



Federal Register

**Thursday,
November 30, 2000**

Part LX

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, Advance Notices of Proposed Rulemaking, or Final Rules for the following: 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 revising Freedom of Information Act Procedures; rules concerning gaming facility licensing standards; rules concerning technical amendments to the Minimum Internal Control Standards; and rules establishing a process for the assessment, notification, and collection of debts owed the NIGC resulting from fines assessed by the Chairman for violations of the Indian Gaming Regulatory Act. 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, National Indian Gaming Commission.

National Indian Gaming Commission—Proposed Rule Stage

Sequence Number	Title	Regulation Identification Number
4724	Practice Before the Commission	3141-AA07
4725	Environment and Public Health and Safety (Reg Plan Seq No. 171)	3141-AA17
4726	Debt Collection (Reg Plan Seq No. 172)	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
4727	Game Classification	3141-AA12

National Indian Gaming Commission—Long-Term Actions

Sequence Number	Title	Regulation Identification Number
4728	Hearings and Appeals Procedure	3141-AA08
4729	Enforcement	3141-AA09
4730	Definitions	3141-AA10

NIGC

National Indian Gaming Commission—Long-Term Actions (Continued)

Sequence Number	Title	Regulation Identification Number
4731	Management Contracts	3141-AA13
4732	Net Gaming Revenue	3141-AA14
4733	Tribal Background Investigation Submission Requirements and Timing	3141-AA15
4734	Administrative Fees	3141-AA16
4735	Freedom of Information Act Procedures (Amendments)	3141-AA21
4736	Gaming Facility Licensing Standards	3141-AA23
4737	Technical Amendments to the Minimum Internal Control Standards	3141-AA24

National Indian Gaming Commission (NIGC)

Proposed Rule Stage

4724. 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 non-attorneys who represent tribes or private companies before the Commission.

Timetable:

Action	Date	FR Cite
NPRM	02/00/01	

Regulatory Flexibility Analysis Required: No

Government Levels Affected: Tribal

Agency Contact: William F. Grant, Senior Attorney, National Indian Gaming Commission, Suite 9100, 1441 L Street NW., Washington, DC 20005
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RIN: 3141-AA07**4725. ENVIRONMENT AND PUBLIC HEALTH AND SAFETY**

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

RIN: 3141-AA17**4726. • DEBT COLLECTION**

Regulatory Plan: This entry is Seq. No. 172 in Part II of this issue of the **Federal Register**.

RIN: 3141-AA25

National Indian Gaming Commission (NIGC)

Final Rule Stage

4727. GAME CLASSIFICATION**Priority:** Other Significant**Legal Authority:** 25 USC 2703; 25 USC 2706**CFR Citation:** Not Yet Determined**Legal Deadline:** None

Abstract: This rule will establish processes for the classification, review, and approval of games and devices used in tribal gaming.

Timetable:

Action	Date	FR Cite
NPRM	11/10/99	64 FR 61234
NPRM Comment	02/24/00	
Period End		
Final Action	02/00/01	

Regulatory Flexibility Analysis**Required:** Undetermined**Government Levels Affected:** State, Tribal

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RIN: 3141-AA12

National Indian Gaming Commission (NIGC)

Long-Term Actions

4728. 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:** Richard B. Schiff

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RIN: 3141-AA08

NIGC

Long-Term Actions

4729. 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

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RIN: 3141-AA09**4730. 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

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RIN: 3141-AA10**4731. 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

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RIN: 3141-AA13**4732. 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

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RIN: 3141-AA14**4733. 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

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RIN: 3141-AA15**4734. 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

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RIN: 3141-AA16**4735. 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:** Gregory Smith

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RIN: 3141-AA21**4736. 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

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RIN: 3141-AA23**4737. 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:** Penny J. Coleman

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RIN: 3141-AA24

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