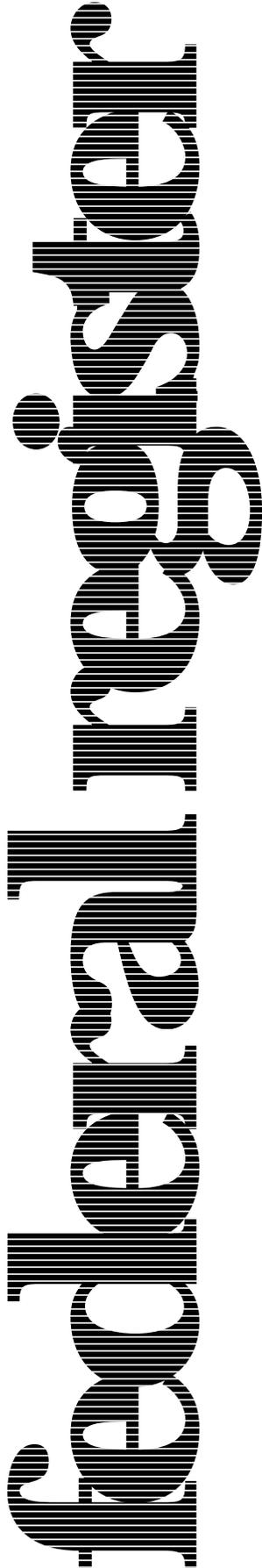


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Wednesday  
October 29, 1997



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**Part LVIII**

**National Indian  
Gaming Commission**

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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 or Advanced 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; rules concerning administrative fees; rules revising Freedom of Information Act Procedures; and rules concerning compulsory process and testimony of employees. 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.

For this edition of National Indian Gaming Commission's regulatory agenda, the most important significant regulatory actions are included in The Regulatory Plan, which appears in Part II of this issue of the **Federal Register**. The Regulatory Plan entries are listed in the Table of Contents below and are denoted by a bracketed bold reference, which directs the reader to the appropriate Sequence Number in Part II. **Penny Coleman,**  
*Acting General Counsel, National Indian Gaming Commission.*

Prerule Stage

Sequence Number	Title	Regulation Identifier Number
4407	Definitions of Electronic Aid and Electronic Facsimile ( <b>Reg Plan Seq. No. 169</b> ) .....	3141-AA19

References in boldface appear in the Regulatory Plan in Part II of this issue of the **Federal Register**.

Proposed Rule Stage

Sequence Number	Title	Regulation Identifier Number
4408	Game Classification ( <b>Reg Plan Seq. No. 170</b> ) .....	3141-AA12
4409	Annual Fees ( <b>Reg Plan Seq. No. 171</b> ) .....	3141-AA18

References in boldface appear in the Regulatory Plan in Part II of this issue of the **Federal Register**.

Long-Term Actions

Sequence Number	Title	Regulation Identifier Number
4410	Review of Petitions for Certificate of Self-Regulation Under the Indian Gaming Regulatory Act .....	3141-AA04
4411	Practice Before the Commission .....	3141-AA07
4412	Hearings and Appeals Procedure .....	3141-AA08
4413	Enforcement .....	3141-AA09
4414	Definitions .....	3141-AA10
4415	Minimum Internal Control Standards for Tribal Gaming Operations .....	3141-AA11

**NIGC**

Long-Term Actions (Continued)

Sequence Number	Title	Regulation Identifier Number
4416	Management Contracts .....	3141-AA13
4417	Net Gaming Revenue .....	3141-AA14
4418	Tribal Background Investigation Submission Requirements and Timing .....	3141-AA15
4419	Administrative Fees .....	3141-AA16
4420	Public Health and Safety Compliance .....	3141-AA17
4421	Compulsory Process and Testimony of Employees .....	3141-AA20
4422	Freedom of Information Act Procedures (Amendments) .....	3141-AA21

**NATIONAL INDIAN GAMING COMMISSION (NIGC)**

**Prerule Stage**

**4407. • DEFINITIONS OF ELECTRONIC AID AND ELECTRONIC FACSIMILE**

**Regulatory Plan:** This entry is Seq. No. 169 in Part II of this issue of the **Federal Register**.

**RIN:** 3141-AA19

**NATIONAL INDIAN GAMING COMMISSION (NIGC)**

**Proposed Rule Stage**

**4408. GAME CLASSIFICATION**

**Regulatory Plan:** This entry is Seq. No. 170 in Part II of this issue of the **Federal Register**.

**RIN:** 3141-AA12

**4409. • ANNUAL FEES**

**Regulatory Plan:** This entry is Seq. No. 171 in Part II of this issue of the **Federal Register**.

**RIN:** 3141-AA18

**NATIONAL INDIAN GAMING COMMISSION (NIGC)**

**Long-Term Actions**

**4410. 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

Fax: 202 632-7066

**RIN:** 3141-AA04

**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  
Phone: 202 632-7003  
Fax: 202 632-7066

**RIN:** 3141-AA07

25 CFR 539; 25 CFR 573; 25 CFR 575; 25 CFR 577

**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  
Phone: 202 632-7003  
Fax: 202 632-7066

**RIN:** 3141-AA08

**4411. PRACTICE BEFORE THE COMMISSION**

**Priority:** Substantive, Nonsignificant

**CFR Citation:** None

**4412. HEARINGS AND APPEALS PROCEDURE**

**Priority:** Other Significant

**CFR Citation:** 25 CFR 522; 25 CFR 523; 25 CFR 524; 25 CFR 533; 25 CFR 535;

**4413. ENFORCEMENT**

**Priority:** Other Significant

**CFR Citation:** 25 CFR 573

**NIGC**

**Long-Term Actions**

**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

**4414. 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  
Phone: 202 632-7003  
Fax: 202 632-7066

**RIN:** 3141-AA10

**4415. MINIMUM INTERNAL CONTROL STANDARDS FOR TRIBAL GAMING OPERATIONS**

**Priority:** Substantive, Nonsignificant

**CFR Citation:** 25 CFR 571; 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-AA11

**4416. 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.

**CFR Citation:** 25 CFR 531; 25 CFR 533; 25 CFR 536

**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-AA13

**4417. 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.

**CFR Citation:** 25 CFR 571; 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-AA14

**4418. 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.

**CFR Citation:** 25 CFR 556; 25 CFR 558

**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-AA15

**4419. ADMINISTRATIVE FEES**

**Priority:** Substantive, Nonsignificant

**CFR Citation:** 25 CFR 514

**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-AA16

**4420. PUBLIC HEALTH AND SAFETY COMPLIANCE**

**Priority:** Substantive, Nonsignificant

**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-AA17

**4421. • COMPULSORY PROCESS AND TESTIMONY OF EMPLOYEES**

**Priority:** Substantive, Nonsignificant

**Legal Authority:** 25 USC 2706; 5 USC 552; 5 USC 552a

**CFR Citation:** None

**Legal Deadline:** None

**Abstract:** The purpose of these rules is to establish a procedure for the testimony of employees of the National Indian Gaming Commission in any judicial or administrative proceeding.

**Timetable:** Next Action Undetermined

**Small Entities Affected:** None

**Government Levels Affected:** None

**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

Fax: 202 632-7066

**RIN:** 3141-AA20

**NIGC**

**Long-Term Actions**

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**4422. • FREEDOM OF INFORMATION ACT PROCEDURES (AMENDMENTS)**

**Priority:** Substantive, Nonsignificant

**Legal Authority:** 5 USC 552

**CFR Citation:** 25 CFR 517.3 (Revision); 25 CFR 517.6 (Revision); 25 CFR 517.8 (Revision)

**Legal Deadline:** None

**Abstract:** These rules will revise the current regulations to make them consistent with the amended statute. The rules will also update information such as addresses and copying fees.

**Timetable:** Next Action Undetermined

**Small Entities Affected:** None

**Government Levels Affected:** None

**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

Fax: 202 632-7066

**RIN:** 3141-AA21

[FR Doc. 97-22244 Filed 10-28-97; 8:45 am]

**BILLING CODE** 7565-01-F