



Nottawaseppi Huron Band of the Potawatomi

Gaming Commission

January 27, 2011

Ms. Tracie Stevens, Chairwomen
National Indian Gaming Commission
1441 L St. N.W., Suite 9100
Washington, D.C. 2005

Dear Chairwoman Stevens:

The following is the NHBP Gaming Commission's opinion on the following changes proposed by the NIGC. While I know this is the first step in a long process, I recognize that getting tribal feedback and support in these changes is paramount to any successful change. We will also add comments as to what we feel are a top priority.

Part 502 – Definitions of This Chapter

1(a): Net Revenues-Management Fee

We agree with going with the GAAP definition. It is important that we are all speaking the same language and terms. This will avoid any confusion when it comes time for audits, and if there becomes a major problem with the books then it will avoid more issues in an already highly stressful environment.

(b): Net Revenues-Allowable Uses

This area does border on the NIGC use of IGRA. We believe NIGC should be to guide the tribes with a set of standards not "micro-manage" the tribal operations. While we believe that a tribe should take into account loan payments, reserves, etc. That should be for the tribe to make that decision as a sovereign nation, while the NIGC should be there to advise if needed.

2: Management Contract

We do not support any expansion of this definition. We feel this does infringe on the sovereign right of a tribal nation. NIGC should be there to advise if it is needed.

Part 514 – Fees



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Changing the fee to be based on the fiscal year instead of the calendar year does run the risk of having a negative impact on a smaller casino the first year this is attempted. We also do not see how changing from a calendar to fiscal year will provide a solution to the problem that already exist. In fact, this may cause more confusion and back payments.

In regards to the changing of “gross gaming revenue,” we feel that again as earlier stated there should be a uniform set of terms. This will eliminate any misunderstanding that comes from regional “phrasism.” To the fingerprinting processing fee change it will need to be seen if there is a good outweighs the negative in any change.

Speaking to the late payment system instead of a Notice of Violation for submitting late fees, we feel this is a more balanced system, and a proportional response to a special need to a unique problem.

Overall, Part 514 is a low priority to this Gaming Commission.

Part 518 – Self Regulation of Class II

We feel this process can be more streamlined. It does require another look at the process and see where there are defects and how to resolve them. We believe all tribes should strive for self-regulation and use the NIGC for support. It just seems that with all the changes proposed this would be an easy one to resolve. Moving towards self-regulation might grow class II games which might in turn stimulate business across the gaming industry.

Part 518 is a medium priority for the NHBP Gaming Commission

Part 523 – Review and Approval of Existing Ordinances or Resolutions

This is not a high priority for our Tribal Gaming Commission. However, we do feel this part should be removed. It is all things considered, outdated.

Management Contracts

Part 531 – Collateral Agreements

While we believe that submitting a collateral agreement has some benefits for a “big picture” view of the contract as a whole. It does seem out of the scope of what the NIGC should be looking at. The NIGC should be there to provide support for the tribal gaming authority when needed. This would allow the Indian nation in question to show their inherit sovereignty.

Part 531 is of medium priority to the NHBP Gaming Commission.

Part 533 – Approval of Management Contracts

We believe more clarification is needed in part 533. A Tribal Advisory Committee may be needed to help with this section.

This Commission views this as a low priority.



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Instead of more review, what really may be needed is more clarification of the changes made in 2009 in a more simplified language so as to avoid further confusion.

The NHBP Gaming Commission considers this a higher priority.

Proceedings Before the Commission

In this matter, there should be very specific rules of process published and established. While we understand that the NIGC cannot comprehend every different scenario, you can have a system in place that could address what to do when a procedural question comes into play. Maybe the NIGC can adopt a parliamentary procedure so that would make it easier in a hearing to clarify those out of the ordinary circumstances as they arise.

This will be considered a high priority for this Commission.

MICS & Technical Standards

Part 542 – Class III Minimum Internal Control Standards

Given recent news events that have been coming out since the start of your comment road show started the NIGC should put on hold any further talk of implementing class III MICS. If the NIGC insists on moving forward on this topic, then it is the recommendation of the NHBP Gaming Commission, that the class III MICS be put into place as a guideline and standards that *could* be adopted not *will* be adopted. Setting class III MICS as a guideline will also eliminate the discussion on how to enforce them in states that have a class III MICS already in their individual compacts.

All other talks on how they should be implemented should be placed on hold until a final determination has been made on what to do with the class III MICS.

This will be a top priority for the NHBP Gaming Commission.

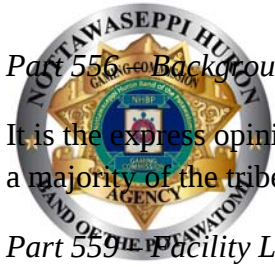
Part 543 – Class II Minimum Internal Control Standards

We feel before moving any further with the proposed final implantation of this regulation, it should be looked at one more time to include any industry updates that have taken place since this draft was created. Allowing public comments should be done. A TAC might even be appropriate.

This is considered a high priority for this Gaming Commission.

Part 547 – Minimum Technical Standards for Gaming Equipment Used With the Play of Class II Games

We feel maybe a general survey to see what if any part needs to be revised. We do feel they may have been some changes to the industry that will cause a revision to this policy. This is also why a generic set of standards may be more useful instead hard and fast rules.



Part 556 Background Investigations for Licensing

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It is the express opinion of this Commission that the term "pilot" be dropped from the terminology. Since a majority of the tribes already are in the program it does seem pointless to continue it as a pilot.

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Part 559 Facility License Notifications, Renewals, and Submissions

Since some tribes find this of issues this it might be in the interest to create a TAC to address their concerns.