



Monday,
November 22, 1999

Part LXI

**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 or Advance Notices of Proposed Rulemaking for the classification, review, and approval of games and devices used in tribal gaming; rules concerning practice before the Commission; rules concerning hearings and appeals procedures; rules concerning enforcement; rules concerning definitions; rules revising the scope and review of management contracts; rules concerning net gaming revenue; rules revising tribal background investigation submission

requirements and timing; rules concerning administrative fees; rules concerning public health and safety compliance; rules concerning compulsory process and testimony of employees; rules revising Freedom of Information Act Procedures; rules concerning gaming facility licensing standards; and rules concerning technical amendments to the Minimum Internal Control Standards. 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 one year by State, local, or 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 the 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.

Montie R. Deer,
Chairman of the National Indian Gaming Commission.

Proposed Rule Stage

Sequence Number	Title	Regulation Identification Number
4549	Practice Before the Commission	3141-AA07
4550	Game Classification (Reg Plan Seq No. 162)	3141-AA12
4551	Environment and Public Health and Safety (Reg Plan Seq No. 163)	3141-AA17

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

Final Rule Stage

Sequence Number	Title	Regulation Identification Number
4552	Compulsory Process and Testimony of Employees	3141-AA20

Long-Term Actions

Sequence Number	Title	Regulation Identification Number
4553	Hearings and Appeals Procedure	3141-AA08
4554	Enforcement	3141-AA09
4555	Definitions	3141-AA10
4556	Management Contracts	3141-AA13

NIGC

Long-Term Actions (Continued)

Sequence Number	Title	Regulation Identification Number
4557	Net Gaming Revenue	3141-AA14
4558	Tribal Background Investigation Submission Requirements and Timing	3141-AA15
4559	Administrative Fees	3141-AA16
4560	Freedom of Information Act Procedures (Amendments)	3141-AA21
4561	Gaming Facility Licensing Standards	3141-AA23
4562	Technical Amendments to the Minimum Internal Control Standards	3141-AA24

National Indian Gaming Commission (NIGC)

Proposed Rule Stage

4549. PRACTICE BEFORE THE COMMISSION

Priority: Substantive, Nonsignificant

Legal Authority: 25 USC 2706(b)(10)

CFR Citation: Not Yet Determined

Legal Deadline: None

Abstract: This rule will establish guidelines and procedures for attorneys and nonattorneys who represent tribes or private companies before the Commission.

Timetable:

Action	Date	FR Cite
NPRM	12/00/99	

Regulatory Flexibility Analysis Required: No

Government Levels Affected: Tribal

Agency Contact: William F. Grant, Staff Attorney, National Indian Gaming Commission, Suite 9100, 1441 L Street NW., Washington, DC 20005
 Phone: 202 632-7003
 Fax: 202 632-7066
 Email: william__grant@ios.doi.gov
RIN: 3141-AA07

4550. GAME CLASSIFICATION

Regulatory Plan: This entry is Seq. No. 162 in Part II of this issue of the **Federal Register**.

RIN: 3141-AA12

4551. ENVIRONMENT AND PUBLIC HEALTH AND SAFETY

Regulatory Plan: This entry is Seq. No. 163 in Part II of this issue of the **Federal Register**.

RIN: 3141-AA17

National Indian Gaming Commission (NIGC)

Final Rule Stage

4552. COMPULSORY PROCESS AND TESTIMONY OF EMPLOYEES

Priority: Substantive, Nonsignificant

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

CFR Citation: 25 CFR 516

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:

Action	Date	FR Cite
NPRM	07/15/99	64 FR 38164
NPRM Comment	08/16/99	
Period End		
Final Action	12/00/99	

Regulatory Flexibility Analysis Required: No

Government Levels Affected: None

Agency Contact: Richard B. Schiff, Senior Attorney, National Indian Gaming Commission, Suite 9100, 1441 L Street NW., Washington, DC 20005
 Phone: 202 632-7003

RIN: 3141-AA20

National Indian Gaming Commission (NIGC)

Long-Term Actions

4553. 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	To Be Determined	

Regulatory Flexibility Analysis Required: No

Government Levels Affected: Tribal

Agency Contact: Richard B. Schiff
 Phone: 202 632-7003

RIN: 3141-AA08

4554. ENFORCEMENT

Priority: Other Significant

CFR Citation: 25 CFR 573

NIGC

Long-Term Actions

Timetable:

Action	Date	FR Cite
NPRM	To Be	Determined

Regulatory Flexibility Analysis Required: No**Government Levels Affected:** Tribal**Agency Contact:** Penny J. Coleman
Phone: 202 632-7003**RIN:** 3141-AA09**4555. DEFINITIONS****Priority:** Substantive, Nonsignificant**CFR Citation:** 25 CFR 502**Timetable:**

Action	Date	FR Cite
NPRM	To Be	Determined

Regulatory Flexibility Analysis Required: No**Government Levels Affected:** Tribal**Agency Contact:** Penny J. Coleman
Phone: 202 632-7003**RIN:** 3141-AA10**4556. MANAGEMENT CONTRACTS****Priority:** Other Significant**CFR Citation:** 25 CFR 531; 25 CFR 533;
25 CFR 536**Timetable:**

Action	Date	FR Cite
NPRM	To Be	Determined

Regulatory Flexibility Analysis Required: No**Government Levels Affected:** Tribal**Agency Contact:** Penny J. Coleman
Phone: 202 632-7003**RIN:** 3141-AA13**4557. NET GAMING REVENUE****Priority:** Substantive, Nonsignificant**CFR Citation:** 25 CFR 571; 25 CFR 573**Timetable:**

Action	Date	FR Cite
NPRM	To Be	Determined

Regulatory Flexibility Analysis Required: No**Government Levels Affected:** Tribal**Agency Contact:** Penny J. Coleman
Phone: 202 632-7003**RIN:** 3141-AA14**4558. TRIBAL BACKGROUND INVESTIGATION SUBMISSION REQUIREMENTS AND TIMING****Priority:** Other Significant**CFR Citation:** 25 CFR 556; 25 CFR 558**Timetable:**

Action	Date	FR Cite
NPRM	To Be	Determined

Regulatory Flexibility Analysis Required: No**Government Levels Affected:** Tribal**Agency Contact:** Penny J. Coleman
Phone: 202 632-7003**RIN:** 3141-AA15**4559. ADMINISTRATIVE FEES****Priority:** Substantive, Nonsignificant**CFR Citation:** 25 CFR 514**Timetable:**

Action	Date	FR Cite
NPRM	To Be	Determined

Regulatory Flexibility Analysis Required: No**Government Levels Affected:** Tribal**Agency Contact:** Penny J. Coleman
Phone: 202 632-7003**RIN:** 3141-AA16**4560. FREEDOM OF INFORMATION ACT PROCEDURES (AMENDMENTS)****Priority:** Substantive, Nonsignificant**CFR Citation:** 25 CFR 517.3; 25 CFR 517.6; 25 CFR 517.8**Timetable:** Next Action Undetermined**Regulatory Flexibility Analysis****Required:** No**Government Levels Affected:** None**Agency Contact:** Jeanne McLaughlin
Phone: 202 632-7003**RIN:** 3141-AA21**4561. GAMING FACILITY LICENSING STANDARDS****Priority:** Substantive, Nonsignificant**CFR Citation:** 25 CFR 522.4(b)(6); 25 CFR 522.6(b)**Timetable:**

Action	Date	FR Cite
NPRM	To Be	Determined

Regulatory Flexibility Analysis Required: Undetermined**Government Levels Affected:** Tribal**Agency Contact:** Mai Dinh
Phone: 202 632-7003**RIN:** 3141-AA23**4562. TECHNICAL AMENDMENTS TO THE MINIMUM INTERNAL CONTROL STANDARDS****Priority:** Substantive, Nonsignificant**CFR Citation:** 25 CFR 542**Timetable:**

Action	Date	FR Cite
NPRM	To Be	Determined

Regulatory Flexibility Analysis Required: No**Government Levels Affected:** Tribal**Agency Contact:** Mai Dinh
Phone: 202 632-7003**RIN:** 3141-AA24

[FR Doc. 99-24750 Filed 11-19-99; 8:45 am]

BILLING CODE 7565-01-F