



Federal Register

**Monday,
December 3, 2001**

Part LIX

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 future, the Commission intends to issue Notices of Proposed Rulemaking, Advance Notices of Proposed Rulemaking, or Final Rules for the following: rules concerning technical amendments to the Minimum Internal Control Standards; rules establishing a process for the assessment, notification, and collection of debts owed the NIGC; rules revising tribal background investigation submission requirements and timing; rules concerning the classification, review, and approval of games and devices used in tribal gaming; rules concerning environment, public health and safety; 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 concerning

administrative fees; rules revising Freedom of Information Act procedures; rules revising Privacy Act procedures; rules concerning gaming facility licensing standards; rules concerning practice before the Commission; and rules implementing the National Environmental Policy Act (NEPA). The Commission invites questions and public comment on individual agenda items.

FOR FURTHER INFORMATION CONTACT: Cynthia S. Omberg, 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 most of the regulations under consideration will not have a significant economic impact on a substantial number of small entities. For these regulations, no Regulatory Flexibility Analysis is required. The Commission has not yet determined whether the rules implementing the National Environmental Policy Act, the Privacy Act, or gaming facility licensing

require a Regulatory Flexibility Analysis. Most of 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. The Commission has not yet determined whether the Environment and Public Health and Safety rule or Privacy Act procedures require a statement in accordance with the Unfunded Mandates Reform Act. Finally, most of the Commission’s 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. The Commission has not yet determined whether the technical amendments to the Minimum Internal Control Standards or the Privacy Act procedures are a major rule.

For this edition of the 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, National Indian Gaming Commission.

National Indian Gaming Commission—Proposed Rule Stage

Sequence Number	Title	Regulation Identification Number
4536	Definitions: Electronic or Electromechanical Facsimile (Reg Plan Seq No. 164)	3141-AA10
4537	Tribal Background Investigation Submission Requirements and Timing	3141-AA15
4538	Environment and Public Health and Safety (Reg Plan Seq No. 165)	3141-AA17
4539	Technical Amendments to the Minimum Internal Control Standards (Reg Plan Seq No. 166)	3141-AA24
4540	Debt Collection	3141-AA25

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

National Indian Gaming Commission—Final Rule Stage

Sequence Number	Title	Regulation Identification Number
4541	Game Classification (Reg Plan Seq No. 167)	3141-AA12

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

NIGC

National Indian Gaming Commission—Long-Term Actions

Sequence Number	Title	Regulation Identification Number
4542	Practice Before the Commission	3141-AA07
4543	Hearings and Appeals Procedure	3141-AA08
4544	Enforcement	3141-AA09
4545	Management Contracts	3141-AA13
4546	Net Gaming Revenue	3141-AA14
4547	Administrative Fees	3141-AA16
4548	Freedom of Information Act Procedures (Amendments)	3141-AA21
4549	Gaming Facility Licensing Standards	3141-AA23
4550	National Environmental Policy Act (NEPA) Implementing Regulations	3141-AA26

National Indian Gaming Commission (NIGC)

Proposed Rule Stage

4536. DEFINITIONS: ELECTRONIC OR ELECTROMECHANICAL FACSIMILE

Regulatory Plan: This entry is Seq. No. 164 in part II of this issue of the **Federal Register**.

RIN: 3141-AA10

Indian Gaming Commission, Suite 9100, 1441 L Street NW., Washington, DC 20005

Phone: 202 632-7003

Fax: 202 632-7066

RIN: 3141-AA15

CFR Citation: 25 CFR 580

Legal Deadline: None

Abstract: This regulation will establish a process for the assessment, notification, and collection of debts owed the National Indian Gaming Commission.

Timetable:

Action	Date	FR Cite
NPRM	12/00/01	

Regulatory Flexibility Analysis

Required: No

Small Entities Affected: No

Government Levels Affected: Tribal

Agency Contact: Cynthia S. Omberg, Attorney, National Indian Gaming Commission, Suite 9100, 1441 L Street NW., Washington, DC 20005

Phone: 202 632-7003

Fax: 202 632-7066

Email: cynthia_omberg@nigc.doi.gov

RIN: 3141-AA25

4537. TRIBAL BACKGROUND INVESTIGATION SUBMISSION REQUIREMENTS AND TIMING

Priority: Other Significant

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	06/00/02	

Regulatory Flexibility Analysis

Required: No

Government Levels Affected: Tribal

Agency Contact: Penny J. Coleman, Deputy General Counsel, National

4538. ENVIRONMENT AND PUBLIC HEALTH AND SAFETY

Regulatory Plan: This entry is Seq. No. 165 in part II of this issue of the **Federal Register**.

RIN: 3141-AA17

4539. TECHNICAL AMENDMENTS TO THE MINIMUM INTERNAL CONTROL STANDARDS

Regulatory Plan: This entry is Seq. No. 166 in part II of this issue of the **Federal Register**.

RIN: 3141-AA24

4540. DEBT COLLECTION

Priority: Other Significant

Legal Authority: 31 USC 3716; 25 USC 2713(a)(1)

National Indian Gaming Commission (NIGC)

Final Rule Stage

4541. GAME CLASSIFICATION

Regulatory Plan: This entry is Seq. No. 167 in part II of this issue of the **Federal Register**.

RIN: 3141-AA12

National Indian Gaming Commission (NIGC)

Long-Term Actions

4542. PRACTICE BEFORE THE COMMISSION**Priority:** Substantive, Nonsignificant**CFR Citation:** Not Yet Determined**Timetable:**

Action	Date	FR Cite
NPRM	To Be	Determined

Regulatory Flexibility Analysis**Required:** No**Government Levels Affected:** Tribal**Agency Contact:** William F. Grant

Phone: 202 632-7003

Fax: 202 632-7066

Email: william_grant@nigc.doi.gov

RIN: 3141-AA07**4543. HEARINGS AND APPEALS PROCEDURE****Priority:** Other Significant**CFR Citation:** 25 CFR 522 to 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:** Penny J. Coleman

Phone: 202 632-7003

Fax: 202 632-7066

RIN: 3141-AA08**4544. ENFORCEMENT****Priority:** Other Significant**CFR Citation:** 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

Fax: 202 632-7066

RIN: 3141-AA09**4545. 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

Fax: 202 632-7066

RIN: 3141-AA13**4546. 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

Fax: 202 632-7066

RIN: 3141-AA14**4547. 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

Fax: 202 632-7066

RIN: 3141-AA16**4548. FREEDOM OF INFORMATION ACT PROCEDURES (AMENDMENTS)****Priority:** Substantive, Nonsignificant**CFR Citation:** 25 CFR 517.3; 25 CFR 517.6; 25 CFR 517.8**Timetable:**

Action	Date	FR Cite
NPRM	To Be	Determined

Regulatory Flexibility Analysis**Required:** No**Government Levels Affected:** None**Agency Contact:** Gregory Smith

Phone: 202 632-7003

Fax: 202 632-7066

Email: gregory_smith@nigc.doi.gov

RIN: 3141-AA21**4549. 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:** Penny J. Coleman

Phone: 202 632-7003

Fax: 202 632-7066

RIN: 3141-AA23**4550. NATIONAL ENVIRONMENTAL POLICY ACT (NEPA) IMPLEMENTING REGULATIONS****Priority:** Substantive, Nonsignificant**CFR Citation:** Not Yet Determined**Timetable:**

Action	Date	FR Cite
NPRM	To Be	Determined

Regulatory Flexibility Analysis**Required:** Undetermined**Government Levels Affected:** Tribal**Agency Contact:** Danna R. Jackson

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RIN: 3141-AA26

[FR Doc. 01-25320 Filed 11-30-01; 8:45 am]

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