



November 17, 2010

Dear Tribal Leader:

On behalf of the National Indian Gaming Commission (NIGC), we are pleased to announce the commencement of our regulatory review process and invite your participation and comment.

The NIGC recognizes and respects the sovereignty of Indian tribes and the government-to-government relationship that exists between the United States and tribal governments. Accordingly, the NIGC is committed to implementing the President's November 5, 2009 Executive Memorandum on Federal Consultation with Indian tribes prior to initiating the rulemaking process to address the need for changes before drafting proposed rules. To accomplishing this goal, we have developed the attached Notice of Inquiry (NOI).

In 2010, the NIGC began an open dialogue with tribal leaders on several issues, including potential regulatory and technical assistance changes that may be needed. We are now seeking to have a more focused conversation on potential regulatory changes. The NOI is designed to inform the public that the NIGC is conducting a comprehensive review of all regulations promulgated to implement the Indian Gaming Regulatory Act (IGRA). The NOI requests input regarding: (1) which regulations need revision; and (2) what process should be utilized to revise them. The regulatory review process allows the Commission to take a fresh look at its rules in order to determine whether changes are necessary to more effectively implement IGRA. As the primary regulators for the Indian gaming industry, tribes and tribal regulators are uniquely positioned to provide the NIGC with relevant information and feedback, and our hope is that the NOI will assist in gathering that feedback.

Over the past several months, the Commission has heard a number of concerns about the current regulations. The NOI attempts to include these concerns, but is certainly not all-inclusive. The Commission has heard concerns about revisions to Class II MICS, updates to the Class II Technical Standards, and how to address Class III MICS in light of the *Colorado River Indian Tribe* case. Other comments include: clarifying the definitions of "net revenues" and "management contracts"; changing the fee calculation from a calendar year to the fiscal year; including the fingerprinting processing fees into Part 514; establishing a late payment system in lieu of a Notice of Violation for fees submitted late; revising the process for self-regulation of Class II gaming; reviewing the management contract review process and background investigations for management company employees; developing formalized procedures for processes before the Commission; formalizing the background investigation pilot program; fingerprinting for vendors; reviewing the facility licensing regulation; accessing records held by a third-party; and consideration of a section detailing a process for the Chairperson to withdraw a NOV after its been issued.

In addition to comments received regarding current regulations, the Commission is also considering additional regulations addressing: how and when a Tribal Advisory Committee should be created; defining "sole proprietary interest"; developing a communication policy or regulation for how the NIGC communicates with tribes; and implementing the Buy Indian Act.

As a supplement to written comments that may be submitted, the Commission will hold eight consultations during January and February of 2011 to discuss the regulatory review process and the NOI. The consultations will occur at the following locations, beginning in January and finishing in February of 2011:

January 11, 2011, 9 a.m. to 4 p.m.

US Grant Hotel

326 Broadway
San Diego, CA 92101

January 12, 2011, 9 a.m. to 4 p.m.

Cache Creek Casino Resort

14455 Highway 16
Brooks, CA 95606

January 14, 2011, 9 a.m. to 4 p.m.

Little Creek Resort

91 W State Route 108
Shelton, WA 98584

January 18, 2011, 9 a.m. to 4 p.m.

Riverwind Casino - Hotel

1544 West Highway 9
Norman, OK 73072

January 20, 2011, 9 a.m. to 4 p.m.

Hyatt Regency Tamaya Resort & Spa

1300 Tuyuna Trail
Santa Ana Pueblo, NM 87004

January 24, 2011, 9 a.m. to 4 p.m.

Department of Interior - South Interior Auditorium

1951 Constitution Avenue NW
Washington, DC 20240

February 1, 2011, 9 a.m. to 4 p.m.

Best Western Ramkota Inn

2111 North La Crosse Street
Rapid City, SD 57701

February 3, 2011, 9 a.m. to 4 p.m.

Seminole Hard Rock Hotel & Casino

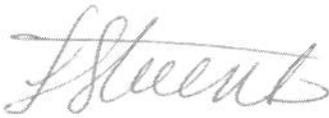
1 Seminole Way
Hollywood, FL 33314

For planning purposes and to accommodate all attendees, please RSVP to Rita Homa, Executive Secretary at (202) 418-9807 or by email at consultation.rsvp@nigc.gov. All information on the regulatory review, including the Federal Register notice, can be found by visiting our website at www.nigc.gov. All comments received will be posted on a Tribal Consultation portion of the NIGC website.

We invite you to participate in the tribal consultations and to submit written comments to the NIGC. **Please send your comments by e-mail to reg.review@nigc.gov**. You may also mail your comments to Lael Echo-Hawk at 1441 L Street NW, Suite 9100, Washington, D.C. 20005. All tribal leaders' comments must be received by February 12, 2011.

It is critically important that we work together in a mutually cooperative and respectful government-to-government relationship to maximize the intended benefit of this review to tribes. We look forward to meeting with you should your schedule allow. Thank you for your continuing support of our efforts.

Sincerely,



Tracie L Stevens

Chairwoman



Steffani A. Cochran

Vice-Chairwoman



Daniel J. Little

Associate Commissioner