:18 55:1,16 55:17 81:8 91:19 94:25,25 131:16 152:9,19 155:13 156:20 paying 41:8 42:5 44:12 94:16,17,19 95:3 payment 32:10,24 44:21 53:11,13 54:20 payments 19:22,23 25:4 40:12 47:25 54:7 payout 23:24 36:14 37:3 39:19 40:4,10 penalties 21:15 44:13 51:21 penalty 51:22,24 52:20 53:13 54:4 pending 64:10 83:19 102:24 people 2:5 10:12 23:20 32:7 78:7 87:5,6 115:5 119:19 130:14 134:4 135:16 155:20	percent 42:22 45:9,9 50:14,14 71:6 88:12 119:7 154:3 158:1,7 158:9 percentage 21:4,5 21:19 45:25 46:6,10 48:3 50:12 51:8 54:17,21,23 percentages 44:4 51:1,4 54:10 perception 40:25 86:12 perfectly 106:9,10 performed 35:20 period 16:5,8 20:8 24:2,6 28:12 43:3 50:13 54:2 99:6 102:10 109:18,20 109:22 110:4,5,9 148:23 person 47:4 68:17 68:17,20 69:1,11 71:6,9 108:16,17,23 109:5 115:14 120:6 120:20 121:19 123:14 143:19 144:14 148:15,16 148:18 149:22 151:19 153:21 person's 144:8 personal 17:9 42:4 personally 85:13 112:2 personnel 47:17 perspective 23:9 35:2 40:22 41:5 48:19 71:21 95:23 perspectives 33:19 pertain 123:10 pertaining 49:3 pertains 123:11 phase 14:15 15:22 15:25 16:1,3,4 phases 15:24
--	---	--	---

phil 70:7 phillip 5:22,23 phoenix 10:18,21 phone 3:19 139:6 physically 133:7 pick 138:4 piece 75:15 107:22 108:5 pieces 108:3 pierce 9:7,7 piles 119:13,13 pilot 119:5,5,6 122:7 122:8 place 38:15,25 39:4 41:11,12,22 66:23 74:19 79:13 80:23 81:14 90:5 92:25 132:22,25 136:25 144:2 149:19 150:2 150:4,11 places 72:9 75:1 111:7 127:19 plains 11:1 47:13 59:3 play 23:17 33:19 34:8 36:19,20,22 38:19,19 played 32:13 player 86:11 please 3:21 4:15 13:3 16:23 29:24 126:2 140:9 155:5 pleased 101:8 pleasure 9:18 10:8 10:11,11 pled 151:24 153:3 plus 21:2,24 37:8 67:11 68:1 87:5 pockets 81:9 point 13:2 20:2,7 33:15 36:1 43:1,11 48:4 57:7 65:2 74:5 76:5,14 79:14 86:13 88:15 93:14,19 94:2 109:1 110:19 115:7	116:6 125:3 127:23 130:25 145:11,18 146:5,15 147:9,14 pointed 81:20 87:16 93:16 100:22 105:25 pointing 89:1 points 27:6 62:11 pojoaque 6:13,15 10:8 117:14 120:20 120:20,25 policies 78:20 80:22 policy 14:4 28:16 29:4 78:12 79:13 81:15 100:25 106:5 131:3 political 85:17 103:8 103:22 poncho 3:10 5:7,8 posed 153:21 position 10:3,6 46:2 46:5,18 52:18 55:13 63:9 70:6 79:14 95:8,8 138:13 143:11 possible 26:14 38:6 98:5 99:4 124:18 posted 16:13,20 17:14 posting 49:7,13 potential 18:18,24 44:12 56:18 78:1 101:15 105:2 131:25 146:22 potentially 54:25 powerpoint 18:21 19:12 37:8 48:14 81:21 practical 65:10 practically 65:6 practice 35:22 36:4 38:14 39:11,15 112:8 practices 33:5 36:8 72:20	pradt 3:16 8:5,6 prayer 3:25 4:1 pre 66:11 97:21 98:15,16,24 105:15 preamble 18:1 precedent 152:1 precise 34:15 preclude 128:22 148:3 predicated 60:22 prefer 139:17 preference 79:16 prejudice 116:7 preliminary 15:24 16:11 19:15 premises 148:12,14 148:16 present 3:15 149:9 presents 115:17 preserve 67:16 preserving 66:5 67:6 presiding 115:15,16 118:2 pretty 61:20 135:20 137:8 prevent 47:21 preventing 37:12 previous 152:15 previously 40:14 116:19 122:17 primarily 118:24 135:12 primary 11:9 118:25 119:12 120:13,17 122:4 principle 22:23 principles 35:22 36:4 39:7 prior 10:6 15:5,5 40:18 41:3 48:23 56:12 85:5 108:9 119:24 priority 15:18,21	privacy 156:21 157:4 private 72:14 118:1 126:19 privilege 40:17 prizes 135:4,5 157:17 probably 17:1 52:17 76:21 94:8 117:7 142:16 152:24,25 153:5 problem 61:8 63:15 77:5 90:8 92:25 93:24 107:4,8,11,18 109:16 110:2 115:1 115:9 116:19 143:13 155:21 problems 31:25 78:10 91:19 95:12 155:24 procedure 124:4 145:10 procedures 80:22 106:25 119:24 proceeding 153:4 proceedings 13:9,23 97:1 98:16 99:10,20 101:3,22,22 147:19 159:10 160:8 process 2:25 11:21 12:2 13:6,7 14:5 15:3 17:24,25 22:5 26:11,12 38:14,18 38:21,23,25 43:2 53:2 58:20 70:25 73:4 74:1 82:18 84:13 89:24 97:21 97:22 99:14,16 100:8,12,14 102:12 103:13,22 105:6,12 111:5,10,13 117:21 118:17 119:8,20 123:15,16 124:15 125:10 132:14 139:25 144:10
---	--	---	---

145:21 146:2 processes 77:16 82:6 processing 22:4 124:14,16 procurement 80:17 80:21 produce 12:3 producing 112:11 productive 2:17 12:11 products 153:6 professional 157:20 professionals 153:5 program 13:5 119:5 119:5,7,8 122:8,8 progress 10:13 projection 19:18 promotions 36:18 prompt 142:14 prompted 148:21 promptly 84:18 promulgating 29:14 pronouncements 157:21 proper 71:12 property 71:15 proposal 32:15,23 32:24 53:23 proposals 73:5 propose 24:4 proposed 15:25 16:1 16:2,9 17:22 18:1 24:5 28:10 30:25 42:14 51:1 57:23 61:20 83:7,10 84:7 84:22 90:20 proposing 71:1 proprietary 127:5 128:3 154:22 156:13 159:3 prosecuting 114:14 prosecutor 114:11 prosecutorial 55:7 55:14	prospective 84:3 prosper 4:10 protection 154:21 protects 27:4 57:20 127:4 provide 27:17 58:19 59:8 70:14 71:19 98:10 109:17 110:4 136:12 144:19 154:20 provided 28:4 68:4 68:5 70:16 83:8 98:17 100:7 139:24 provides 89:11 100:13 128:13 156:16 providing 66:20,25 86:14 99:19 122:3 provision 31:19 51:19 58:21 80:16 103:9 111:17,22 114:3 128:5,13 provisions 55:17 58:5 78:1 80:9,10 80:11,11,17 97:7 101:11 116:23 public 11:24 14:23 27:4 49:8,23 53:7 56:15,15 57:20 66:22 83:11,11 85:18 86:5,5,11,19 87:5 136:15 137:18 157:3 publication 19:16 published 14:9 publishing 19:14 pueblo 3:11,20 4:8,9 5:5,9,17 6:13,15 7:1 7:3,6,10,25 8:2,4,6 8:8,10,15,22 9:8,10 9:19 10:2,8,9 30:7,9 33:11 35:16 50:4 51:17 63:23 71:11 74:6 79:8,12,24 81:2 109:14 120:18	120:19,25 pueblo's 49:2 pueblos 3:16 53:5 pulled 116:10 pulling 73:13 punt 55:18 purchase 28:25 77:14 purchased 64:13 purchasing 28:18 78:8 purely 67:25 purpose 134:21 149:20 purposes 22:15 57:13,13 pursuant 125:22 purview 154:13 put 16:14 30:24,25 31:13 38:15 41:5,25 42:10 53:4,5 56:15 58:21 59:7 61:16 65:8 68:24 69:12 73:6 76:19 77:8,19 79:13 81:8 83:9,10 83:11 84:10,19,22 86:2 93:10,12 99:16 101:9 102:18 103:14 110:5,11 111:3,18 114:12 117:17 142:25 puts 44:10 putting 84:18 119:18	quasi 115:15 question 14:12 24:12 28:24 38:9,9 39:6 44:2,16 46:20 49:3,11,17 50:25 51:2,25 53:13,18,20 54:5 63:24 65:1 66:18 67:1 68:14 71:3 81:21,22 82:7 89:25 90:22 92:12 95:17 108:23 109:24 124:22 126:10 127:17 142:14 144:23 151:16 153:21 questioning 141:1 questions 14:8 21:12 22:11 23:8,16 27:12,15 29:9 50:3 51:13 56:7 64:9,20 69:20 78:18 79:1 90:17,19 117:17 118:19 126:1,6 158:23 quickly 93:14 quigley 6:20,21 quite 12:12 18:5 20:20 31:16 34:21 80:21 87:17 103:20 141:15
			r
		qaeda 137:6 qualified 79:16,21 qualify 106:12,23 quandary 88:20 quarter 51:10 54:19 quarterly 19:21 25:11 32:16,23 52:10 54:7,20	raised 9:23 135:12 135:12 ramos 30:6 range 46:24 47:16 71:12 rash 153:11 rate 19:15,19 21:4 21:19 42:7 rates 19:14 20:6,23 82:9 reach 16:23 112:2 reached 17:16 89:18

reaches 112:4 reaching 68:23 read 18:12 56:13,14 61:24 62:2 92:4 156:25 reading 4:6 17:11 ready 23:1 114:19 114:19 131:3 reaffirmed 89:24 real 84:2 85:14 93:16,21 117:21 realistic 73:10 realize 47:5 123:25 156:9 realized 22:18 realizing 115:1 really 11:2 34:5 35:24,25 38:2 40:21 43:18 47:17,20 49:17 56:10 57:13 58:12 67:22 70:4,10 70:13 72:2 79:2,25 81:4,13 82:23 83:5 83:13 101:23 105:20,20 107:22 110:24 114:20 116:13 132:4 136:25 137:2 141:12 147:9,9,13 148:5 150:3 156:11 realty 71:9 reason 41:10 47:3 75:23 90:15 93:19 104:24 117:10,11 120:2 144:20 151:5 152:4 reasonable 27:23 47:22 59:24 60:2 105:10,11 reasonableness 105:6 reasons 12:20 23:6 25:24 41:8 59:5 117:15 134:7,8,25 143:10,12 146:4	155:1 recall 14:7 104:3 receipt 17:15 112:6 121:22 122:25 receive 21:3,4 41:19 57:14,17 144:6 received 15:17 16:15,16 23:15 24:9 25:21 99:12 121:17 126:9,10 127:10 128:23 136:15 137:12 143:18 144:1,6 receiving 32:21 42:11 72:25 133:4 recess 48:12 96:9 138:5 recipient 102:22 recitals 155:8 recite 77:4 recommend 50:10 80:23 147:18 recommendation 66:4 80:2 115:17 recommended 82:5 98:18 135:10 recommending 49:6 56:17 record 12:21 45:23 56:15 108:20 143:5 149:19 recorded 76:22 records 127:19 128:7 150:9 152:3 152:10,17,19 recreate 125:13 recusal 114:3,25 116:3,8,12 recusals 113:6 117:12 recused 113:9 117:13,13,14 recusing 117:9 red 143:17,21	redo 133:7 reduce 58:2 125:16 154:23 reduces 127:7 redundant 131:12 refer 20:4 reference 90:20 referral 31:23 referring 93:16 reflect 19:21 31:4 73:6 82:11 reflected 101:5,6,7 refuses 55:16 reg 84:22 regard 51:21 62:6 87:17 102:15,15,17 128:10 regarding 33:13 57:17 67:7 102:2 region 10:18 11:2 134:17 135:14 regional 147:23 regions 29:12 81:24 123:22 124:1,2 registered 112:5 regs 38:3 96:17 124:7 regularly 6:3 122:13 regulated 86:19 87:8 125:20 regulating 90:6 regulation 14:6 16:14 18:16,16,24 19:1 20:13 23:2 24:10 25:24 26:1,19 26:22 28:15 29:4 35:6 45:4 51:19 65:7,11,12,15,16,22 75:10 77:8,9 78:12 78:14 79:12,15 81:4 81:14,16 82:13 94:22 106:10 111:18 120:24 123:17 127:24 143:7 145:1 146:24	151:7 159:3 regulation's 25:25 regulations 11:16 14:13 15:12 18:22 34:16,24 35:4 55:17 78:2,20 79:19 99:9 99:18 100:10 101:10 117:2 119:18,21 122:15 124:8 148:2 157:15 regulators 91:11 94:5,15 95:2,11,14 regulatory 6:7 7:4,9 11:10 12:4 14:10 80:11 82:17 86:17 89:22 125:12 129:17 130:1,8,17 145:24 reissue 74:18 reiterate 151:18 related 157:17 relation 26:8 35:18 relationship 63:16 72:12,16 130:14 relative 35:20 80:18 relatively 142:1 release 142:10,11 relevant 11:17 relicensing 74:9 relying 73:13 remaining 4:17 96:25 154:4 158:6 remains 91:16 remember 48:4 remit 25:10 remodel 59:23 remodeling 61:9 remote 40:20 remove 111:22 removed 19:20 26:17 removes 74:8 renew 26:20 74:18 renewals 57:3
--	---	---	---

renewed 26:16,18 74:16 renewing 66:11 reopens 27:11,14 repeal 18:18 29:15 56:21 82:14 89:7 158:10 repealed 24:11 48:21 repealing 24:13 repeat 125:24 repercussions 20:22 38:16 44:11 replace 82:4 replaced 25:6 report 24:25 144:4 145:23 152:13,20 reported 1:21 reporter 160:4,6 repository 141:17 represent 3:13 6:2 representative 112:17 147:20 149:9 150:2,12 representatives 83:4 148:13 represented 152:8 representing 5:11 reputable 133:6 request 102:9,23 103:11,14 104:13 105:5,14 106:1,14 107:13,16 108:9 111:21 123:1 148:22 156:23 requested 112:6 158:9 requesting 66:22 100:14 110:9 require 24:22 75:21 76:7 84:17 104:6 126:7 127:3 144:24 153:23 154:1 required 25:11 26:7 58:3 67:25 84:20	125:20 129:1 136:10 requirement 26:17 58:4 74:8 76:9 133:6 136:6 requirements 46:14 67:15 68:21,25 69:14 78:5 79:5 104:10 requires 26:8,15 60:8 77:24 116:10 122:10 requiring 26:23 28:23 66:23 67:4 126:18 128:7 156:12 resolution 83:3 84:14 100:1 resolutions 48:15,23 90:19 resolve 98:12 103:19 114:22 116:2 128:6 resolved 83:18,21 84:15 98:1,10 103:4 resort 45:13 resorting 45:16 resources 15:15 83:16 130:7 134:5 138:16 respect 53:8 respecting 151:8 respects 72:11 83:15 83:16 respond 38:9 54:9 54:16 73:3 100:6 121:16 respondents 153:25 responding 109:22 response 47:22 72:24 107:17,20 153:24 responsibilities 127:3	responsibility 11:9 55:11 154:18 155:2 responsible 53:16 responsive 17:21 139:21 rest 105:23 restaurants 3:6 restored 64:13 restrict 101:22 restricted 105:5 restriction 107:5 restrictive 132:7 result 32:12 resulted 111:13 results 119:10,14 120:14,23 121:2,13 121:15,23,25 122:2 122:3,12 123:1 resume 96:5 retains 123:14 return 94:18 112:6 returned 45:7 revenue 22:20 33:22 34:22 36:1,13 44:6 46:8 80:20 134:20 135:3,3,16 revenues 22:14 34:23 134:15 157:12,15 reverse 150:20 review 11:10,16 12:4 14:6,10 15:23 18:9 26:14 48:14 58:21 69:16 77:13 82:18 97:5 99:12,15 127:3,14 137:16 154:18 156:24 reviewed 17:8 reviewing 15:13 18:6 25:23,23 69:11 96:22 reviews 68:18,20 revise 134:22 revised 25:21	revision 158:2 revisions 83:7,10 111:3 rework 65:18 rid 93:24 right 3:4,5 13:10,12 30:18 32:8 35:12 38:5 39:13,14,25 41:2,17 54:1 61:23 67:6,10 69:10,19 72:21 81:18 86:10 94:13,18 104:12,17 109:9 110:20 112:24 117:23,24 118:4,14,15,19,22 120:7 123:8 129:18 129:23 132:3 133:20,21 135:10 136:4 138:1 139:1 139:12 141:24 145:10 146:14 150:23,25 154:25 156:10 157:9 159:1 rights 64:1 risks 127:7 robert 50:25 51:11 66:16,16 67:18 68:8 68:12,14,16 roger 9:5,11 role 73:10 93:10 132:15 roles 73:13 romero 30:6,6 room 3:14 4:11 32:7 40:17 56:23 82:16 93:17 rosebud 8:12 round 92:6 route 1:12 2:22 4:4 royal 136:18 roybal 7:13,13 89:13,13 rpr 1:21 160:5,14 rule 16:10 17:22 18:22 86:10 137:9
---	--	---	--

157:25 rulemaking 15:8 16:1,2,9 24:5 28:10 31:1 rules 15:23 16:3 18:1 84:12 99:16,17 116:1,12,13 118:11 ruling 15:23 113:14 113:16 114:17 run 53:5 95:11,12 122:1,1 155:24 running 48:7 russell 8:24	110:3,16 114:10 115:10 120:21 125:15 128:15,20 137:9 141:24 147:25 149:8 150:8 scaled 57:23 scattered 99:18 scenario 98:20 106:17 115:21 145:7 scenarios 64:14 106:21 schedule 11:16 14:10,11 18:11 48:7 schedules 12:22 scope 154:7 scratched 148:15 scrutinize 155:25 scrutinizing 156:2 se 71:25 season 60:19,20 seasonal 27:15,18 59:4,9 60:18,24 61:4,10,16,25 seat 92:18 seated 138:6 second 5:8 7:6 14:14 20:2 54:22,24 57:17 69:15 99:8,8,9 111:8 126:22 154:10 secondary 52:1 secretary 8:4 section 15:3 21:17 22:2,2 25:12 28:4 47:20 58:9,11,16 62:12 65:17 66:25 74:11 75:14 77:9 98:13,23 99:1 100:25 102:6 106:6 106:12 109:4 113:5 114:9 116:3,16,18 121:8 124:13,21 125:6,8 126:4 127:15 128:12	129:9,12 134:14 143:1 149:1,8 sections 100:20 102:18 111:15 140:6 security 155:16 see 2:21 9:18 10:8 11:2 15:4 17:25 18:2 21:13 24:25 26:10 30:19 31:9 36:24 39:22 41:25 42:20 46:3 48:11 57:14,22 59:2 60:24 66:4 74:10,25 78:3 78:3 101:8 103:3 104:4 113:25 116:3 117:16 121:10 124:17 130:4,21 131:1,1,5 139:7 154:15 155:21 seeing 4:10 19:5 44:11 73:5 159:8 seek 101:1 seeking 120:12 seen 9:18 16:17 69:1 100:3 103:20 122:17 sees 97:25 98:3,7 121:23 self 81:6 86:10 159:3 selling 130:16 semi 19:23 32:9 33:1 54:7 send 6:2 17:19 26:24 27:9 65:13 91:12 120:23 121:1 121:25 126:2 144:22 145:1,13 146:10 sending 17:15 108:2 110:6 119:12 122:19 senior 64:7	sense 13:15 51:12 53:9 61:6 77:16 94:22 100:20 130:2 131:4 sensitive 112:11 sent 26:16 sentence 27:17 separate 51:23 74:18 104:5 114:3 september 19:9 20:10 serious 105:8,21 107:19 serve 85:22 111:16 112:17,19 served 134:6 serves 11:22 44:18 44:20 service 22:8,9 66:13 111:1,16,22,24 112:5,8,12,18 services 29:1 138:13 serving 86:10 session 12:11 17:1 81:20 sessions 12:6 96:25 set 11:15,19 32:17 34:15 51:4 84:12 96:16 105:22 113:11 160:11 seven 16:12 sewage 76:3,6,8 shakes 66:14 shannahan 5:19,20 shape 133:2 share 47:24 77:15 130:2 131:15 132:4 134:8 140:18 141:2 141:8 158:23 shared 41:14 130:21 142:2 shares 33:22 134:5 sheriff 86:24 shocking 47:2
s			
sac 155:7 safe 141:7 159:7 safety 27:5 57:20 66:23 sally 10:22,23 san 8:20 66:17 sanchez 8:3,3 sandia 9:6,8 120:18 120:21 143:25 santa 7:12 8:15,18 9:10,11,24 49:2 sat 70:5 saturdays 150:19,19 150:22 save 135:21 saving 18:10 saw 3:17 37:8,8 saying 19:24 48:4 86:19 89:7,9 92:13 105:7 106:3 107:8 110:8 112:1 117:22 128:24 141:5,12 149:25 says 15:4 25:8,8 27:17 36:13 38:7 42:15 62:6,9 65:13 73:24 75:17,18 90:14 91:5 98:14 105:9 106:24 108:15 109:17			

short 46:22 47:2 48:8 137:25 show 2:5 62:25 149:10 showing 31:5 72:25 73:1 shows 45:23 137:15 sic 45:19 side 3:7 40:1 42:4,4 46:16 85:13 114:16 126:12 127:2 132:10 141:18 sided 150:3 151:14 sign 92:4 115:18 signed 142:10 significant 20:22 101:4 126:14 127:12 129:7 significantly 57:23 signpost 105:23 silent 4:1 similar 140:25 simple 46:10 simpler 50:11 simplify 82:3 simply 20:4 21:3 22:24 23:13 27:1 42:15 47:16 92:4 106:21 119:9 128:7 143:23 simultaneous 75:25 single 123:25 sioux 8:12 siow 3:10 5:5,5 sir 24:18 133:15 sit 38:22 65:21 72:10 87:20 103:2 site 128:3,8 156:25 sites 127:20 sitting 9:16 10:17 44:19 65:24 70:14 77:10 82:25 84:6 100:4 situation 47:18,23 60:19 62:13 67:12	68:5 98:7 99:1 105:8,12,13 113:21 115:19 123:2 situations 66:8 99:2 106:15 116:23 145:17 six 67:6 size 17:10 ski 60:19,20 skills 62:4 sky 89:19 sky's 89:5 sledgehammer 46:15 slow 62:15 slowly 14:1 small 9:16 45:17 61:5 smaller 40:21 41:15 46:11 59:22 snyder 80:10 social 136:16,18 137:18,20 sole 154:22 159:3 solely 52:11 solution 42:9 solved 85:4 somebody 48:4 63:25 69:21 70:13 71:10,10,15,17,22 76:6 91:10 115:2,6 116:10 138:19 152:14 somebody's 47:14 someplace 156:20 somewhat 140:25 145:4 soon 99:4 114:20 139:24 sorry 13:24 24:20 24:23 69:23 74:22 104:21 109:1 sort 14:17 17:17 20:12,14,25 21:7,10 22:3 23:6 24:8	25:19 27:6 35:3,7 36:16,19 37:12 38:4 55:7,25 56:5 64:9,9 64:20,23 85:16,23 86:6,15 92:18,20 93:3,4 106:16,24 115:13,13 122:21 134:24 143:13,16 150:2 sounds 151:14 source 57:4 southern 9:14 southwest 11:12 sovereign 154:11 sovereigns 87:20 sovereignty 94:13 space 84:19 spanned 126:11 speak 17:3,3,8 29:24 29:25 55:13 90:24 speaker 30:8 special 3:9 7:19 10:5 specialist 8:20 specific 63:14 67:7 77:4 specifically 74:11 140:21 142:23 153:13 spectrum 82:14 83:25 84:8 speed 17:12 36:7 spell 110:9 spelling 102:9 spend 10:12 77:14 88:12 89:1 91:7,16 118:7 spending 2:24 40:17 134:1 spent 11:22,23 40:19 131:14 spoke 34:17 102:25 sponsor 93:25 spot 93:12 staff 4:19 10:15,17 16:17 30:14 44:24	68:17,20 69:1,9,9 71:18 76:25,25 92:15 111:9 131:1 stand 3:21 standard 38:12 79:21 88:10 89:8 91:2,3,3,23 92:5,6 146:15 158:4 standards 15:6,9 19:21 36:5 89:23 91:6,24 standing 114:14 standpoint 20:1 40:9 70:4 stands 96:1 start 2:15 33:24 54:16 60:21 96:11 96:18 134:13 139:16 started 2:7 9:24 10:1 32:8 41:14 starting 42:13 58:9 125:15 state 10:3 17:4 29:25,25 33:20 38:17 40:5,13 50:8 60:10 81:3 87:3,20 89:23 116:11 125:21,22 160:1,6 stated 153:25 158:4 158:8 160:10 statement 12:24,25 25:11 68:21 69:24 70:2 85:11 100:25 101:1 133:16 140:8 142:5,10 statements 12:20 19:5 137:24 142:1 states 42:2 81:24 90:2 static 116:25 status 57:15,16 64:1 statute 69:14 101:23 109:8 114:5,5 115:10 116:6,18
---	---	--	---

122:9,10 126:21 150:8 statutes 112:8 statutory 22:19 36:12 37:22 73:20 89:18 90:4 128:9 135:2,7,9 158:9 stay 12:19,24 49:9 80:15 128:8 134:11 staying 73:6 steffani 1:18 9:22 17:9 142:13 step 52:23 65:1 70:25 71:1 stepped 94:3 steps 50:19 67:19 stevens 11:8 stewart 6:14 stimulating 31:5 stipend 137:14 stir 31:19 stop 107:23 133:6 stopped 105:21 stored 141:19 stories 41:15 143:22 straight 115:21 straightforward 112:20 streamline 125:10 125:14,23 street 160:16 strictly 150:17 strike 105:16 stringent 43:7,13 stronger 142:19 strongly 101:3 struck 74:20 struggle 23:5 struggling 64:21 stuff 75:18 77:1 subject 15:16 31:23 141:25 submission 58:2 113:8,16 115:20 116:8 126:8,13	153:23 154:2,4 submissions 57:3 122:19 submit 19:5 26:8 28:4 67:4 104:23 106:14 119:10,14 123:19 124:25 155:16 submitted 20:15,19 21:22 48:17 64:2 67:21 79:10 113:12 121:13,15 122:2 145:19 submitting 21:1 122:18 subpoena 127:22 subsection 67:3,5,15 102:8 110:3 142:24 149:7 subsequent 111:25 112:13,19 substance 25:25 134:13 substantial 155:15 successfully 153:3 sudden 140:15,23 sue 62:16 88:13 sued 62:14 sufficiency 81:6 sufficient 58:14 suggest 54:3 62:7 91:11 94:4 136:11 suggested 136:8,8 148:25 149:2 suggesting 42:15 46:19 54:3 60:14 92:2 104:11 108:8 111:22 116:16 suggestion 58:17 82:4 91:9 92:23 93:15 102:13 139:19 149:4 suggestions 98:11 suitability 145:14	summarize 50:13 summary 17:23 139:13 158:14 superficial 86:25 supersede 80:22 support 25:23 42:11 43:12 77:20 158:16 supported 126:12 supportive 20:25 29:2 31:18 124:16 supreme 155:12 sure 6:3 11:17,17,18 13:4 17:5 23:20 30:1 47:9,11,22 53:12 57:1 59:19 61:19 77:10 78:8 85:18 89:10 96:4 109:3 117:24 124:8 128:8 131:2,7,23 133:17 134:4 150:13 151:9 surprised 112:7 suspect 49:18 78:16 suspend 123:6,7 sw 1:13 synopsis 82:3 system 20:15 21:1,4 32:16,24 41:22 42:1 42:12,14 49:5 76:7 97:10 111:10 132:8 143:5 systems 32:14 141:20	50:19,21,22 64:18 64:19 65:22 75:5,8 80:3,23 86:13 87:14 94:6 106:20 112:9 118:21 119:15 127:6 130:25 131:4 133:8 137:25 143:10 149:6 151:2 taken 46:1 67:14,19 97:14 98:19 101:9 117:4 155:9 talk 15:9 34:10 37:9 46:2 107:18 123:22 134:16 139:17 151:2 talked 49:12 113:20 117:1 133:23 134:16 talking 14:16 41:14 51:8 73:1,1 74:23 75:20 82:21 83:24 87:5 121:9 147:6 150:21 153:1 talks 25:3 taos 7:23,25 8:2 targeted 141:7 task 13:14 32:22 91:11 tasked 13:6 tax 50:7 taxable 136:14 137:12,12,13,14 taxes 137:15 taylor 9:13,13 technical 101:5 technology 93:7 112:10 138:14 telephone 107:13 tell 23:20 46:3,25 58:12 65:19 72:24 118:11 129:1 146:14 telling 56:12 87:19 123:8 155:20
		t	
		table 4:14 10:17 18:23 24:12 82:20 83:14 84:6,25 96:24 tac 82:24 83:2,8 84:11,11 85:20,21 87:10 95:13 159:5 tacs 83:1 tag 109:8 take 2:4 12:14 15:15 43:7 48:8 49:25	

tells 73:24 temporarily 59:5,12 temporary 27:14,18 59:10,14,15 61:7 62:1 99:3 104:6,9 ten 31:10 48:9 71:12 138:3 tend 102:18 tenorio 6:23,23 tenure 72:4 term 31:22 32:8 41:3 86:2 108:19,24 145:20 terminated 27:10 146:2 147:22 terminology 19:20 147:8,10,13 terms 36:17 43:25 44:4,9 49:17 149:23 test 91:4 testimony 160:11 tesuque 6:18 8:23 30:7 33:12 50:5 74:6 79:9,12 81:2 109:15 149:15 thank 2:3,12,16,22 3:22 4:3,5,10 25:15 30:2,3,11 33:8 35:15,17 36:10 40:15 50:1,20,22,24 51:11 61:14 63:19 72:6 74:4 75:8 76:17 77:2,6 80:24 81:17 87:13 89:12 96:13 100:18 108:12 110:21,22 116:20 130:24 131:19 133:15 135:24 137:22,23 146:20 151:20 153:15 157:6,7,13 159:7 thanks 34:19 theft 141:4,13,21 142:8,15	theme 111:14,14 theory 36:4 thick 156:5 thing 14:18 19:3 35:2 47:12 50:24 59:24 65:23 72:21 74:23 85:16,23 86:6 86:15 92:25 94:19 94:23 95:13,16 111:8 128:12 131:6 132:10 154:8 things 2:4 13:3 19:1 19:2 20:23 26:5 30:23 36:23 37:1,2 37:19,24 38:3 45:14 46:24 47:16 52:9 56:1,9 69:2 72:18 72:19 73:11,19 77:14 84:9,20 88:5 90:10 93:8 100:3 102:21 106:13 114:2 117:19 118:24 121:11 124:20 125:23 127:16 129:15 131:8 134:4 136:10 138:15 147:5 148:25 155:19 think 13:10 14:5 20:17 21:16 33:15 33:23 35:25 36:6 37:14 38:20,24,25 39:21 47:6,14 53:11 54:9 55:10 60:2,15 60:17,18,23 61:2,3 61:7,11 63:2,4 65:18 70:10,24 71:2 71:21 76:8,10,12 78:20 80:4,7,14,17 81:4 85:8,10,11,16 85:20,20,23 86:2,15 86:18 87:8,8,10,11 89:22,25 90:3 91:22 92:5,13,23 93:19 94:8 95:6,17 97:8	99:21 100:23 101:23 102:2,3,3 103:24 104:1,2,3,19 105:11 106:5,8 107:15,18 110:17 110:25 114:3 116:21 122:17 131:2,11 132:22,25 135:21 137:15,19 146:8,17,18 149:4 150:4 151:5 157:22 157:24 159:1 thinking 31:3 33:24 106:13 109:3 137:25 141:12,15 143:15 144:12 thinks 56:22 third 54:24 55:2 127:20 128:1 148:24 149:12,19 150:21 152:22,23 160:16 thought 2:10 37:14 42:2 53:2 54:20 56:2 59:13 77:16 83:2 102:13 103:21 106:9 107:17 134:4 139:21 147:13 151:1 thoughts 23:25 29:6 29:20 31:12 32:5,6 43:20 44:3 45:10,25 46:3 48:25 60:13 63:20 80:25 85:2 112:22 134:19 139:15 140:2 142:22 157:23 158:22 three 5:11 15:24 18:8,10 25:14 26:19 29:7 54:4,22 58:4 67:16 74:8,16 121:7 149:16 thrown 40:23	ticket 21:4,8,8,10 49:7 97:9 ticketing 20:14 21:1 42:1,12 49:5 50:7 53:13 tickets 36:20 49:18 tics 90:13 tier 44:5,5 55:2 tiers 54:4,23 till 48:11 time 2:23,25 9:20 10:12 13:2,16 15:14 26:5 27:23,25 28:11 29:24 31:16 40:17 40:19,21 41:20 43:3 43:10,11 45:2,7,8 46:12,22,25,25 47:3 47:6,19 51:21 54:2 55:14 57:7 59:23,24 60:2 61:17 64:18 65:2 70:9 71:7 72:5 73:8 77:1 81:3 83:16,22,22 84:19 87:23 96:11 98:17 100:6 102:10,24 106:21,22 107:1 108:3,10 109:18,20 109:22 110:4,5,9 112:9 118:7,8,15 128:17 129:8 131:7 138:11,12 148:7 150:2,4,11 151:8 155:15 159:8 timely 23:2 48:6 times 19:8 64:19 103:1 140:4 timothy 4:21 today 2:24 3:6,9,15 4:3 12:5 14:3 15:25 18:5,9 26:5 159:2 today's 138:14 158:25 toe 118:10 tohono 6:21
---	---	--	---

told 41:15 140:20 153:12	trend 43:25 44:9	145:24 146:12	147:6 148:22 149:3
tomorrow 2:24 12:19 18:6,10 29:9 159:2,9	tribal 1:10 3:15 4:14 4:16 5:1,3,6,11,15 5:25 8:4,7 12:18,18 14:18,19,20 17:4 30:1 39:17 47:1 48:16 60:11,16 63:3 69:6 72:25 77:18 80:21 81:6,7 82:6,7 82:24 83:9 84:7 86:17,20 91:10 93:13 94:5,15 95:1 95:10,14 103:7,22 104:20 105:16,25 107:12,15 125:18 125:22 129:17 130:1,7,17 151:9 153:25 155:11,20	152:4,23,24 153:10 153:12 154:11	151:8 152:8 153:22 154:20,24
tomorrow's 159:5		tribe's 23:18 26:12 26:21 62:8,10 63:5 148:2 154:10,13	tried 19:2 113:23 114:12,21 115:12 115:22 116:2
topic 12:15 81:19 89:3 103:16 104:14 131:20 140:25		tribes 6:2 14:21 15:7 16:15 17:18 19:4,5 19:24 20:15,19,20 20:25 22:4,7,8,9 23:5,12,23 24:9 25:25 26:1,7,8 28:4 28:23 29:2,12,16,17 31:1 32:14,16 33:1 33:2 37:11 38:13 39:20 40:1,13,18,23 40:24 41:2,4,5,14 43:9 44:10,14 45:6 45:12 46:3,7,8 48:5 48:20 49:14 50:11 54:11 57:15 58:3,17 59:7 60:5 61:4 62:13,17 64:12 65:7 65:24 70:20 72:2,12 72:17,22 73:3 75:16 77:23 78:16 79:2,5 80:2,3,4,6,16,19 81:8,24 82:9,22 83:4,19 85:15,25 87:25 88:16,19,25 89:23 90:2,5,12 93:18,19,20 95:23 97:8,12 99:11,13 100:7,13,14 103:1 107:25 110:9 111:13,21 112:1 114:23 117:5,25 119:7,17,24 120:16 121:4 124:14,16 125:9,9,24 127:1,4 127:6,10 128:2,3,7 128:24 131:11 132:12 133:25,25 134:6,22 142:18 145:5 146:9,18	trier 113:15 tries 36:25,25 trigger 27:22 64:24 true 70:6 73:17 94:22 160:7 trujillo 7:21,22 truly 35:19 44:8 trust 64:14 127:3 154:18 155:2 try 34:10 35:10 40:6 40:7 48:10 70:14 78:3 95:15 96:11 112:9 120:7 131:23 138:23 trying 13:25 17:20 20:4 28:2,5 34:18 38:5 40:1 49:19 50:20 51:20 52:17 54:3 58:1,2 60:4 62:15 66:1 73:9 84:1 88:24 103:19 104:3 106:5 108:7 122:17 123:18 125:23 134:10 141:16 150:15,16 153:7 155:25
topics 13:20 14:17 15:12	tribally 81:7,10		tulalip 11:23 58:7,8
torino 5:10,11	tribe 4:22 5:1,4,12 7:20 8:13 9:4,14 21:1,23 23:16 26:20 26:23 27:1,8,17,23 34:4 42:25 43:4 45:17 47:3,11,14 49:6,10 52:2,4,16 53:9,16 55:10,16 56:23 58:23 60:9,23 62:24 64:2,15 65:2 65:13,20 67:4,10,10 67:17,18,21 69:12 74:18,20,24 75:4 76:5 79:16 86:9,16 87:2,4 94:24 97:23 98:2,3,8,19 100:2 101:16,25 102:10 103:10 105:9 106:14,19 109:6 112:16 115:14 119:9 120:1,12 121:12,16 122:4,5,6 122:10 123:6,12 125:18,22 139:25 143:1,2,8,19 144:11 144:14,15,16,22,25		turn 2:17 13:18 29:22 96:15,19 100:16 134:9 135:18 139:14 turned 64:5 146:4 turnover 47:4 twice 32:21 two 12:13 18:7 22:18 35:8 44:19 51:21 52:8 57:13 96:6,22,22 106:13 115:13,13 117:10
torivio 5:16,17			
total 135:5 157:17			
totally 51:23			
town 143:11			
township 71:11			
tracie 11:8			
track 13:14 158:11			
trade 9:25			
trades 118:9			
training 72:5 101:5 136:8			
trainings 69:3			
transactions 130:16			
transcribed 16:19 17:2			
transcript 17:6 30:2 160:8			
transcriptionist 17:5			
transcripts 16:20			
transparency 49:15			
transparent 17:24 100:13			
travel 95:2			
travels 40:19 41:1 159:7			
tread 39:21			
treasury 53:1,6,10 55:19,22 56:5			
treat 77:11			
treats 76:8			
tremendously 39:20			

119:21,21,23 122:19,19 124:20 127:16 128:14,24 140:3,6,24 142:17 142:23 type 20:14 21:4 60:24 61:4,17 94:23 111:19 149:2 158:7 types 59:8 143:21 typically 65:8	units 141:7 unnecessary 56:20 127:21 unregulated 89:5 unwieldy 84:1 update 82:13 88:20 88:23,25 89:9 91:8 91:24 92:1 121:1 updated 88:3 93:7 updating 95:18 upgradable 108:8 upset 20:21 105:16 upsetting 47:2,12 uptake 142:17 usc 75:16 use 22:4,9,12,24 31:22 32:24 33:25 34:1,13,14 36:19,22 55:19 82:10 83:2 88:1,4 124:1 134:3 135:8 147:12 useful 92:24 132:8 140:7 144:24 ute 9:3,4,14 utilizing 22:7	142:11 vendors 132:23 133:1 140:24 141:13 142:9,16,19 152:25 153:2 vent 70:9 verbatim 27:5 verification 62:7,8 62:21 63:2,3 64:1 146:11,16 verify 62:10 71:19 version 75:4 versus 45:25 58:14 129:20 viable 131:8 vice 1:18 2:1 4:5,22 9:15 10:22 11:14 29:22 30:3,10 35:12 38:8 39:2,6 40:15 44:15 47:24 48:13 49:11 50:2,23 51:13 52:2,21 53:23 56:7 61:15,23 62:3 63:19 66:3,14 67:3,24 68:11,13,15,22 69:25 72:7 75:3 76:17,23 77:2,6 79:18 80:24 81:17 87:13 89:12 90:9,15 95:20 96:10 100:17 100:18 104:1,12,17 104:21 108:12,18 108:22 109:2,11,24 110:7,12,15,20,23 113:1,4 114:6 116:21 131:20 133:10,15,17,21,23 135:18,20 136:3 137:23 138:6 139:2 139:5,9,12 140:9 141:11 142:21 146:20 148:20 149:23 150:5,20,25 151:15,20 153:15 157:7	view 49:8 60:9 156:10 viewed 85:18 views 95:22,23 violate 154:22 violation 20:18,21 21:3 22:1 47:9,10 47:19 52:5 55:6,8 97:13 98:5,22,25 99:3 104:8 108:16 128:21 147:2 148:1 virgil 3:10 5:5 visit 103:24 107:9 voice 73:3 voluntary 97:17 101:2 108:4 110:18 154:4 vulnerable 154:25
u			w
uh 25:5 68:15 umbrella 93:4 unable 16:5 41:7 55:16 128:4 unanimous 25:22 119:18 uncertainty 32:12 43:6 83:20 111:6 unclear 117:22 uncommon 117:12 uncovered 144:17 undergo 125:20 underlined 15:4 underlying 77:15 understand 23:8 35:19,23 36:3 41:10 41:11 47:25 51:20 52:17,20 72:8,11,16 72:18 74:1 81:23 90:23 92:13 94:18 95:7 131:21 132:7,7 134:8,11 138:10 151:13 understanding 46:13 61:12 64:6 117:25 understands 58:23 undertaken 14:5 unidentified 30:8 uniform 124:2 158:4 unique 66:9	vague 34:5 valid 104:2 vallo 1:19 10:20,21 71:15 valuable 88:21 variety 126:11 135:13 various 12:14 14:16 29:12 36:21 62:15 69:8 111:15 varying 25:24 vegas 86:23 velasquez 8:21,22 33:10,11 79:8,8 81:1,1 vendor 73:19 131:9 131:10 140:11,13 140:14,16,17 141:1		wager 23:24 36:14 37:3 39:18 40:2,4 40:10 wagering 23:18 wagers 39:24 wait 65:8,9 waiting 65:3,4,24 waived 118:15 walk 73:25 74:2 96:16 118:20 walking 38:4 151:7 walks 118:17 want 2:8 4:13 12:20 17:19 22:9 23:22 33:17 35:6 37:13 38:12 39:23 43:15 43:23 44:13 53:12 56:25 61:18 64:12 64:12 65:5,20,25 69:20,22 76:3 78:8 79:2 80:16 81:3 82:22 83:21 84:16 86:1 89:15 90:22 91:21 93:23 94:24 94:25,25 96:3 102:1

103:14 104:13 105:8,20,25 107:18 107:19 109:2 112:3 112:23 117:17 120:19 124:1 131:16,17,17 136:17 139:14,15 142:18 145:8,18 150:3 wanted 14:25 22:6 34:11 43:16 56:25 59:20,20 78:15 85:1 105:15 133:22 135:23 145:5 158:23 wanting 52:15,18 54:3 wants 12:23 55:8 57:9 69:17 75:15 94:11 wanya 7:15,15 ward 1:19 10:24,24 43:21 142:6 warranted 56:21 watch 6:3 watching 4:9 17:9 wavelength 109:10 way 26:1 31:4 35:4 35:9 36:18 37:21 48:2 50:9 52:24 57:22 59:2 61:24 62:2 70:11 73:22 74:3 83:2,14,18 84:4,13,23 85:23 90:3 91:24 100:21 103:3,21 104:11 105:20 106:12,20 106:23 107:10 111:9 112:4,19,23 123:22 125:9,14 132:19 133:2 134:2 134:3 157:1 ways 42:8 83:23 115:13 122:18	we've 3:16 12:6,12 12:13 14:6 15:19,22 16:15,16,17 17:17 19:1,24 20:17 21:16 23:7,15,22 27:12 28:3 30:21,22 31:10 31:13 32:3 34:20 39:14 44:23 46:1 51:5,5 56:23 58:3 59:6,11,17 60:3 61:16 67:14 73:12 73:12 78:1,2,6,6 79:18,19 82:2 83:24 84:8 89:6 92:4,14 99:12 100:3 101:9,9 102:6 112:15 113:19,23 114:12 114:18,21,23 115:12,22 116:19 118:5,16 120:24 121:10 122:14 124:6,19 127:12 128:19,23 133:23 136:5,7 139:18 140:14 142:24 143:22 145:16 147:17 155:3 158:14,25 weakens 86:16 weather 60:22 website 16:12,21 17:14 18:3,17 37:5 49:13,23 124:10 138:10,11,12,24 week 11:23,23 97:5 100:11 weigh 24:7 welcome 2:22 11:11 39:12 56:16 57:7 88:16,16 95:25 96:12 155:5 welfare 71:24 wellbeing 41:21 went 20:19 26:3 43:17 129:18 145:9	west 30:16 71:12 112:25 whatnot 3:7,13 whatsoever 41:10 wheel 125:13 whereof 160:11 white 4:22 5:1,3,12 7:19 whiteman 9:2,3 wholly 125:18 williams 8:17,17 willing 104:23 win 23:19 wish 4:2 12:11 114:19 159:7 wishes 12:25 withdrawn 103:5 withdrew 144:15 145:11,14 woke 2:1 women 44:19 80:9 wondering 140:22 word 38:10 84:18 87:1 110:1,2 148:11 words 3:25 36:15 73:15 82:9 87:24 109:17 112:15 121:21 work 10:7 11:1 12:8 41:23 64:8,17 78:20 85:11 87:20 101:16 101:25 107:1 120:15,19 121:2 125:24 143:25 146:18,19 152:15 152:16 worked 78:14 87:23 116:4 119:20 136:22 working 11:5 13:21 16:13,18 47:1 57:12 78:22 83:9 113:24 118:5 123:20,23,24 124:17 142:20	workings 56:20 workmen's 152:5 workplace 153:1 works 30:20 87:7 100:8 120:18 world 88:9 103:8 105:23 148:19 worried 137:20 worry 132:14 worthy 149:4 wow 157:22 wrap 138:2 write 13:4 writing 56:11 76:20 116:9 written 16:5,7,20 24:2 28:7,12 45:3 73:2 99:5 106:9 113:11 115:20 129:9 136:13,13,14 137:4,10,11 wrong 144:16 wrote 93:17 106:9 157:22 www.nigc.gov. 16:21
y			
y'all 91:12 137:2 yeah 25:8 91:13 110:12,15,15 130:24 139:3,7,10 142:6 year 14:8 19:6,8,9 19:11,19 20:9,10 32:21,25 33:3 61:10 89:19 137:14 142:17 155:6 years 10:5 19:22 26:19 28:21 30:17 32:17 33:7 44:1 64:4 74:8,16 89:4 92:17 100:4 119:6 128:24 136:25 138:17 140:14			

142:17 155:21 156:4,6 yellow 8:11,12 yvonne 7:22
z
zucker 6:14,14