



Friday
April 25, 1997

Part LVIII

**National Indian
Gaming Commission**

Semiannual Regulatory Agenda

NATIONAL INDIAN GAMING COMMISSION (NIGC)

NATIONAL INDIAN GAMING COMMISSION

25 CFR Ch. III

Semiannual Regulatory Agenda

AGENCY: National Indian Gaming Commission.

ACTION: Semiannual regulatory agenda.

SUMMARY: The National Indian Gaming Commission today is publishing an agenda of its open and anticipated rulemaking actions. The agenda is a general announcement to the public intended to provide notice of rulemaking actions in which the public may wish to participate. In the near future, the Commission intends to issue Notices of Proposed Rulemaking for rules concerning definitions and practice before the Commission; rules concerning hearings and appeals procedures; rules concerning enforcement; rules revising tribal background investigation submission requirements and timing; rules revising

the scope and review of management contracts; rules concerning minimum internal control standards for tribal gaming operations; rules concerning net gaming revenue; rules concerning public health and safety compliance; rules concerning game classification; and rules concerning administrative fees. The Commission invites questions and public comment on individual agenda items.

FOR FURTHER INFORMATION CONTACT: Penny J. Coleman, National Indian Gaming Commission, 1441 L Street NW., 9th Floor, Washington, DC 20005, (202) 632-7003 (not a toll-free number).

SUPPLEMENTARY INFORMATION: In accordance with Executive Order 12866 "Regulatory Planning and Review" and the Regulatory Flexibility Act, 5 U.S.C. 605, executive agencies are required to publish semiannual regulatory agendas in the **Federal Register** in April and October of each year.

The regulations being considered by the Commission are not "significant"

rules within the meaning of E.O. 12866, and no regulatory impact analysis is required. The Commission also has determined, under the Regulatory Flexibility Act, that the regulations under consideration will not have a significant economic impact on a substantial number of small entities. Accordingly, no Regulatory Flexibility Analysis is required. The proposed rules are not covered under section 202 of the Unfunded Mandates Reform Act (Pub. L. 104-4), as they are not Federal mandates that may result in an expenditure of \$100 million or more in any 1 year by State, local, and tribal governments, in the aggregate, or the private sector. Further, these proposed rules are not considered major under 5 U.S.C. 801 enacted by Public Law 104-121 and, therefore, are not subject to section 801's 60-day deferral requirement.

Ada E. Deer,
Acting Chair, National Indian Gaming Commission.

Long-Term Actions

Sequence Number	Title	Regulation Identifier Number
4226	Review of Petitions for Certificate of Self-Regulation Under the Indian Gaming Regulatory Act	3141-AA04
4227	Practice Before the Commission	3141-AA07
4228	Hearings and Appeals Procedure	3141-AA08
4229	Enforcement	3141-AA09
4230	Definitions	3141-AA10
4231	Minimum Internal Control Standards for Tribal Gaming Operations	3141-AA11
4232	Game Classification	3141-AA12
4233	Management Contracts	3141-AA13
4234	Net Gaming Revenue	3141-AA14
4235	Tribal Background Investigation Submission Requirements and Timing	3141-AA15
4236	Administrative Fees	3141-AA16
4237	Public Health and Safety Compliance	3141-AA17

Completed Actions

Sequence Number	Title	Regulation Identifier Number
4238	Procedures Under the National Environmental Policy Act	3141-AA06

NATIONAL INDIAN GAMING COMMISSION (NIGC)

Long-Term Actions

4226. REVIEW OF PETITIONS FOR CERTIFICATE OF SELF-REGULATION UNDER THE INDIAN GAMING REGULATORY ACT**Priority:** Other Significant**CFR Citation:** 25 CFR 581**Timetable:** Next Action Undetermined**Small Entities Affected:** None**Government Levels Affected:** Tribal**Agency Contact:** Penny J. Coleman

Phone: 202 632-7003

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RIN: 3141-AA04**4227. PRACTICE BEFORE THE COMMISSION****Priority:** Substantive, Nonsignificant**CFR Citation:** None**Timetable:**

Action	Date	FR Cite
NPRM	00/00/00	
NPRM Comment	00/00/00	
Period End		

Small Entities Affected: None**Government Levels Affected:** Tribal**Agency Contact:** Penny J. Coleman

Phone: 202 632-7003

Fax: 202 632-7066

RIN: 3141-AA07**4228. HEARINGS AND APPEALS PROCEDURE****Priority:** Other Significant**CFR Citation:** 25 CFR 522; 25 CFR 523; 25 CFR 524; 25 CFR 533; 25 CFR 535; 25 CFR 539; 25 CFR 573; 25 CFR 575; 25 CFR 577**Timetable:**

Action	Date	FR Cite
NPRM	00/00/00	
NPRM Comment	00/00/00	
Period End		

Small Entities Affected: None**Government Levels Affected:** Tribal**Agency Contact:** Penny J. Coleman

Phone: 202 632-7003

Fax: 202 632-7066

RIN: 3141-AA08**4229. ENFORCEMENT****Priority:** Other Significant**CFR Citation:** 25 CFR 573**Timetable:**

Action	Date	FR Cite
NPRM	00/00/00	
NPRM Comment	00/00/00	
Period End		

Small Entities Affected: None**Government Levels Affected:** Tribal**Agency Contact:** Penny J. Coleman

Phone: 202 632-7003

Fax: 202 632-7066

RIN: 3141-AA09**4230. DEFINITIONS****Priority:** Substantive, Nonsignificant**CFR Citation:** 25 CFR 502 (Revision)**Timetable:**

Action	Date	FR Cite
NPRM	00/00/00	
NPRM Comment	00/00/00	
Period End		

Small Entities Affected: None**Government Levels Affected:** Tribal**Agency Contact:** Penny J. Coleman

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RIN: 3141-AA10**4231. • MINIMUM INTERNAL CONTROL STANDARDS FOR TRIBAL GAMING OPERATIONS****Priority:** Substantive, Nonsignificant**Legal Authority:** 25 USC 2706(b); 25 USC 2710(b)(2)(c)**CFR Citation:** 25 CFR 571; 25 CFR 573**Legal Deadline:** None**Abstract:** This rule establishes minimum internal control standards for tribal gaming operations, including standards for auditing, debt collection, accounting, and security.**Timetable:**

Action	Date	FR Cite
NPRM	00/00/00	
NPRM Comment	00/00/00	
Period End		

Small Entities Affected: None**Government Levels Affected:** Tribal**Agency Contact:** Penny J. Coleman,

Acting General Counsel, National Indian Gaming Commission, 1441 L Street NW., 9th Floor, Washington, DC 20005

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RIN: 3141-AA11**4232. • GAME CLASSIFICATION****Priority:** Other Significant**Reinventing Government:** This rulemaking is part of the Reinventing Government effort. It will revise text in the CFR to reduce burden or duplication, or streamline requirements.**Legal Authority:** 25 USC 2703**CFR Citation:** 25 CFR 502**Legal Deadline:** None**Abstract:** This rule establishes processes for the classification, review, and approval of games and devices used in tribal gaming.**Timetable:**

Action	Date	FR Cite
NPRM	00/00/00	
NPRM Comment	00/00/00	
Period End		

Small Entities Affected: None**Government Levels Affected:** Tribal**Agency Contact:** Penny J. Coleman, Acting General Counsel, National Indian Gaming Commission, 1441 L Street NW., 9th Floor, Washington, DC 20005

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RIN: 3141-AA12**4233. • MANAGEMENT CONTRACTS****Priority:** Other Significant**Reinventing Government:** This rulemaking is part of the Reinventing Government effort. It will revise text in the CFR to reduce burden or duplication, or streamline requirements.**Legal Authority:** 25 USC 2711(b)**CFR Citation:** 25 CFR 531; 25 CFR 533; 25 CFR 536**Legal Deadline:** None**Abstract:** This rule revises the scope of review and approval of management contracts.**Timetable:**

Action	Date	FR Cite
NPRM	00/00/00	
NPRM Comment	00/00/00	
Period End		

Small Entities Affected: None

NIGC

Long-Term Actions

Government Levels Affected: Tribal
Agency Contact: Penny J. Coleman, Acting General Counsel, National Indian Gaming Commission, 1441 L Street NW., 9th Floor, Washington, DC 20005
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RIN: 3141-AA13

4234. • NET GAMING REVENUE
Priority: Substantive, Nonsignificant
Reinventing Government: This rulemaking is part of the Reinventing Government effort. It will revise text in the CFR to reduce burden or duplication, or streamline requirements.
Legal Authority: 25 USC 2710(b)(2)(B); 25 USC 2706(b)
CFR Citation: 25 CFR 571; 25 CFR 573
Legal Deadline: None
Abstract: This rule establishes processes for assuring that net gaming revenue is used according to IGRA requirements and establishes reporting procedures for such compliance.

Timetable:

Action	Date	FR Cite
NPRM	00/00/00	
NPRM Comment Period End	00/00/00	

Small Entities Affected: None
Government Levels Affected: Tribal
Agency Contact: Penny J. Coleman, Acting General Counsel, National Indian Gaming Commission, 1441 L Street NW., 9th Floor, Washington, DC 20005
 Phone: 202 632-7003
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RIN: 3141-AA14

4235. • TRIBAL BACKGROUND INVESTIGATION SUBMISSION REQUIREMENTS AND TIMING
Priority: Other Significant
Reinventing Government: This rulemaking is part of the Reinventing Government effort. It will revise text in the CFR to reduce burden or duplication, or streamline requirements.

Legal Authority: 25 USC 2706(b)(3)
CFR Citation: 25 CFR 556; 25 CFR 558
Legal Deadline: None
Abstract: This rule revises timing and submission requirements.

Timetable:

Action	Date	FR Cite
NPRM	00/00/00	
NPRM Comment Period End	00/00/00	

Small Entities Affected: None
Government Levels Affected: Tribal
Agency Contact: Penny J. Coleman, Acting General Counsel, National Indian Gaming Commission, 1441 L Street NW., 9th Floor, Washington, DC 20005
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RIN: 3141-AA15

4236. • ADMINISTRATIVE FEES
Priority: Substantive, Nonsignificant
Legal Authority: 25 USC 2706(b)(10)
CFR Citation: 25 CFR 514
Legal Deadline: None
Abstract: This rule establishes processes for the imposition of fees for services provided by the NIGC.

Timetable:

Action	Date	FR Cite
NPRM	00/00/00	
NPRM Comment Period End	00/00/00	

Small Entities Affected: None
Government Levels Affected: Tribal
Agency Contact: Penny J. Coleman, Acting General Counsel, National Indian Gaming Commission, 1441 L Street NW., 9th Floor, Washington, DC 20005
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RIN: 3141-AA16

4237. • PUBLIC HEALTH AND SAFETY COMPLIANCE
Priority: Substantive, Nonsignificant
Legal Authority: 25 USC 2710(b)(2)(E)
CFR Citation: 25 CFR 573
Legal Deadline: None
Abstract: This rule establishes processes and standards for public health and safety and reporting to NIGC on compliance with standards.

Timetable:

Action	Date	FR Cite
NPRM	00/00/00	
NPRM Comment Period End	00/00/00	

Small Entities Affected: None
Government Levels Affected: Tribal
Agency Contact: Penny J. Coleman, Acting General Counsel, National Indian Gaming Commission, 1441 L Street NW., 9th Floor, Washington, DC 20005
 Phone: 202 632-7003
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RIN: 3141-AA17

NATIONAL INDIAN GAMING COMMISSION (NIGC)

Completed Actions

4238. PROCEDURES UNDER THE NATIONAL ENVIRONMENTAL POLICY ACT
Priority: Other Significant
Legal Authority: 25 USC 2701 et seq; 42 USC 4321 et seq
CFR Citation: 25 CFR 518
Legal Deadline: None

Abstract: The National Environmental Policy Act establishes national environmental policy and goals for the protection, maintenance, and enhancement of the environment. The Act provides a process for implementing these goals within the Federal agencies. This rule would provide procedures for the Commission

to follow in meeting its obligations under the Act.

Timetable:

Action	Date	FR Cite
NPRM	04/09/93	58 FR 18353
NPRM Comment Period End	06/30/93	58 FR 27967
Withdrawn	02/14/97	

NIGC

Completed Actions

Small Entities Affected: None

Government Levels Affected: Tribal

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RIN: 3141-AA06

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