

1 NATIONAL INDIAN GAMING COMMISSION MEETING
2 TAKEN ON SEPTEMBER 7, 2011
3 IN BISMARCK, NORTH DAKOTA
4
5
6

7 APPEARANCES

8 Tracie Stevens
Chairwoman

9 1441 L Street Northwest
Suite 9100
10 Washington, DC 20005
(202) 632-7003

11 tracie_stevens@nigc.gov

12 Larry Roberts
General Counsel

13 1441 L Street Northwest
Suite 9100
14 Washington, DC 20005
(202) 632-7003

15 larry_roberts@nigc.gov

16 Jennifer Ward
Attorney

17 1441 L Street Northwest
Suite 9100
18 Washington, DC 20005
(202) 632-7003

19 jennifer_ward@nigc.gov
20
21
22
23

24 REPORTED BY: Stephanie L. Marjamaa

25 Job No. NJ343901

1 (Whereupon, Chairwoman Stevens
2 opened the meeting.)

3 MS. STEVENS: Good morning. We're
4 about ten after nine right now so I do want to go
5 ahead and get started, but before we do, I'd like
6 to turn the microphone or the floor, I should say,
7 over to vice chairman Mike Faith from Standing
8 Rock Sioux who's been kind enough to come here
9 today and open up our meeting. So thank you.

10 MR FAITH: Thank you. I probably
11 don't need a microphone but, you know, on behalf
12 of Standing Rock I want to thank everybody for
13 taking time to come out. You know, these meetings
14 are very important to tribes in that they need to
15 be here to get their concerns out. I suppose as
16 the day goes on you're probably gonna pick up a
17 lot more, but right now you got so many meetings
18 going on in Bismarck-Mandan. But on behalf of
19 chairman Murphy and the Standing Rock Sioux tribe,
20 which we're just south of here, want to welcome
21 everybody to Bismarck area from our tribe.

22 But again, you know, I've been on the
23 counsel before, tribal counsel 11 years -- 12
24 years I guess it was. Within that time I had an
25 opportunity to help break ground in the gaming

1 industry. You know, chairman Murphy at that time
2 -- chairman Murphy's been on for quite a few years
3 with the -- as the chairman and also a counselman
4 down there. He created a task force and it was
5 seven of us. We had to meet with the governors of
6 North and South Dakota, and everything was new to
7 us, gaming. There was a lot of pros and cons out
8 there as far as the gaming industry, what -- you
9 know, what's it about, what's it going to bring
10 besides jobs. And we heard horror stories out
11 there as far as, well, you got this and that
12 coming in. We had to go and find a firm. The
13 Seven Circles Resort helped us out and get on our
14 feet down there.

15 We met with governor Sinner of North
16 Dakota, and at that time he said you gotta get a
17 five year compact. Well, when we met with
18 governor Sinner and he said why do you want a five
19 year compact? Why don't you take ten? Well, we
20 took ten. He opened the door for us as far as any
21 kind of gaming device. We didn't want the
22 roulette table and we didn't want a wheel there
23 and the few things, but he said we're gonna keep
24 them here anyway. In the future if you need them,
25 they're there.

1 So it was a good start for us. The
2 learning experience was really, really difficult,
3 but I tell you what it created jobs, which was --
4 the intent was to create jobs, and not only for
5 the tribes, not with Standing Rock, but also the
6 state of North and South Dakota because when we
7 picked up nontribal they had to pay taxes. So all
8 in all, you know, the benefits of gaming helped
9 not only the Standing Rock Sioux tribe but it also
10 helped out the state of North Dakota and South
11 Dakota for taxes and employment.

12 You know, unfortunately, we don't have
13 a hundred percent natives down there right now.
14 We have a mixture. We have a lot of Indians
15 working for us. And again, they're from other
16 tribes plus Standing Rock, but the turn around --
17 the quick -- the quick growth of gaming back in
18 the day was a lot of people -- I guess how you
19 would say they weren't used to the work ethic at
20 the time, come into a place where it's 24/7, you
21 were expected to do certain things. A lot of
22 people going into the work force wasn't used to
23 that so the turn around was a lot. And to this
24 day unfortunately we still get a lot of people
25 going in and out of the casinos looking to get

1 experience there and they'll go elsewhere. Helps
2 them with their work ethic. A lot of them will
3 work up in Bismarck-Mandan area now.

4 But again, getting into South Dakota
5 you had a governor down there that was really
6 different than Sinner up here in North Dakota.
7 Bill Janklow he was a -- he took a foot, gave up
8 two feet so it was really hard as far as the
9 jurisdiction issues at the time.

10 But to this day we're still going down
11 hill with Grand River. Casino's still going.
12 It's been renovated. Prairie Knights just
13 expanded. I think gaming is doing well on the
14 reservation. We have to look at other forms of
15 economics, but right now gaming is a big factor
16 there. It's one of the highest employers.

17 And again, if it gets you what you
18 want out of it I guess if you pursue more tables,
19 more gaming devices, you gotta make sure that
20 you're fit for that. You don't wanna go to the
21 point where you outdo yourself and don't have the
22 numbers to come in and have a bunch of empty
23 gaming devices sitting there.

24 So you gotta look at your surroundings
25 as far as your numbers in your area. If they're

1 coming to your casino, fine. If they're not, you
2 know, as far as expansion, you know, I think
3 people need to really watch that. You know, if
4 somebody wants to keep up with the Jones and
5 expand too much, you make a big loan, you don't
6 get the numbers to pay your loan off, it could
7 come back and backfire on you too so.

8 Again, as far as gaming with Standing
9 Rock I just -- it's been really a trying
10 experience. Where we're at now we're out in an
11 isolated area. But I tell you what, with good
12 management skills, we had a good firm, Seven
13 Circles Resort, was an international firm that
14 came in. They knew how to get people, advertise
15 right, get them down there. So again, I think my
16 advice to anybody is gaming is good. It's there.
17 It could help the economy out not only in Indian
18 countries, but the states that actually allow
19 those.

20 But again, working hand in hand is
21 what the future needs to be here so. Once again,
22 I want to thank everybody for allowing me to say a
23 few words, and you have a nice rest of the week.
24 Thank you.

25 MS. STEVENS: Thank you, Vice

1 Chairman. I'd like to take a moment to have
2 everybody introduce themselves who are here, and
3 also feel free to come sit at the table with us.
4 We're feeling kind of lonely up here. Al though
5 we understand you may be a little shy. I think
6 our regional director, John Guerber, has the
7 microphone so he can walk around, and if everybody
8 could say your name and who you're with, that
9 would be great.

10 MS. BROWN: Good morning. My name's
11 Collette Brown. I'm with the Spirit Lake Casino
12 and Resort and the Spirit Lake tribe.

13 MS. DAVIS: Good morning. My name is
14 Marty Davis. I work for the Turtle Mountain
15 tribe, Belcourt, North Dakota.

16 MR. BISTIS: My name is Jim Bistis.
17 I'm with the NIGC in St. Paul.

18 MR. FAITH: Good morning. Mike Faith,
19 Standing Rock Sioux tribe, vice chairman. You
20 gotta excuse me. I got two other meetings I gotta
21 head to too. So thank you.

22 MS. STEVENS: Thank you for joining us
23 this morning.

24 MR. PAYS: My name is Richard Pays.
25 I'm from Turtle Mountain. I'm a commissioner.

1 MR. McKEE: My name is Jim McKee. I'm
2 a field investigator in the Rapid City NIGC
3 office.

4 MS. WOLFE: Good morning. I'm Marion
5 Wolfe with the Three Affiliated Tribes gaming
6 commission in New Town, North Dakota.

7 MR. PLATA: Good morning. I'm John
8 Plata with Hobbs, Straus, Dean & Walker on behalf
9 of Seminole tribe.

10 MS. DURBIN: Linda Durbin, field
11 investigator NIGC St. Paul.

12 MS. WARD: Jennifer Ward. I'm the
13 region attorney, and I work out of D.C., Portland
14 and D.C.

15 MR. GUERGER: And, Mr. Vice Chairman,
16 you missed the chance to invite everybody out to
17 the beautiful Prairie Knights.

18 MR. FAITH: Well, I tell you what
19 they've -- I won't get into that right now. We
20 have other casinos here too so --

21 MR. GUERBER: And I'm John Guerber.
22 I'm the regional director up here in St. Paul.

23 MS. STEVENS: Thank you, John.

24 So I do want to recognize our regional
25 staff that are here and also we have staff as

1 Jennifer mentioned from D.C. Our regional
2 director many of you know John Guerber. Field
3 investigator over here Linda Durbin, also James
4 McKee in the back. Our field operator Jim Bistis,
5 who introduced himself. Jennifer Ward here to my
6 right who's out of our headquarters in D.C. She's
7 a staff attorney, works for this region. And then
8 our general counsel Larry Roberts.

9 My name is Tracie Stevens. I'm a
10 member of the Tulalip tribes out of Washington
11 state, and glad that you-all could make it. We
12 also realize there are a number of other meetings
13 that are going on. I think that with the powwow
14 drawing in so many people this agency and many
15 others try to take advantage of folks being in
16 Bismarck at this time. I hope that every one has
17 their packets. There's some information that was
18 out at the front that James and Jim were handing
19 out. Part of that is the agenda and then the
20 PowerPoint that we're going to walk through.

21 I know many of you are here not
22 necessarily to speak to specific parts or have
23 formal comments, either written or verbal, but you
24 are here listening on behalf of your tribe or your
25 commission so that you can bring that information

1 back. We certainly would encourage questions as
2 we go through. If you do have formal written
3 statement for the tribe that you represent, you
4 can give those at any time. We realize that every
5 one has a very busy schedule. You'll notice in
6 our agenda we've made time for those opportunities
7 to, you know, bring your statement, and if you
8 need to make it on the record, then you can.

9 You know, in speaking with -- talking
10 about the agenda, we have broken it down into
11 certain parts and certain regulations and topics
12 that we'll be discussing rather than just leaving
13 it open. However, that doesn't mean that you
14 can't speak to another part that might be later on
15 in the agenda if your time does not allow you to
16 stay. So, you know, feel free to ask questions.
17 If you need to make a statement because of your
18 schedule before we get to a part, feel free to
19 just raise your hand.

20 We are transcribing these
21 consultations. We have a transcriptionist over
22 here to my left. This is Stephanie. And anytime
23 that we have anyone up to the microphone we need
24 everyone to state their name and where they're
25 from so that we're clear who's making what

1 comments or asking questions for the record.

2 So in the absence of anyone, does
3 anyone have prepared statements that they need to
4 make on behalf of their tribe? This is the time
5 that we would do that. Okay. Again, feel free to
6 come join us. You're feeling a little shy back
7 there. With that what I'd like to do now is turn
8 over the meeting or at least the microphone over
9 to Larry Roberts our general counsel, and he's
10 gonna be going through this PowerPoint. We're
11 going to go through certain parts of the
12 regulations at this time, and you can certainly
13 follow along. Feel free to ask any questions if
14 you have any at the time. Once we're through
15 doing a quick summary, we'll open the floor to
16 questions and comments and talk a little more
17 about where we're at with each of those
18 regulations in Group 1.

19 So I'll just turn the microphone over
20 to Larry.

21 MR. ROBERTS: Good morning everyone.
22 As the Chairwoman mentioned my name is Larry
23 Roberts. I'm a member of the Oneida Nation of
24 Wisconsin. And we'll be going through the
25 PowerPoint materials that have been handed out

1 this morning.

2 We're gonna start off this just by a
3 general statement that this is a government -- a
4 government consultation. This is not an open
5 meeting to the public and so only tribes or their
6 designees may attend these meetings.

7 The Commission is conducting this
8 meeting consistent with Executive Order 13, 175,
9 which directs agencies to encourage tribes to
10 participate, and in determining whether to
11 establish federal standards, that we consult with
12 tribal officials as to the need for Federal
13 standards and any alternatives that would limit
14 the scope of Federal standards or otherwise
15 preserve the sovereign authority of tribes.

16 The Commission has put forth five
17 regulatory groups. The regulatory groups did not
18 indicate priority for the Commission. They were
19 grouped according to subject matter, comments
20 received from the public on the notice of inquiry,
21 and the estimated time and resources it would take
22 for the Commission to review and act on these five
23 specific groups.

24 So as most of you are aware we've --
25 the Commission has moved forward in three phases.

1 For a number of the parts the Commission has
2 circulated preliminary drafts for comment from
3 tribes. A lot of those comment periods have now
4 closed, but that doesn't mean that tribes cannot
5 submit comments and won't be able to influence
6 proposed rules as they are issued. When the
7 proposed rules are issued, tribes and the public
8 will have an opportunity to comment on those
9 proposed rules. And then, if the Commission
10 decides to go forward with a final rule, there
11 will be a public comment period after the final
12 rule is issued as well.

13 Our preliminary discussion drafts are
14 just that. They're initial working drafts. We've
15 received a lot of helpful comments from the public
16 on the discussion drafts that we've circulated.
17 One regulation that we will be talking about
18 tomorrow self-regulation for Class II. That
19 comment period is open until September 17. All of
20 our -- as the chairwoman mentioned all of these
21 consultations are transcribed. So if you want to
22 see what had transpired at other consultations,
23 what thoughts other tribes shared, those
24 consultations are on our website as well as
25 written comments received from the public.

1 The Commission has been very clear
2 that they are in the process of reviewing and
3 considering every comment that we receive, that
4 our proposed and final rules will include a
5 summary of comments, and that the Commission is
6 dedicated and devoted to a clear and transparent
7 process in this ruling process. And so we've had
8 a number of consultations across the country,
9 various regions, reaching out to the tribes as
10 part of the government-to-government relationship
11 seeking input from all tribes across the country.

12 The consultation agenda as it stands
13 now we have as I mentioned five groups. We've
14 actually -- the Commission has scaled that to four
15 groups and has removed one of the groups in to a
16 tribal advisory committee process. So Group 1,
17 which we'll be talking about this morning, covers
18 fees collected by NIGC. It would cover Part 523,
19 which is review and approval of existing
20 ordinances; Part 559, facility license
21 notifications, and a potential Buy Indian
22 regulation.

23 This afternoon we will discuss Part
24 573 our enforcement regulations as well as a
25 number of parts that deal with appeals before the

1 Commission. Part 4, which we'll also be covering
2 this afternoon, will be Part 556 and 558, which is
3 our pilot program for primary management officials
4 and key employees, monitoring investigations, our
5 regs relating to collateral agreements, our regs
6 relating to the background investigations for
7 persons or entities with financial interests or
8 management responsibility in a management
9 contract, and then definitions.

10 And finally, tomorrow morning in Group
11 5 we'll talk about the Commission's preliminary
12 draft self-regulation of Class II gaming and its
13 sole proprietary -- and potential regulation
14 involving sole proprietary interest.

15 So this morning in your packet of
16 materials we have a number of -- actually two
17 preliminary drafts that were circulated for
18 comment. One is part 514, fees, and the other is
19 559, facility license notifications.

20 And so at the onset we'll turn to Part
21 514, fees. And so you should have in your
22 material a redline draft of Part 514 that shows
23 the changes proposed to the regulation. This is a
24 preliminary draft the Commission has put forward
25 with a proposed rule at this point, but some of

1 the changes in the draft regulation is a change in
2 the fee calculation based on a gaming operation's
3 particular fiscal year rather than our calendar
4 year, and that's proposed in Section 514(a)(1).
5 And we're hoping that that helps to clarify and
6 streamline the fees process so there aren't as
7 many issues relating to the calculation of fees.
8 Where also in this preliminary draft the fee rate
9 is published for March 1 for a more accurate
10 preliminary rate. And then, the draft proposes
11 removing amortization from Section 514(b)(2)(ii)
12 to reflect existing practices.

13 The discussion draft goes back to
14 quarterly payments as -- rather than biannual
15 payments. And it clarifies that the gaming
16 operation will utilize the 514(b) calculation to
17 determine addressable gross revenues. This isn't a
18 substantive change. It's a clarifying change.
19 And then, that we have a proposed section that if
20 the gaming operation changes its fiscal year that
21 it provides notice to the Commission of that
22 change.

23 One of the sections that we've
24 received quite a bit of comment on is a new
25 section involving late payments prior to a notice

1 of violation and so Part 514 defines a late
2 payment. The proposed definition would be
3 payments made within 91 days of end of fiscal year
4 would be a late payment. A late payment results
5 in a fee assessment, and a failure to pay an
6 annual fee, which is any payments made after that
7 91 days of the end of the fiscal year, that would
8 result in a substantial violation.

9 So some of the things that we've heard
10 during the consultations from tribes is that for
11 one reason or another that the payment of fees to
12 NIGC may be a few weeks or months late due to,
13 say, flooding of their facility and their
14 operation and their inability to have an audit
15 prepared in a timely manner. What this proposal
16 would do in terms of a late payment fee basically.
17 Late payment assessment if it's paid within 91
18 days after which -- if the late assessment has
19 been paid after 91 days, it would turn into a
20 potential notice of violation.

21 We also have in the new section
22 fingerprint processing fees. NIGC, as many of you
23 know, has been collecting fingerprint processing
24 fees for quite some time. This clarifies through
25 regulation the collection of those fees, and we

1 proposed publishing the amount biannually. We've
2 heard during the context of consultations some
3 tribes would prefer that we publish the fee amount
4 annually or less often than biannually. We'd like
5 to hear feedback from you on that.

6 And then, we have a couple of
7 questions in terms of should the term admission
8 fee be changed to entry fee? We've heard from
9 some folks that an entry fee may be more precise
10 than an admission fee. And should tournament fees
11 be included as examples of an entry fee.

12 The Commission has also asked whether
13 it should consider revising the definition of
14 gross gaming revenue be changed to a definition
15 consistent with GAAP. The preliminary draft does
16 not make this change. And the other question that
17 we've sought consultation on is whether the
18 commission should define wager and payout.

19 As I mentioned this written comment
20 period on the discussion draft closed at the end
21 of May of this year. If the Commission goes
22 forward with a notice of proposed rule making,
23 tribes will again have an opportunity to comment
24 on that notice of proposed rule making. Are there
25 any questions or comments on Part 514 in fees?

1 Okay. I'm gonna move forward then to
2 Part 523, review and approval of existing
3 ordinances or resolutions. This part only impacts
4 -- or only implies to tribal ordinances enacted
5 before 1993 and have not been submitted yet to
6 NIGC for approval. So the question here is
7 whether this part should be repealed, whether it's
8 obsolete, whether there are any tribes out there
9 that have a tribal ordinance enacted before 1993
10 that has not been submitted yet to NIGC for
11 approval. We've heard during the consultations
12 held today that we haven't heard any tribes say
13 that they would be impacted by the repeal of Part
14 523. So if that is a concern for your tribe,
15 please, please let us know because the Commission
16 will be considering moving forward with a notice
17 of proposed rule making to repeal this part unless
18 it hears I think from tribes that they could be
19 impacted by such a repeal.

20 Okay. Part 559 is also a part that
21 we've circulated, the Commission has circulated as
22 a preliminary discussion draft that's in your
23 materials. As part of the notice of inquiry --
24 and I should back up for folks that maybe weren't
25 aware that the Commission issued a notice of

1 inquiry. When the Chair and the Commission took
2 office last summer, they moved forward with a
3 notice of inquiry, which is sort of a step before
4 any sort of notice of proposed rule making. It
5 basically asked tribes and the public for comment
6 on which regulations as part of its regulatory
7 review process should the Commission be looking
8 at, what -- how -- what process should they use in
9 reviewing those regulations, and in what order.

10 So the comments in response to the
11 notice of inquiries supported Commission review of
12 Part 559, and in part -- and although the comments
13 stress that the part was adopted without adequate
14 tribal consultation. And so the Commission has
15 put forward a preliminary draft, and some comments
16 received from the public have questioned NIGC's
17 authority over environmental, public health, and
18 safety issues.

19 And so the discussion draft as you can
20 see in part 559.2 changes the timeframe for notice
21 of a new facility license and includes a provision
22 for expediting the process of NIGC's review when
23 the circumstances permit. So, for example, some
24 tribes have said we're sending in a facility
25 license. We know that we're supposed to submit

1 this within 120 days of opening our facility. Can
2 you let us know if you have any concerns before
3 that time period on the opening of the facility.
4 And so in some instances the Commission has been
5 able to say thank you for submitting your
6 materials. We have everything we need and, you
7 know, go ahead and feel free to open the facility.

8 This would -- and so this discussion
9 draft basically incorporates an informal process
10 where some tribes will reach out to the Commission
11 and say we've submitted our materials. Do you
12 have everything that you need.

13 So the discussion draft in 559.3
14 provides that a copy of each newly issued facility
15 license be issued within 30 days. And then,
16 rather than -- what this draft changes is rather
17 than the tribe submitting a long list of materials
18 relating to environmental health and public safety
19 issues that the tribe submit to the Chair an
20 attestation from the tribe that it -- that the
21 tribe as sovereign as in terms that the
22 construction and maintenance of the facility and
23 operation is conducted in a manner that adequately
24 protects the environment and public health and
25 safety.

1 We've heard through comments that a
2 lot of these issues are addressed already in
3 tribal state compacts. Their address is a matter
4 of tribal law. And so this proposed change would
5 have attestation from the tribe directly to the
6 Commission that these -- that their facility is
7 conducted and constructed in a matter that
8 adequately protects the environment. We also know
9 that many tribes have their own environmental
10 departments and health and safety departments that
11 provide regulatory oversight on these issues.

12 The discussion draft also requests
13 notice to NIGC within 30 days when a license is
14 terminated or expires or if a facility closes or
15 reopens. It provides the Chair with authority to
16 request additional information on a case-by-case
17 basis and that electronic submissions are
18 acceptable.

19 You'll notice that in terms of
20 notifying when a facility license is terminated or
21 expired in 559.5 the Commission has heard from
22 tribes that on some occasions there's -- the tribe
23 will close its facility seasonally or have a
24 temporary closure, and so we've left a blank.
25 We've left that there where we don't need

1 notification of a seasonal closure or a temporary
2 closure. We'd like -- and we've received comment
3 from a number of tribes in terms of how many days
4 constitutes a temporary closure, what is
5 reasonable there. And so if there are any
6 comments on this particular section on temporary
7 closures, we'd certainly welcome those as well.

8 As I mentioned the written comment
9 period on this discussion draft closed in mid
10 June, and the Commission if it decides to move
11 forward with the notice of proposed rule making
12 the tribes and the public will have an opportunity
13 to comment on that proposed rule. Are there any
14 questions or comments on Part 559?

15 Okay. Well, the last section of Group
16 1 is part -- is a Buy Indian regulation. The
17 Commission asked in notice of inquiry should NIGC
18 adopt a regulation that would apply to itself, not
19 to tribes, that would require the Commission to
20 Buy Indian when purchasing goods, services, and
21 property. IGRA provides NIGC with authority to
22 contract with tribe, states, private entities.
23 And so the Commission has asked for comment on
24 whether it should move forward with the
25 regulation, whether it should move forward in

1 terms of guidance, or some sort of internal agency
2 policy. Are there any comments or questions on
3 either the Buy -- potential Buy Indian regulation
4 or any other questions or comments on the other
5 parts we've just sort of run through in this
6 PowerPoint?

7 MS. STEVENS: Thank you, Larry. I
8 know many of you here are just here to listen and
9 see what's going on. A number of these
10 regulations we've been talking about for some
11 time. I think the first drafts were issued back
12 in May, April or May. I think the first one was
13 fees and so the comment period on that particular
14 discussion draft had closed and we've been
15 continuing to hear comments about it. We also
16 understand that it's usually the tribe's CFO or
17 the comptroller or the financial people that want
18 to talk about the changes that we've made in 514,
19 fees, the fee section. You know, how does moving
20 from biannual payments to quarterly payments work
21 for you. So far we've heard very favorable
22 comments about quarterly payments, because it
23 aligns with other practices that the operations
24 had or the tribal government has. So we'll be,
25 you know, happy to hear about how this would

1 affect you or have you take this back to your
2 financial people and ask, you know, how does this
3 affect us.

4 Also changing the reporting period
5 from a calendar year to the tribe's fiscal year.
6 And we actually have a breakdown of every single
7 tribe and when their fiscal year is. Not --
8 surprisingly tribes have different end fiscal
9 years. Many tribes are still working off of the
10 federal government's fiscal year end, which is
11 September 30 -- October 1 to September 30. Many
12 tribe calendar years even -- surprisingly there's
13 some tribes that have April 1 to March 30. So
14 different tribes based on their needs have
15 different fiscal years.

16 The trouble that we were running into
17 and the tribes were specifically running into,
18 which led to fee audits, was trying to make a
19 whole different calculation based on the calendar
20 year than what their fiscal year was and that
21 often led to errors, which caused the need for our
22 auditing to go out and to do a fee audit to make
23 sure that the fee was accurately calculated and
24 assessed. The -- the really ownest of changing to
25 the tribe's fiscal year will be a burden on the

1 NIGC, which we think is not really that -- our
2 comptroller does not feel that it's an issue at
3 all. It's not even a burden. It would actually
4 be helpful so that we can reduce the number of
5 errors that were being made because of the
6 calendar cycle. So we'd love to hear -- so far
7 we've been hearing really good things about doing
8 it that way. That reduces the amount of work that
9 the people have to do, because they're just doing
10 the one calculation on a separate calculation or
11 better yet is based off of your financial audited
12 statements, which is based off your fiscal year,
13 helpful for tribes and that's why we wanted to
14 suggest that.

15 Also the late system, we know -- I did
16 a quick calculation back in -- our staff did at
17 our request the number of NOV's that were issued
18 for fees, and the total number of NOV's
19 historically and about 66 percent of NOV's were
20 for late fees depending on whether that was one
21 day late, two, several months late, and what we in
22 our initial discussions talked to tribes about are
23 -- was the concept of a late payment system. And
24 that's what you'll see in this draft, and we'd
25 like to know how you feel about that. Many tribes

1 are saying that's a fair way to address
2 circumstances that might be outside of their
3 control. As Larry suggested what we're hearing is
4 there may be things like natural disasters, other
5 types of issues that may cause a tribe to be
6 delayed in their payment.

7 You know, I asked our comptroller,
8 Chris White, about this. He's on the phone a lot
9 with tribes trying to calculate fees with them and
10 walking them through the worksheets. Many times
11 he's said it's -- it's never willful
12 noncompliance. It's changing of staff at tribes
13 or a circumstance where a staff person who
14 normally does this might not be available. They
15 may be ill, but usually the turn over, may be some
16 miscommunications between certain people within
17 the tribe, the regulators, the outside auditors,
18 and us, but he says he's always been able to
19 successfully walk, you know, a new person who
20 works for the tribe through the process and get
21 them going on their fees. And just a little
22 information there about what we see and why tribes
23 are late and given the history for the NOV's that
24 were issued, you know, that is a big hammer for
25 being late.

1 We had heard when we first came into
2 our positions that there were fines that were
3 greater than the fee itself, because of the late
4 -- the nature of the late payment, which certainly
5 could encourage tribes not to be late but, you
6 know, we thought it would be fair that it be
7 proportionate to how late you were, and that's why
8 you'll see in this draft, you know, 30, 60, 90
9 days, and that's very similar to other things that
10 go on in operations in businesses or any of your
11 person lives when you're late on your payment 30,
12 60, 90 your penalty increases the later you are.

13 And also in this draft you'll see that
14 the Chair has discretion to take action or not
15 depending on the severity of circumstances of the
16 tribe, you know, the nature of their late payment.
17 Again, we hear some things that, you know, we
18 don't -- you know, nobody expects. We had heard
19 that, you know, their financial person had become
20 gravely ill, and their lake overflowed, may be
21 had to close the facility and we're gonna be late.
22 So, you know, the -- preserve the right of the
23 Chair to take a look at individual circumstances,
24 but the design here is to have the penalty be
25 increased as the payment is later, but hopefully

1 that the way we structured the quarterly payments
2 based on tribe's fiscal year, how we define
3 certain definitions in here, admission fees,
4 tournament fees, entry fees would be helpful to
5 tribes so that we can avoid some of the issues
6 we've had with late payments and thus not get to
7 that point of penalty. So we'd love to hear about
8 those concepts that we have in the fee regulation.

9 One last thing that's in there is what
10 should the penalty be? Should it be a hard dollar
11 amount or should it be a percentage based on
12 interest and percentage applied? What we've heard
13 so far many tribe's percentage would be fair based
14 on the size. So if you're a small operation, a
15 percentage would be a good ratio to on how much
16 gross, you know, how much your payment is as
17 opposed to a hard dollar amount. Where a larger
18 facility if they're late, you know, hard dollar
19 amounts might not mean that much, but it would
20 mean quite a bit to a very small operation, so the
21 percentage is gonna be fair. So we'd like to hear
22 your views on that as well. So far that's what
23 we're hearing is the percentage based.

24 I'm not sure that I'm missing anything
25 else. Those are the major sort of high points and

1 what we've heard so far and what our thinking was
2 in developing this draft that's out there now.
3 Some things to consider if you have to bring this
4 back to your counsel or other commission members,
5 again, all the comments that we've received on
6 these are posted on our website, and the drafts
7 are also on our website.

8 Okay. What's the next fun one? 523
9 is just a repeal of old ordinances, and I don't
10 believe -- I think our staff has done the research
11 to indicate there are no ordinances out there that
12 meet that criteria. So it's just a regulation
13 that didn't need to be there anymore.

14 What's the next one? 559, facility
15 licensing, many of you know the previous
16 Commission had issued facility license regulations
17 a number of years ago, and we've heard a lot about
18 this when we first came into office, and the
19 requirements that were laid out for tribes in
20 licensing and the time periods required in the
21 regulation relicensing every three years, certain
22 things that you have to submit when sending in
23 your licensing.

24 I have a couple of different drafts
25 here. I'm looking to make sure I have the right

1 one. It's the same one. So you'll see in this
2 particular draft as Larry had mentioned there were
3 a number of things that we had taken out that were
4 required previously that we've heard tribes say
5 it's either in their compacts, they use other
6 federal agencies, like Indian Health Services.
7 They have it in their own tribal law, and they
8 have other parts of their government that
9 oversee -- and who oversee certain parts of public
10 health. And that the requirements of the facility
11 licensing regulation as is now -- it's duplicative
12 and actually can be a burden putting this
13 information together.

14 So again, we're asking for attestation
15 from the tribal government that there is in place
16 public, health and safety -- environmental, public
17 health, and safety issues are taken care of by the
18 tribe however that maybe. It varies from tribe to
19 tribe. And we certainly would love to hear
20 comments on how that's structured for your
21 particular tribe. As I said some tribe's compacts
22 require that they follow state guidelines or state
23 laws. Other tribes are using federal agencies to
24 do that. We'd love to hear more about how that
25 works for tribes throughout the country for the

1 record so that we can see how it varies and how
2 what we proposed would be work -- how it would
3 work for the variety of tribes and their
4 situations.

5 The last thing to consider on facility
6 licensing is temporary closures. Do we have any
7 tribes that do temporary closures for seasonal?
8 There's a surprising number of those tribes who do
9 seasonal closures out from -- I'm from Washington
10 state, and we have some tribes out there that
11 close for a certain numbers of months because, you
12 know, of the winter and the roads are not
13 passible. How long is too long or how long is
14 enough for those type of temporary closures?
15 Whether it's a rebuild, whether you've had a
16 natrual disaster like a flood where we don't need
17 to be notified that you're closed. Is it 30 days,
18 60 days, 90 days, 180 days? How many days is
19 temporary for seasonal or closures that are
20 remodels or because of disasters? That's
21 something we'd like to hear about.

22 Temporary doesn't need to be
23 temporary. I think it would be maybe too much to
24 ask for a year or more. Although especially if
25 you're doing construction, you know, how that can

1 go. What you thought was gonna take two months
2 takes four months and what you thought was gonna
3 take four months takes eight months. And so we do
4 want to draw a line in the sand there that says,
5 okay, this is an amount of time that's acceptable
6 to be determined to be temporary so that you don't
7 have to keep telling us, you know, the license has
8 been terminated for now, the facility's closed,
9 where we don't have to note that you're going to
10 reopen. So those are major parts of facility
11 licensing we'd love to hear from tribes on how
12 these will work for them.

13 The Buy Indian, there are parts in the
14 statute that give the Chair the authority to
15 contract under 2706(a)(6) and (7), but also just
16 the Buy Indian Act, and the secretary holds that
17 authority, the Secretary of the Interior. And,
18 you know, again, we want to reiterate because
19 there has been some misunderstanding that we're
20 not trying to apply this to the tribes, we're
21 applying it to us. So when we contract as a
22 federal agency, that we look to Indian vendors and
23 Indian businesses first if we can and the price is
24 competitive.

25 Do we do a lot of that? Mostly it's

1 gonna be in these situations but, you know, there
2 might be copy machine people or people who are
3 tribes that have paper companies, or if we have to
4 move, are there tribes that do that, but mostly
5 it's gonna be when we're out on the road like this
6 and we need a facility. We try to go to Indian
7 facilities when we can and when the price is
8 appropriate, but we were considering how do we
9 formalize this process.

10 We've heard some feedback even from
11 some former commissioners that why on earth would
12 you wanna do that, make it a reg, and why would
13 you want to solitify it and, you know, box it in
14 the next commission to do that when you could just
15 do an internal policy. Would an internal policy
16 be adequate? Again, this is part of the NIGC's
17 business and because we're funded by these, paid
18 by tribes, by you, you know, we wanna get your
19 views on how we can encourage economic development
20 and policies that are under IGRA so that we're
21 encouraging that economic development as a federal
22 agency.

23 So a little repetitive on my part but
24 I wanted to put a little more information out
25 there about what we've heard so far, getting a

1 variety like on Buy Indian, doing internal
2 policies, understanding the reg. But certainly,
3 again, we want to give everyone the opportunity to
4 at least think about it when you go back and brief
5 your commission or your counsel on what you've
6 heard here today. I think that's it on this
7 section. Do we have anyone that has any questions
8 or comments? Do we need to clarify any of the
9 parts here, anything that we've said.

10 If not, then why don't we get up and
11 stretch and we'll take a break, and we'll come
12 back in about 15 minutes. And we may move on to
13 some other sections as well. Okay. We'll take
14 15.

15 (At this time a break was taken.)

16 MS. STEVENS: Okay. I'd like to
17 resume the meeting. For those who were following
18 what we've been doing, you'll notice that Class
19 III -- there's a number of things that were taken
20 off the schedule and I'll explain why. Class III
21 minimum internal control standards were a part of
22 Group 1 originally. That was meant to discuss
23 options on how we can address Class III internal
24 control -- minimum internal control, and we heard
25 a lot of feedback in the notice of inquiry earlier

1 in the year and the meetings up to I think about
2 ten meetings I think that we had through
3 Washington D.C. in July.

4 What we originally -- I was thinking
5 back. We were gonna discuss how to approach Class
6 III in Group 1, and in Group 5 we were going to
7 implement whatever suggestions or whatever plan
8 that we had put into place after our discussions
9 in Group 1 on how to approach it, so hear our
10 plans and ideas and then implement. And also the
11 other thing that you won't see us talking about
12 here today is Class II minimum internal control
13 standards and Part 547, technical standards for
14 machine play for Class II bingo.

15 What we've heard up to this point and
16 through the, you know, as I was saying with the
17 notice of inquiries that there was a strong
18 interest and a lot of comments from tribes that we
19 reestablish a tribal advisory committee. So
20 recently in the beginning of August we issued a
21 nomination, a call for nominations, so that we can
22 address Class II and Class III minimum internal
23 control standards and technical standards for
24 Class II games under Part 547.

25 We recently extended the day to come

1 in compliance, the deadline to come into
2 compliance for Class II minimum internal control
3 standards until October of 2012 so that we can get
4 through the products that tribal advisory
5 committee will produce. So we have nominations
6 out there until September 16. That is all on our
7 website, the letter that went out to tribes
8 explaining why we're requesting nominations, what
9 kind of nominees we're looking for, dates that
10 we're looking to have tribal advisory committee
11 meetings so that we can address Class II, Class III
12 minimum internal control standards and technical
13 standards.

14 So you won't see that on this agenda.
15 We originally, as I said, started out with these
16 subject committee's topics on our agenda, but,
17 again, we were remaining flexible enough to hear
18 how tribes want to proceed. So what we've done is
19 move those three issues on to a parallel track
20 that we'll deal with alongside these other
21 regulations that we're talking about today and
22 tomorrow. These particular regs are not as
23 cumbersome and specific, so we wanted to free
24 these up and the time that we're using here to
25 make progress on these regulations and not have

1 our consultations taking up these -- these
2 particular consultations taken up with minimum
3 internal control standards and technical
4 standards.

5 So if you have any questions about the
6 tribal advisory committee nominations, letters,
7 information, that's all available on our website
8 or you can talk to any of us here. Again, the
9 deadline to submit names for that advisory
10 committee will be September 16. The objective for
11 that particular committee will be to have -- put
12 forward suggestions on how we can improve and what
13 we can do with minimum internal control standards
14 and suggest to changes in technical standards, and
15 that will go on for about a year.

16 So we won't be talking about those two
17 things today, but we certainly would, you know, if
18 there are any comments or questions about them,
19 we'll welcome comments and questions about that
20 process. With that out of the way, what I decided
21 that we should probably do at this point, because
22 we've talked most of the morning about the Group 1
23 regulations, is to jump on the agenda to the
24 afternoon section. In absence of any comments on
25 Group 1, we would just go ahead and move to Group

1 2 regulations, summary, and tribal comments, which
2 is on your agenda, the 1:30 to 3 p.m. section, as
3 it's going to be on enforcement and proceedings
4 before the Commission.

5 And if you look in your book, that
6 will cover -- hold on. I want to make sure it's
7 573. I think Larry -- page 9 on your PowerPoint,
8 but you do have that book in here that goes into
9 -- it'll list what we're gonna talk about first in
10 appeals 573, 519, 524, 539, 577. So we'll be
11 going over that in I moment. Just so you can
12 follow along, we're gonna jump ahead on the agenda
13 and talk about those parts. So with that I'll
14 turn it over to Larry, and we'll go ahead and talk
15 about these sections.

16 MR. ROBERTS: Okay. So we're gonna
17 start off with Part 573 dealing with enforcement.
18 Earlier this year the Commission circulated a
19 preliminary draft and discussion draft making
20 various changes to this part. One is that it
21 embodies this Commission's goal of voluntary
22 compliance for tribes rather than going directly
23 to an enforcement action fostering tribal
24 governments working with NIGC to achieve
25 compliance with the Act, and so 573 adds that that

1 is the goal of the Commission.

2 573.2 lays out a process where -- what
3 we've -- what we've heard in response to
4 consultations and in responsive notice of
5 inquiries that sometimes tribes would receive an
6 NOV and they had little or no idea that an NOV was
7 actually about to be issued. And so what this
8 does is this lays out a process, sort of a stepped
9 process, that the Commission may take, that the
10 Chair may take, leading up to the issuance of an
11 NOV. And so it lays out a letter of concern and
12 then a more semiformal non-compliance notice, and
13 then if it's still not corrected an NOV..

14 The discussion draft does retain the
15 chair's authority to issue an NOV at any time. So
16 there might be circumstances under which this
17 stepped approach is not appropriate. Neither the
18 letter of concern or the non-compliance notice is
19 a final agency action. Either a non-compliance
20 notice or a letter of concern may provide a time
21 period for the tribe to come into voluntary
22 compliance.

23 Let's see. We sought comment on this
24 and the comment period closed August 9. And so
25 there's been questions in terms of what is the

1 Commission's time frame on some of these
2 preliminary drafts that have been circulated when
3 the comment period is closed. The Commission is
4 in the process of reviewing those comments and
5 deciding whether it wants to move forward with a
6 notice of proposed rule making for each of these
7 preliminary drafts. Are there any questions with
8 Part 573 or the changes embodied in the
9 preliminary draft?

10 Okay. Well, we're gonna move forward
11 with proceedings before the Commission. Probably
12 a section that only an attorney could love.
13 Basically for those of you that are familiar with
14 proceedings before the Commission, the appeals
15 process is laid out in a number of different
16 parts, Part 519, Part 524, 539, 577. What we've
17 heard from folks is that it may make sense to
18 streamline the process and clarify the process and
19 have -- just create a whole new subchapter in
20 moving these various parts into one part on the
21 regulations so you're not -- attorneys and tribes
22 are not constantly trying to figure out which part
23 applies to them for the appeal and how to move
24 forward. So this preliminary draft was circulated
25 for discussion purposes. And it's our attempt,

1 Commission's attempt, to try to combine all these
2 parts into one subchapter.

3 So if you turn to your materials, Part
4 580 of this new preliminary draft basically lays
5 out the rules of general application in
6 proceedings before the Commission.

7 And then, Part 581 covers motions.

8 Part 582 covers appeals for
9 disapproval of gaming ordinances, resolutions, and
10 amendments.

11 Part 583 covers appeals for approvals
12 or disapprovals of management contracts.

13 Part 584 covers appeals for before a
14 presiding official for notices of violation,
15 proposed civil fine assessments, orders of
16 temporary closure, the Chair's decision to void or
17 modify a management contract, and notices of late
18 fees and late fee assessments.

19 And then, Part 585 covers appeals not
20 before a presiding official but appeals to the
21 Commission just based on written submissions on
22 all of those issues covered in Part 584.

23 So turning to our booklet in Part 580
24 it covers a number of general issues. It covers
25 definitions, and it covers when may a Commission

1 suspend or waive its rules governing the
2 proceedings, who may appear before the Commission,
3 how do you actuate service in proceedings before
4 the Commission, and then a section on ex parte
5 communications and what are prohibited and what's
6 allowed.

7 Part 581 is motions in appellate
8 proceedings before the Commission. So, for
9 example, in an ordinance appeal there's motions
10 for limited participation, motions to intervene in
11 appeals before a presiding official, motions in
12 appeal on written submissions, filing a motion
13 before a presiding official, filing a motion to
14 supplement the record, filing a motion for
15 reconsideration. All of these issues are
16 relatively general issues, but they are in some
17 way shape or form issues that the Commission
18 thought could be better clarified in Part 581.

19 Part 582 lays out appeals of
20 disapprovals of gaming ordinances, resolutions,
21 and amendments. This picks up on part of the
22 section -- part of the -- the part that currently
23 covers these appeals. Who may appeal, how to
24 appeal, a late filing or failure to file an
25 appeal, motion practice, motions for limited

1 participation, setting forth the standard of
2 review on these appeals, and then laying forth
3 sort of the the timing of a decision, content and
4 effective date, and that it is for purposes of the
5 agency, final agency action for purposes of
6 judicial review. Again, sort of flushing out some
7 areas that we've heard from the public that could
8 be clarified.

9 Part 583 appeals for approvals or
10 disapprovals of management contracts. Again,
11 covering the same general topics who may appeal,
12 how you appeal, what covers the late filing or
13 failure to file, how motions are handled, how
14 motion for limited participation are handled,
15 again the standard of review, and again laying out
16 that it is for purposes of judicial review final
17 agency action.

18 Appeals before a presiding official,
19 for example, when the Chair issues an NOV, Part
20 584 is where you would go to if the appeal is
21 directed to a presiding official. So again, who
22 may appeal that NOV or that proposed civil fine
23 assessment, how to go about appealing that, again
24 motions for limited participation, motion practice
25 in general, the burden of proof, standard of

1 review, when the hearing will be held, just the
2 basics of appeals process before a presiding
3 official.

4 And Part 585 for appeals to the
5 Commission just on written submissions where
6 you're not going to have any testimony presented,
7 Part 585 lays out that process for appeals to the
8 Commission. Again, the standard subjects are
9 covered in the other parts who may appeal, how to
10 appeal, late filing, standard of review, motions,
11 and then that obviously the decision by the
12 Commission will constitute final agency action.

13 The written comment period on this
14 preliminary draft closed August 22, and we are in
15 the process right now of going through all those
16 comments and briefing the Commission on those in
17 terms of moving forward with a notice of proposed
18 rule making. Does anyone have any questions or
19 comments on this section?

20 What we've tried to do is --
21 Commission's tried to do is clarify it so that
22 it's more transparent to the effective parties,
23 that it's a simple process, that the rules of the
24 road are basically clear to everyone. So if there
25 are -- greatly appreciate any comments on this

1 part. Whether there are improvements that could
2 be made, any sort of feedback would be
3 appreciated.

4 Part of these -- the preliminary draft
5 clarifies who may appeal, for example, disapproval
6 of a gaming ordinance. There's -- in the past the
7 Commission and the public have asked whether they
8 could -- whether appeal is limited to just a tribe
9 that who's gaming ordinance was denied or whether
10 other parties could appeal that. And the
11 regulations here what we're trying to make clear
12 is that only the tribe may appeal that action.

13 I think the intent of a lot of these
14 changes are in at least a lot of these changes are
15 embodying the Commission's current practice. So
16 it might be something that you would see in
17 previous decisions of the Commission or how the
18 Commission has attempted to resolve certain
19 process issues or how they've handled certain
20 process issues in the past that may not actually
21 be in the regulations, and so this is an attempt
22 to basically embody those processes and get more
23 clarity.

24 MS. STEVENS: I think we only have one
25 attorney in the room. It's unusual. And I think

1 they've already given comments on this particular
2 section. But, again, these are I think processed
3 issues that we are -- as Larry said we're
4 attempting to create some consistencies and
5 clarity in having them located in similar sections
6 rather than disbursed throughout various
7 regulations.

8 We've heard some concern about the
9 confusing nature about how they're currently
10 written and where they're located, so this is
11 mostly clean up and clarification for those who
12 are engaged in processes before the Commission,
13 appeals before the Commission. And keeping in
14 mind as well that not all tribes are going to
15 engage specialists, legal specialists, to do this.
16 We're trying to make them as clear as possible for
17 those who might not be as familiar with our
18 processes or have outside counsel or specific
19 specialized counsel who would be getting them
20 through this process so that when reading this,
21 you know, commissioners, counsel members can get a
22 sense of what they're supposed to be doing and
23 where they can find this information more
24 importantly. It may not be the sexiest stuff on
25 the planet, but it's important that we're clear

1 about what steps tribes need to take when they're
2 going through these proceedings.

3 MR. PLATA: Tracie?

4 MS. STEVENS: Yes.

5 MR. PLATA: I have a comment.

6 MS. STEVENS: Can you state your name,
7 please.

8 MR. PLATA: Yeah. I'm sorry. John
9 Plata.

10 MS. STEVENS: If you might just, you
11 know, step up to this microphone.

12 MR. PLATA: I just had a question --
13 or just actually I want to get some feedback from
14 you, kind of some discussion going here on Part
15 580 where it discusses ex parte communications. I
16 wanna get your thoughts on a situation where the
17 issue being appealed is between the tribe and NIGC
18 and what kind of communication would be ex parte
19 if we're trying to -- if the overall goal of
20 communication of the tribe is to have an open and
21 transparent relationship and government
22 consultation. In this situation, you know, where
23 a tribe is -- reaches out to a member of your
24 staff or someone who they feel comfortable with in
25 resolving some of these issues, you know, I -- the

1 concern that I express in the comments that were
2 submitted for the Seminole tribe was that it might
3 put a damper on that communication, the open
4 communication that had previously occurred, but in
5 this scenario there might be a restriction against
6 sharing their concerns on particular appeal issue.

7 Can you share your thoughts on how if
8 you think what's been drafted might harm that
9 relationship or harm that communication back and
10 forth by the tribe and NIGC?

11 MR. ROBERTS: Thank you for the
12 comment. And I think it's a good observation that
13 the Commission will have to consider. I think
14 that they -- some of the underlying policies
15 behind laying out what ex parte communications are
16 prohibited isn't necessarily to prohibit, for
17 example, settlement while it's pending on appeal
18 or that sort of thing, but I think it is to make
19 clear that if there are communications on lower
20 facts involving the appeal that either they don't
21 occur or that if they do occur under 58.5(d) that
22 there's a record of that placement proceeding of
23 what occurred. So I think if it's in the context
24 of settlement I think that's sort of a different
25 discussion and a different thing that the

1 Commission will have to consider.

2 But I think the idea is in situations
3 where, for example, you have an NOV with multiple
4 parties, let's say it's a tribe and contractor,
5 and that's leading the second party pretty clearly
6 what communications are prohibited and if they do
7 occur that all parties to the action receive
8 notice of what those communications were.

9 MS. STEVENS: I know we have here
10 mostly commissioners or people who work for or are
11 on their gaming commission. I'd be interested in
12 knowing your thoughts on the proposed 573 where
13 we've designed and have suggested a step sort of
14 incremental process before we get to more
15 egregious actions like NOV's and closures.

16 Again, as Larry stated and actually
17 what I've heard when I was in South Dakota in
18 February there were a number of tribes who said I
19 came to the Commission and asked for help and what
20 I got in return was an NOV. Didn't expect it,
21 didn't see it coming. And I've said before, I
22 mean, if we're -- our philosophy at this NIGC is
23 that we take an approach of ACE, assistance,
24 compliance, and then enforcement, then an NOV
25 unless under, you know, some very unique

1 circumstances the tribe should not be surprised
2 that an NOV's coming. We should be making an
3 effort to assist the tribe, help the tribe come to
4 compliance, maintain compliance, and when all else
5 fails an, you know, NOV.

6 And so you'll see we've drafted in 573
7 the enforcement section under 572 -- 573.2, you
8 know, what steps can we put in place that sort of
9 ramp up to, you know, the most severe action or
10 one of the most severe actions that we can take so
11 that we can let the tribes know, hey, you know,
12 even before we get to a point of a letter of
13 concern of the 572 -- 573(2)(b)(i).

14 You know, I know that our field staff,
15 our region people, our field investigators, our
16 auditors, our general counsel of office in D.C.
17 take several unofficial steps to discuss issues
18 with tribes, from informal discussions here,
19 asking questions over the phone, getting guidance,
20 getting onsite technical assistance to remedy
21 issues that a tribe may have. At some point we
22 would engage, as you'll see under 573.2, some sort
23 of formalized process that would be progressive.
24 And we'd love to hear from tribes about, you know,
25 their views on this suggestion of taking an

1 incremental approach.

2 And again, you know, recognizing that
3 our field staff does a lot to work with tribes
4 beforehand, this memorilizes, you know, a more
5 formalized step process when we're informally
6 working with tribes, you know, engaging the
7 increments in a more formalized process when those
8 efforts may not be solving the issue.

9 So for those of you who are reporting
10 back to your commission or your counsel, you know,
11 something to consider I think some tribes already
12 do this in their own ordinances and take actions
13 themselves and, you know, may not be unfamiliar to
14 many of you. Any other comments on enforcement or
15 proceedings before the Commission?

16 MR. PLATA: I have another comment.

17 MS. STEVENS: Yes, certainly.

18 MR. PLATA: John Plata. I had a
19 question about the confidential information being
20 submitted under Part 584. There's a provision I
21 think it's 584.10 that provides that although a
22 party may have said something confidential, the
23 other parties deemed that is was, that NIGC share
24 that information if they attest that, you know,
25 they're not going to use that information or

1 disclose any further proceedings. And I want to
2 get your feedback if you thought that was adequate
3 protection against disclosure information that a
4 party might deem as confidential.

5 MR. ROBERTS: In your -- have you
6 provided written comments on this already?

7 MR. PLATA: I did provide a comment
8 that was a concern. I just wanted to know if you
9 can share some feedback on the -- and the thought
10 process behind that procedure that's laid out in
11 584.10.

12 MR. ROBERTS: I can't speak to the
13 specifics of 584.10.

14 MR. PLATA: Okay.

15 MR. ROBERTS: My understanding is that
16 for sections that are addressing issues like this
17 we've tried to look to see what other federal
18 commissions how they handle that information, and
19 so we would be -- again, it's a preliminary draft
20 for discussion purposes. This was like an initial
21 cut. So if there are concerns about it not
22 providing adequate protection for confidential
23 information, I think that that's something that
24 the Commission would be open to considering.

25 MS. STEVENS: Okay. Absent comments

1 further on Group 2, what I'd like to do while I
2 have a few people here is to jump to Group 4 in
3 case there's anyone that has to leave after lunch.
4 You know, I'm certainly willing to go over this
5 again this afternoon, but for the benefit of the
6 people that are attending now and if there's a
7 scheduling issue, let's start talking about Group
8 4, which is on the second page of your agenda, day
9 1, Wednesday, from 3:15 to 5.

10 And we'll start talking about Group 4,
11 Part 556, 558, 571 and 537. And again, that
12 doesn't -- not necessarily mean that we won't
13 cover some of this after lunch, but for the
14 benefit of those who may have to leave after the
15 morning session, I want to give the opportunity to
16 have you-all listen to what we were thinking on
17 Group 4, how we got to where we are, and give
18 those who are here the opportunity to ask
19 questions or get clarification or make statements.

20 So if you go to the second page of
21 your agenda, we'll go to Group 4, and I'll turn it
22 back over to Larry and we'll talk about Group 4.

23 MR. ROBERTS: Great. So for Group 4
24 we're gonna start with Parts 556 and 558, and
25 basically as many of you know NIGC has run a pilot

1 program for some time involving background
2 investigations for management officials and gaming
3 licenses for key employees and primary management
4 officials. --

5 And so when the Commission started
6 last summer, in the notice of inquiry, we
7 requested a comment from tribes and the public on
8 priority of amending our regulations to actually
9 formalize the pilot program. Commission's
10 understanding is that there may be more tribes out
11 there that are operating under the pilot program
12 than the actual regulations and so, you know,
13 should we move forward with formalizing the pilot
14 program through regulation.

15 For those tribes that do not
16 participate in the pilot program, it basically
17 provides for tribes to submit simply a notice of
18 results to NIGC on background investigations and
19 then maintain those applications or investigative
20 reports with the tribe. All comments received in
21 response to notice of inquiry supported
22 formalizing this program either through regulation
23 or policy.

24 And so Part 556 and 558 basically
25 formalize the pilot program. 556 includes all the

1 procedures before a gaming license is issued, and
2 558 is the procedures after a gaming license is
3 issued. So tribes that are seeking a license, the
4 key employee or primary management official, are
5 required to notify the Agency of the applicant's
6 background results no later than 60 days after the
7 applicant begins work. This is in proposed
8 section 556.6(b)(2).

9 It provides for a tribe with access to
10 provide investigative materials from other tribes
11 to update those materials 556.4(b). And you'll
12 see a number of red lines here. Some of this is
13 actually embodying the pilot program. Some of it
14 is streamlining 556 and 558 so that it's clear 556
15 is the procedures before a gaming license is
16 issued and 558 is after.

17 And so in 558 this includes basically
18 all the procedures after this gaming license is
19 issue, and so after providing a notice of results,
20 the tribe may list license the key employee or
21 primary management official. Tribe must notify
22 the Commission within 30 days of the license
23 issuance. And upon receipt of this complete
24 notice of results, NIGC then has 30 days to
25 request additional information from a tribe.

1 NIGC shall notify the tribe if it
2 needs additional information or the results within
3 30 days. And if the license is issued prior to an
4 NIGC objection, then the licensee will have a
5 right to notice a hearing. The tribe must then
6 suspend that license until a hearing is held. And
7 then, following that hearing the tribe must notify
8 NIGC of the decision, of the tribe's decision,
9 after that revocation hearing.

10 This basically in the discussion draft
11 provides for the availability of electronic
12 submissions and also provides that future
13 ordinance submissions so when a tribe is
14 submitting their amendments, their gaming
15 ordinance, they must comply with this discussion
16 draft. If the Commission were to move forward
17 with the discussion draft as a final rule, then
18 when a tribal gaming ordinance or an amendment
19 were submitted, then they must incorporate these
20 parts of it.

21 The written comment period on
22 discussion draft closed August 10, 2011. So we're
23 in the process of looking through those comments,
24 the written comments, as well as reviewing the
25 transcripts from the consultations that we've had

1 on the pilot program.

2 Part 537, background investigations
3 for persons or entities with a financial interest
4 in, or having management responsibility for, a
5 management contract as part of the notice of
6 inquiry the Commission asked whether it should
7 clarify that management contractors of both Class
8 II and Class III facilities that they must have
9 completed background investigation.

10 The comments we received from the
11 public majority supported some clarification on
12 this. Some expressed their opinion that NIGC has
13 no authority to approve Class III management
14 contracts, and some commoners stated that this
15 issue is covered by existing compacts, tribal
16 state compacts.

17 And so this discussion draft in Part
18 537 flipping through in your materials basically
19 clarifies that management contract for any class
20 II gaming, including management of both class II
21 and class III gaming, that the Chair shall conduct
22 or cause to be conducted a background
23 investigation. I think some of the questions that
24 the Commission has been asking the public about
25 what we would like feedback on tribes is how can

1 the process for background investigations for
2 those entities with the financial interest in, or
3 have management responsibility for, a management
4 contractor, how could this process be streamlined
5 while still maintaining the current integrity of
6 the process. And are there issues out there as to
7 who could qualify for a streamline process? So
8 someone that's basically maybe already has an
9 approved management contract would it be
10 appropriate for them to have a streamline process
11 for, say, a different tribe.

12 The discussion draft does provide the
13 Chair in Section 537.1(d) provide the Chair to
14 exercise her discretion and reduce the background
15 investigation and the scope of the information to
16 be furnished for a tribe, a tribally owned entity,
17 or another financially regulated institution, like
18 a national bank or institutional investor, that is
19 already required to undergo background
20 investigation and licensure by a state or tribe
21 pursuant to a tribal-state compact. So it would
22 basically incorporate some of those suggestions
23 that we received where an entity may already have
24 to complete a background investigation pursuant to
25 a tribal-state compact, for example.

1 And the written comment period on this
2 discussion draft closed in early August, and we're
3 in the process of compiling those comments on this
4 discussion draft, and the Commission is in the
5 process of determining whether to move forward
6 with a notice of proposed rule making.

7 Part 531, collateral agreements. The
8 notice of inquiry asked the question whether the
9 Commission should require a submission of approval
10 of collateral agreements.

11 The majority of comments received
12 supported requiring the submission of collateral
13 agreements. There was disagreement over whether
14 collateral agreements could be or should be
15 approved by the Commission. Some questioned the
16 authority of NIGC to approve collateral agreements
17 if they don't provide for management. Some said
18 basically requiring approval could discourage
19 private investment given the time it takes to
20 review management contracts.

21 Some other comments that we've
22 received is NIGC shouldn't be second-guessing
23 tribal business decisions. And that if an
24 agreement doesn't actually provide for management
25 or isn't actually a management agreement, that it

1 should be left to the discretion of the tribe.

2 On the other side of the scale some
3 comments suggested that the United States and NIGC
4 has a trust responsibility to require review of
5 approval of collateral agreements, that such a
6 process could protect the Tribe's sole proprietary
7 interest, that it could discourage some businesses
8 or entities from trying to take advantage of a
9 tribe, and that an approval process would actually
10 reduce the risks to both parties.

11 Part 571, monitoring and
12 investigations. The notice of inquiry asked
13 whether the Commission should -- needed to clarify
14 that it had access to books and records held at
15 sites maintained by third parties.

16 Some of the comments that the
17 commission received was that really doesn't need
18 to be clarified, that the commission has that
19 authority, some said that you could clarify but
20 only clarify that NIGC can access the off-site
21 locations. Some comments suggested that the
22 Commission consider requiring tribes to maintain
23 all records on site, but that NIGC's authority to
24 request records should be limited to its authority
25 under IGRA, and that there was a view expressed

1 that NIGC's authority is limited to Class II and
2 that they couldn't access Class III records.

3 The Commission did circulate a
4 discussion draft on monitoring and investigations,
5 and it's Part 571 of your materials. The one
6 change is an investigation closure letter. Some
7 tribes have asked -- would understand that NIGC
8 has opened an investigation. It's sort of being
9 held over us. We don't know if the
10 investigation's been closed. Can you please send
11 us a letter letting us know one way or another
12 whether the investigation has been closed.

13 This discussion draft would clarify
14 that the Commission may advise a party that the
15 investigation has been concluded, but also making
16 very clear that if such a notification is issued
17 that doesn't mean necessarily that there's -- no
18 violation has occurred, and it wouldn't preclude
19 further action by NIGC, but it is similar to
20 processes that other regulatory agencies use if
21 they are closing an investigation.

22 And the discussion draft also includes
23 the change to access papers, records, and books
24 held by a person other than a gaming operation,
25 and so it would basically clarify access to third

1 parties as well. And that is also clarified in
2 571.5(b) for the gaming operation or other
3 facility and also 571.6(d).

4 The written comment period on this
5 discussion draft also closed on August 9, and so
6 we're reviewing the comments received in response
7 to that discussion draft.

8 Finally, in Group 4 the Commission
9 asked in the notice of inquiry whether any
10 definitions should be changed, whether the
11 definition of net revenues for management fees
12 should be consistent with GAAP.

13 We received a variety of comments in
14 response to the notice of inquiry. Some
15 supportive of the revision consistent with GAAP,
16 but they noted that it would -- any revision would
17 need to be consistent with IGRA's statutory
18 language. And if the intent was to change somehow
19 the calculation of management fees, that maybe we
20 don't change the definition of net revenues but
21 rather some sort of different approach. And that
22 the Commission should consider repealing the most
23 recent change to the definition on net revenues to
24 be consistent with IGRA's definition.

25 So what we -- what the Commission has

1 asked tribes during this consultation process is
2 does the definition need to be clarified? Would
3 an approach with GAAP provide that clarification,
4 and how do we clarify that definition while
5 remaining consistent with IGRA's statutory
6 language?

7 MS. STEVENS: Okay. Just reiterate
8 what Larry said on Part 556 going back to the
9 beginning of this particular discussion on Group
10 4, Part 556 and 558. Again, these are efforts to
11 clarify what happens before licensing and
12 memorializing our pilot program and what happens
13 after with 556 and 558. So 556 is sort of the
14 before, 558 is the after. It's my understanding
15 is how it was designed. And I'm looking at
16 Jennifer because Jennifer helped put these --
17 separate these and clarify these.

18 What we've heard from tribes is that
19 they don't want their process changed. And what
20 we found is while the regulations are out there
21 that this sort of process each region went through
22 to meet those in terms of paperwork was slightly
23 different, but we're asking for the same
24 information. And I just want to make sure that
25 that's understood. That we're not changing.

1 We're actually trying to create some consistency
2 across each of the regions so the information, you
3 know, the tribes are submitting, the method by
4 which they're submitting it is consistent, and
5 also that would help us in case that's more --
6 this is more an inside baseball in how we can
7 implement these suggested regulations.

8 And though it may appear as though we
9 are changing something in terms of the method by
10 which you submit your information, we're trying to
11 make a consistent process across all of our
12 regions. But the regulation is, again, to -- to
13 make clear what happens before and after, and then
14 our processes across the regions will make sure
15 that they're consistent that way. If one region
16 gets overloaded, they can ask the help of another
17 region to process some of these, and then the
18 process would be the same.

19 One thing to consider on 556 and 558,
20 and we've heard this from tribal comments and
21 Larry went over this briefly, is many tribes issue
22 temporary licenses and certainly you can do that.
23 If within the 30 days that NIGC has to, you know,
24 object to a licensee, if you've already issued a
25 temporary license, then that licensee will be

1 granted the rights if their license is revoked or
2 if it's pulled for any reason that's just, you
3 know, something the tribe said that they do.

4 Some tribes wait. They wait until
5 they get past the 30 days after we received a
6 complete application and check with us and say are
7 there any objections before they issue the
8 license. That way tribes don't have to go through
9 a process if they have to pull somebody's license
10 if there's a problem that NIGC has or something
11 that didn't come up initially in application. So
12 we'd like to hear your comments about, you know,
13 how your tribe manages your key employees in
14 primary management officials should they -- should
15 you issue them a temporary license. If you don't
16 issue the temporary license, again, it varies
17 across the country from tribe to tribe on whether
18 they issue those or not and the decision for the
19 tribe itself as to whether they want to. If they
20 need that person sooner than later, that's a
21 process should they be -- something come up with
22 their license, they would be willing to go
23 through, you know, or just wait. So something to
24 think about.

25 And 571 was monitoring and

1 investigations. The other thing we've heard about
2 investigations, and as I said earlier in a
3 previous -- in a previous section, it shouldn't be
4 a surprise that a tribe is getting an NOV. We
5 have suggested some options to ramp up penalty or
6 notices that there's a problem, but also
7 afterwards.

8 We've heard, especially from this
9 region, I think the last time we were here they
10 didn't know what had happened. They knew that
11 there was something going on and were getting
12 asked for information, but they didn't know if
13 there was going to be action taken, you know, from
14 the agency generally, not specific to the region
15 or the field officers but, you know, what
16 happened? Is this an ongoing investigation? Is
17 it -- you know, can we expect a notice of
18 violation? What's gonna happen? They were sort
19 of left hanging.

20 And so in 571 one of the things we
21 suggested here is that, you know, we advise the
22 tribe that, hey, we're done looking into this
23 matter and certainly we'll preserve our right to
24 reopen it should something else come up that would
25 indicate an ongoing problem in that subject or

1 that particular issue.

2 One thing we did notice and we're
3 probably going to have to change if we move
4 forward is under 571.4 investigation closure
5 letter. The word closure can be misleading. We
6 don't want tribes to think, hey, we're issuing you
7 a letter that we're gonna close your facility.
8 We're going to find another word and another way
9 to say this so you don't think we're closing your
10 facility when merely what we're doing is we're
11 closing out an investigation. So we caught that,
12 we've heard about it.

13 Some other sections on entry of
14 premises we're gonna change some of the verbiage
15 in there. We brought forth the intentions are
16 grammatically under 571.5 how we can change that
17 to make clear, you know, we want those people to
18 cooperate with our search for records and entry of
19 premises.

20 Oh, yeah. Jumping back to 558 on the
21 post licensing. On the last page on the
22 preliminary draft under 558.2(c)(2), the question
23 that we have specifically to that is whether we
24 require the tribe to send us copies of eligibility
25 determinations if they do not license an applicant

1 so that we're not left hanging. You go ahead and
2 submit all the information to us and you don't
3 license them for -- I'm sure for a variety of
4 reasons, maybe they found another job, and to let
5 us know if anything has happened with that
6 applicant do we require it or leave it as an
7 option for the tribe to let us know they did not
8 issue a license to an individual that they had in
9 556 had applied to have licensed.

10 I'm just going over -- we've done so
11 many of these. There's some questions that come
12 to my mind in some of these sections, and I've got
13 four different versions of each part. 537
14 background investigations, financial interests or
15 management responsibilities, we'd like to hear
16 comments from tribes about the changes that we
17 have in there for Class II, Class III. I'm
18 looking at a different version. Yep, that's what
19 I'm looking at.

20 And also the Chair's ability of
21 exercising discretion to reduce background
22 investigations or the scope of information that
23 should be submitted. That would be helpful to
24 hear some comments on that. Many tribes may
25 already have to do this through their compacts.

1 And do we need to reinvent the wheel basically in
2 that section if they've already done that.

3 There's some other things that we
4 talked about that were not on your agenda in
5 definitions. We've heard some different things
6 about GAAP. The definitions in INGRA are very
7 clear. We're not certain that we can deviate from
8 that. And then GAAP doesn't match that particular
9 definition and that definition can change. The
10 GAAP definition can be changed in how it's
11 applied, may be varied.

12 We also recognize that there's some
13 different definitions of net revenue in compacts
14 that don't align to IGRA's definition or GAAP
15 definitions. So we'd like some thoughts on that.
16 And again, it may be an issue for your financial
17 person or your comptroller, your CFO, in how
18 different varying definitions of net revenue may
19 appear and how they're applied for your particular
20 tribe.

21 Is that all of them? Again, all of
22 this information is on our website. You have
23 copies of everything that we have currently that
24 was given when you came into the room initially
25 this morning. Feel free to go to our website and

1 see what kind of comments we are receiving. As
2 soon as we get them, we put them on the website.

3 Other thing I'd like to note is that
4 we have posted in the Federal Register a link to
5 the tribal gaming work groups proposed Class II
6 alternative standards for minimal control
7 standards. We're seeking comments especially for
8 those tribes with Class II gaming. We'd like
9 to hear your suggestions. That's gonna be part of
10 what the tribal advisory committee will looking at
11 are comments that tribes have put forward with
12 regard to the independent ad hoc working group
13 that have proposed the Class II alternative
14 standards.

15 So please visit our website. It is on
16 our website under tribal consultation comments.
17 We do need your comments on how -- you know, what
18 your thoughts are on what's been proposed from a
19 number of tribes and representatives and other
20 stakeholders in the industry as they've put
21 forward in this standard this alternative that's
22 been suggested. That's gonna be important, again,
23 as I said for the tribal advisory committee that
24 we're putting together to see in the real world
25 how would that particular -- that those types --

1 the way those standards are structured would work
2 for your facility.

3 Again, that's on NIGC dot gov, tribal
4 consultation under comments, and I think that was
5 a 60-day open period that we had on comments on
6 that proposed standard. So absent anything else,
7 we're getting close to the lunch hour here. We
8 will stay here through the afternoon. Although
9 we've gone through the whole day's agenda, we may
10 pick up on some other information that we'll be
11 covering tomorrow. And again, we will revisit any
12 of this if we get new attendees to this meeting
13 today. We're trying to accommodate schedules
14 here. If anyone may have to leave after this
15 session this morning, we'll pick up again at 1:30.
16 So we'll be back here in this room at 1:30.

17 I appreciate you-all attending and
18 hope to see you back at 1:30 or tomorrow morning.
19 If not, please feel free to look at our website or
20 submit your comments on behalf of your tribe. If
21 you have any questions, we'll be here or you can
22 contact our regional or our headquarters office in
23 D.C. So thank you and have a good lunch, and
24 we'll be back here at 1:30. Thank you.

25 (At this time lunch was taken from

1 11:42 until 1:30.)

2 MS. STEVENS: Okay. Let's resume, and
3 it may be pretty short. We've gone through all
4 today's agenda. We've lost some folks here. But
5 what we can do for the benefit of those folks that
6 are here right now that we can go over some of
7 what we're gonna talk about tomorrow, which is
8 Part 518, self-regulation of Class II gaming and
9 sole proprietary interest. And again, we will
10 revisit these topics tomorrow. We have just a
11 morning session tomorrow so we'll likely go over
12 this again for those who may be coming tomorrow
13 and not today.

14 So we were looking to make sure that
15 we understood why you have two different drafts of
16 518, and it's just the way that the edits are
17 placed, how they're laid out here. The deletions
18 on the first twelve pages are in bubbles, and in
19 the second half of the packet 518, is insertions
20 and deletions and no bubbles, which, frankly, is
21 easier to read, but our technology in our office
22 is -- we were operating on an older version of
23 Word that doesn't allow you to get rid of bubbles.
24 So sorry about that. There's two versions. One
25 might be your preferred way to read this.

1 So let's talk about self-regulation in
2 Part 518, and then we'll also talk about sole
3 proprietary interest. I'll hand over the
4 microphone to Larry and we'll talk about these two
5 subjects.

6 MR. ROBERTS: Okay. Brief overview of
7 Part 518. The Commission in the notice of inquiry
8 request a comment on whether they should review
9 the process for obtaining a Class II
10 self-regulation certification. I believe only two
11 tribes -- is it two? Two tribes have a
12 certificate of self-regulation. The comments that
13 we've received in response to NOI is that the
14 administrative burden of going through the process
15 outweighed the benefits, that the requirements,
16 submission requirements, were burdensome and
17 duplicative, that the petition and annual
18 reporting requirements undermine the purposes of
19 the certification.

20 Some tribes suggested that there
21 should be changes to Part 518, and some tribes
22 basically said that self-regulation is a hallmark
23 of tribal sovereignty. So what the discussion
24 draft before you attempts to do is shift the focus
25 from the operation to the capabilities of the

1 gaming regulatory agency, reduce the submission of
2 duplicative information, and hopefully facilitate
3 it so that more tribes receive certificates of
4 self-regulation for Class II gaming.

5 So we'll just sort of walk through
6 some of the changes in the various -- set forth in
7 the discussion draft. Part 518.3 has the history
8 of the gaming operations, the TGRA organizational
9 chart, employment criteria for the regulators,
10 TGRA funding description, list of the current
11 regulators, and description of the operations
12 accounting system.

13 It also includes a list of the gaming
14 operations internal controls, description of the
15 record keeping requirements for investigations,
16 enforcement actions, and prosecutions, copy of the
17 facility license, and tribal gaming regulations,
18 if they're not included in the ordinance.

19 518.3 also includes a description of
20 the recordkeeping system for investigations. I'm
21 sorry. 518.4 for the criteria that must be met to
22 receive a certificate of self-regulation, tribe has
23 to show they conduct gaming with an effective and
24 honest accounting of all revenues, reputation for
25 safe, fair, and honest operation, fiscally and

1 economically sound basis, and generally free of
2 criminal or dishonest activity. That the activity
3 has been conducted in compliance with basically
4 Federal law and NIGC regulations and tribal law.

5 And that it has an adequate systems
6 for accounting off all revenues; investigation,
7 licensing, and monitoring of all employees;
8 investigation, enforcement and prosecution of
9 violations of the tribe's gaming ordinance and
10 regulations.

11 And 518.4(b) walks through how a tribe
12 may illustrate that it's met this criteria by
13 addressing factors such as the adoption and
14 implementation of MICS at least as stringent as
15 NIGC's Class II MICS; that the tribe uses an
16 adequate system for accounting of all gaming
17 revenues; and that the tribe has adequate dispute
18 resolution processes for employees and customers.

19 Tribe will also show that it satisfies
20 the criteria for self-regulation by showing that
21 the regulatory body monitors compliance with all
22 of the applicable laws and regulations; that it
23 monitors the effectiveness of gaming revenues
24 accounting system; that it audits the Class II
25 gaming activities; and that it receives and

1 reviews the revenue accounting information from
2 the gaming operation itself.

3 The tribal gaming regulatory body
4 should also show that it inspects and audits
5 papers and has access to -- audit access to
6 papers, books, and records; that it has adopted
7 and is implementing adequate investigating
8 licensing and monitoring system; that it has
9 adequate licensing record system; and that it has
10 established standards for vendors.

11 We also have set forth that
12 establishes and posts Class II game rules. That
13 the regulatory body does this. And the regulatory
14 body also has an adequate system for violation
15 investigations, that it takes appropriate
16 enforcement action, and that it takes testimony
17 and conducts hearing on regulatory matters, and
18 that the tribe adequately funds the regulatory
19 body.

20 So through 518.4(b) also lists factors
21 that a tribe can address such as demonstrating
22 that the operation is financially stable, has
23 adopted and implemented a system for adequate
24 prosecution, and that the operation is conducted
25 in a manner that protects the environment, public

1 health, and safety.

2 So 518.5 sets forth the process --
3 changes to the process of how the Commission will
4 review petitions. Basically within 120 of receipt
5 the Office of Self Regulation will make an initial
6 determination, it will issue a report of its
7 findings, and it will either -- the Commission
8 will either issue a certificate of self-regulation
9 or advise the tribe that it does not meet the
10 criteria, and if the tribe does not meet the
11 criteria, it may respond to the report, it may
12 request a hearing before the Office of Self
13 Regulation, and a decision to deny a certificate of
14 self-regulation is appealable to the full
15 Commission.

16 In 518.7 on the annual reporting
17 requirements, this has been streamlined to be more
18 -- I guess more consistent with just the statutory
19 language itself, which is providing an independent
20 audit and a complete resume of all PMO's and key
21 employees hired and licensed by the tribe, and
22 that the tribe has under 518.8 a continuing duty
23 to inform the Commission of a change in
24 circumstance material to the approval criteria.

25 518.9 is more clarifying than anything

1 else. It's consistent with the statutory
2 language. It's consistent with the current
3 language. It just clarifies that once a
4 certificate of self-regulation is issued that
5 consistent with IGRA the Commission's powers to
6 monitor Class II gaming to inspect and examine
7 premises. Those are the powers that are
8 undertaken by the tribe that has the certificate
9 of self-regulation.

10 The Commission under certificate of
11 self-regulation does retain other investigative
12 and enforcement powers over Class II gaming
13 activities, and also retains the powers to
14 investigate and bring enforcement actions for
15 violations to IGRA, NIGC regulations and tribal
16 gaming ordinances, and that's made clear in 518.9.

17 This is I believe the only discussion
18 draft that we are still seeking written comments
19 on, and that comment period closes at the end of
20 next week. So if folks haven't submitted comments
21 yet, we would encourage you to do so. Does anyone
22 have questions on 518?

23 MS. STEVENS: One of the things that
24 I'd like to just to be clear and we've noticed
25 this in our discussions, our preliminary

1 discussions with tribes, is that self-regulation
2 for Class II we've had a number of tribes ask us
3 about self-regulation for Class III, and that's
4 not what we're addressing. We're addressing Class
5 II self-regulation.

6 And up to this point and prior to
7 having this draft, as Larry mentioned, there were
8 a number of comments from tribes that said the
9 process in getting a self-regulation certificate
10 was so burdensome that it was not worth the
11 effort, that it was more costly to get it, and the
12 benefits really pushes to half, and so I think you
13 pay half of your -- or just a percentage of your
14 fees to the NIGC. And so, you know, the cost
15 benefit ratio wasn't working out for most tribes.

16 Considering the amount of information
17 that we were asking for and the process that we
18 were asking tribes to go through, we didn't get
19 specific ideas on how to -- in some instances we
20 did -- on how to adjust this, but there just did
21 not seem to be interest in becoming a
22 self-regulated tribe.

23 And then we have a number of tribes
24 that have hybrid facilities. I think one of the
25 -- I think both of them -- they may have

1 stand-alone Class II. Grand Ronde and is it
2 Menominee? are self-regulating tribes that have
3 self-regulation certificates. We get their reports
4 every year, but they have stand-alone Class II
5 facilities and -- that, you know, we haven't
6 really talked about how this would work for tribes
7 who have hybrid facilities where they have a mix
8 of Class II and Class III on their gaming floor
9 rather than the stand-alone Class II facility.

10 Something to think about with regard
11 to your tribes make up of their gaming operations
12 on how or if self-regulation would work for your
13 tribe or if there's an interest. And now that we
14 have this draft, we certainly wanna take a look at
15 your comments. Now there's something tribes can
16 take a look at and see if this would work for them
17 or if there's any interest. For some tribes
18 there's not a lot of interest. And did we in this
19 draft address some of the burdensome processes or
20 steps that are in place to become and maintain a
21 self-regulation certificate. So we know that this
22 has recently come out and we're looking forward
23 actually to comments on this particular
24 regulation.

25 MR. ROBERTS: Okay. Sole proprietary

1 interest, I think that this has been a question
2 before the Commission since almost its inception,
3 and the Commission has issued some guidance on it.
4 The notice of inquiry asked whether the Commission
5 should consider a regulation that would define
6 sole proprietary interest in the statute and
7 provide a process by which a tribe may request
8 review of agreements whether they are consistent
9 with sole proprietary interests requirement of
10 IGRA.

11 Some of the comments received in
12 response to the notice of inquiry were that the
13 Commission should promulgate a regulation that
14 would provide for review only if requested by the
15 tribe. Some suggested that the percentages
16 contained in IGRA under both management,
17 contracts, and/or independently owned facilities
18 that they would define the percentages there would
19 give some insight into what might violate the
20 Act's sole proprietary interest requirement.

21 Some comments suggested that if the
22 Commission is going to define sole proprietary
23 interest that it should also define primary
24 beneficiary, which is contained in the purposes of
25 the Act. Some comments suggested that the

1 Commission should define sole proprietary just
2 because if there is a clear definition out there
3 that this would provide stability and with
4 contracts and access to financing if the
5 Commission were to layout a regulation on the
6 issue. Some thought that depending on how the
7 Commission defined it sole proprietary interest
8 could limit tribal access to capital, and some
9 comments suggested that the Commission should
10 simply let the courts define it and not define it
11 by regulation.

12 We do not have a draft sole
13 proprietary interest definition for preliminary --
14 like a preliminary draft. It's as some of you
15 know, it's been addressed through a handful of
16 NOV's and a number of general counsel opinions.
17 So while we don't have a specific comment period
18 on whether the Commission should take this up, we
19 would encourage tribes and the public to submit
20 comments and suggestions on this particular issue.
21 Does anyone have any comments or questions about
22 sole proprietary interest?

23 MS. STEVENS: Just for your
24 consideration, we've heard a lot about this and
25 actually became more of a discussion especially

1 amongst the attorneys trying to -- I'm sure
2 there's something more here. Hang on.

3 MR. ROBERTS: Off the record for a
4 second.

5 (Discussion off the record.)

6 MS. STEVENS: We've received a number
7 of comments during our last 12 consultations and,
8 you know, we'd be interested in -- as you saw we
9 have different views on this particular subject
10 and some number of opinions from the general
11 counsel's office and how do we encapsulate that in
12 a reg, if at all, with a reg. So something to
13 consider.

14 I know that the few folks that are
15 here now may not have anything prepared to say,
16 but certainly would be interested in your tribes
17 or the tribes that you represent some of the
18 questions that we posed in our notice of inquiry
19 and here would be helpful to inform us on how to
20 proceed.

21 If there's barring any additional
22 comments from the folks that are left here, we'll
23 probably just hang out here, but we've just gone
24 through the whole two days agenda today.

25 We understand that there's a lot of

1 other activities going on today and tomorrow while
2 tribes are in town. We will continue to be here
3 through part of the afternoon, and we'll, of
4 course, be here tomorrow morning. In case there
5 are some other folks that show up here today,
6 we'll be here.

7 If you have any questions, please let
8 us know. But, you know, absent any additional
9 comments, I think we'll probably just recess for
10 the time being. Make ourselves available for a
11 bit this afternoon, and we may or may not see
12 either of you here tomorrow. Understandably if
13 you're not able to make it, please visit our
14 website. We're posting as much information that
15 comes in to us. We're sharing these drafts as we
16 have them and are interested in your tribe's
17 comments.

18 So thank you for attending and I
19 appreciate your attention. Thank you.

20 (Whereupon, at 2:03 p.m. the
21 proceedings were concluded for the day.)
22
23
24
25

REPORTER'S CERTIFICATE

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25

CERTIFIED that the foregoing
eighty-six (86) pages constitutes a true and
correct copy of all proceedings which it purports
to contain.

Stephanie L. Marjamaa
Court Reporter

My Commission expires
1-31-2016.

Dated this 28th day of September, 2011.

&	3:15 54:9	559.2 20:20	able 13:5 21:5 27:18 85:13
& 8:8	4	559.3 21:13	absence 11:2 38:24
1	4 15:1 54:2,8,10,17 54:21,22,23 63:8 64:10	559.5 22:21	absent 53:25 72:6 85:8
1 11:18 14:16 16:4,9 23:16 25:11,13 35:22 36:6,9 38:22 38:25 54:9	5	571 54:11 61:11 62:5 66:25 67:20	acceptable 22:18 33:5
1-31-2016 86:16	5 15:11 36:6 54:9	571.4 68:4	access 56:9 61:14,20 62:2,23,25 77:5,5 83:4,8
10 57:22	514 15:18,21,22 16:4,11,16 17:1	571.5 63:2 68:16	accommodate 72:13
11 2:23	18:25 24:18	571.6 63:3	accounting 75:12,24 76:6,16,24 77:1
11:42 73:1	518 73:8,16,19 74:2 74:7,21 79:22	572 51:7,13	accurate 16:9
12 2:23 84:7	518.3 75:7,19	573 14:24 39:7,10 39:17,25 41:8 50:12 51:6,13	accurately 25:23
120 21:1 78:4	518.4 75:21 76:11 77:20	573.2 40:2 51:7,22	ace 50:23
13 12:8	518.5 78:2	577 39:10 41:16	achieve 39:24
1441 1:9,13,17	518.7 78:16	58.5 49:21	act 12:22 33:16 39:25 82:25
15 35:12,14	518.8 78:22	580 42:4,23 48:15	act's 82:20
16 37:6 38:10	518.9 78:25	581 42:7 43:7,18	action 28:14 39:23 40:19 44:5,17 45:12 46:12 50:7 51:9 62:19 67:13 77:16
17 13:19	518.9. 79:16	582 42:8 43:19	actions 50:15 51:10 52:12 75:16 79:14
175 12:8	519 39:10 41:16	583 42:11 44:9	activities 76:25 79:13 85:1
180 32:18	523 14:18 19:2,14 30:8	584 42:13,22 44:20 52:20	activity 76:2,2
1993 19:5,9	524 39:10 41:16	584.10 52:21	actual 55:12
1:30 39:2 72:15,16 72:18,24 73:1	531 60:7	584.10. 53:11,13	actuate 43:3
2	537 54:11 58:2,18 69:13	585 42:19 45:4,7	ad 71:12
2 16:11 39:1 51:13 54:1 56:8 68:22	537.1 59:13	6	addressable 16:17
20005 1:10,14,18	539 39:10 41:16	6 33:15	additional 22:16 56:25 57:2 84:21 85:8
2011 1:2 57:22 86:19	547 36:13,24	60 28:8,12 32:18 56:6 72:5	address 22:3 27:1 35:23 36:22 77:21 81:19
2012 37:3	556 15:2 54:11,24 55:24,25 56:14,14 64:8,10,13,13 65:19 69:9	632-7003 1:10,14,18	addressed 22:2 83:15
202 1:10,14,18	556.4 56:11	66 26:19	addressing 53:16 76:13 80:4,4
22 45:14	556.6 56:8	7	adds 39:25
24/7 4:20	558 15:2 54:11,24 55:24 56:2,14,16,17 64:10,13,14 65:19 68:20	7 1:2 33:15	
2706 33:15	558.2 68:22	8	
28th 86:19	559 14:20 15:19 19:20 20:12 23:14 30:14	8 86:4	
2:03 85:20		9	
3		9 39:7 40:24 63:5	
3 39:2		90 28:8,12 32:18	
30 21:15 22:13 25:11,11,13 28:8,11 32:17 56:22,24 57:3 65:23 66:5		91 17:3,7,17,19	
		9100 1:9,13,17	
		a	
		ability 69:20	

<p>adequate 20:13 34:16 53:2,22 76:5 76:16,17 77:7,9,14 77:23 adequately 21:23 22:8 77:18 adjust 80:20 administrative 74:14 admission 18:7,10 29:3 adopt 23:18 adopted 20:13 77:6 77:23 adoption 76:13 adress 37:11 advantage 9:15 61:8 advertise 6:14 advice 6:16 advise 62:14 67:21 78:9 advisory 14:16 36:19 37:4,10 38:6 38:9 71:10,23 affect 25:1,3 affiliated 8:5 afternoon 14:23 15:2 38:24 54:5 72:8 85:3,11 agencies 12:9 31:6 31:23 62:20 agency 9:14 24:1 33:22 34:22 40:19 44:5,5,17 45:12 56:5 67:14 75:1 agenda 9:19 10:6,10 10:15 14:12 37:14 37:16 38:23 39:2,12 54:8,21 70:4 72:9 73:4 84:24 ago 30:17 agreement 60:24,25 agreements 15:5 60:7,10,13,14,16 61:5 82:8</p>	<p>ahead 2:5 21:7 38:25 39:12,14 69:1 al 7:4 align 70:14 alines 24:23 allow 6:18 10:15 73:23 allowed 43:6 allowing 6:22 alongside 37:20 alternative 71:6,13 71:21 alternatives 12:13 amending 55:8 amendment 57:18 amendments 42:10 43:21 57:14 amortization 16:11 amount 18:1,3 26:8 29:11,17 33:5 80:16 amounts 29:19 annual 17:6 74:17 78:16 annually 18:4 anybody 6:16 anymore 30:13 anytime 10:22 anyway 3:24 appeal 41:23 43:9 43:12,23,24,25 44:11,12,20,22 45:9 45:10 46:5,8,10,12 49:6,17,20 appealable 78:14 appealed 48:17 appealing 44:23 appeals 14:25 39:10 41:14 42:8,11,13,19 42:20 43:11,19,23 44:2,9,18 45:2,4,7 47:13 appear 43:2 65:8 70:19 appearances 1:7</p>	<p>appellate 43:7 appled 69:9 applicable 76:22 applicant 56:7 68:25 69:6 applicant's 56:5 application 42:5 66:6,11 applications 55:19 applied 29:12 70:11 70:19 applies 41:23 apply 23:18 33:20 applying 33:21 appreciate 45:25 72:17 85:19 appreciated 46:3 approach 36:5,9 40:17 50:23 52:1 63:21 64:3 appropriate 34:8 40:17 59:10 77:15 approval 14:19 19:2 19:6,11 60:9,18 61:5,9 78:24 approvals 42:11 44:9 approve 58:13 60:16 approved 59:9 60:15 april 24:12 25:13 area 2:21 5:3,25 6:11 areas 44:7 asked 18:12 20:5 23:17,23 27:7 46:7 50:19 58:6 60:8 61:12 62:7 63:9 64:1 67:12 82:4 asking 11:1 31:14 51:19 58:24 64:23 80:17,18 assessed 25:24</p>	<p>assessment 17:5,17 17:18 44:23 assessments 42:15 42:18 assist 51:3 assistance 51:20 assitance 50:23 attempt 41:25 42:1 46:21 attempted 46:18 attempting 47:4 attempts 74:24 attend 12:6 attendees 72:12 attending 54:6 72:17 85:18 attention 85:19 attest 52:24 attestation 21:20 22:5 31:14 attorney 1:16 8:13 9:7 41:12 46:25 attorneys 41:21 84:1 audit 17:14 25:22 77:5 78:20 audited 26:11 auditing 25:22 auditors 27:17 51:16 audits 25:18 76:24 77:4 august 36:20 40:24 45:14 57:22 60:2 63:5 authority 12:15 20:17 22:15 23:21 33:14,17 40:15 58:13 60:16 61:19 61:23,24 62:1 availability 57:11 available 27:14 38:7 85:10 avoid 29:5</p>
--	--	---	--

aware 12:24 19:25	benefit 54:5,14 73:5 80:15	busy 10:5	certified 86:3
b	benefits 4:8 74:15 80:12	buy 14:21 23:16,20 24:3,3 33:13,16 35:1	cfo 24:16 70:17
b 16:11,16 51:13 56:8,11 63:2 76:11 77:20	better 26:11 43:18	c	chair 20:1 21:19 22:15 28:14,23 33:14 40:10 44:19 58:21 59:13,13
back 4:17 6:7 9:4 10:1 11:6 16:13 19:24 24:11 25:1 26:16 30:4 35:4,12 36:5 49:9 52:10 54:22 64:8 68:20 72:16,18,24	biannual 16:14 24:20	c 68:22	chair's 40:15 42:16 69:20
backfire 6:7	biannually 18:1,4	calculate 27:9	chairman 2:7,19 3:1 3:2,3 7:1,19 8:15
background 15:6 55:1,18 56:6 58:2,9 58:22 59:1,14,19,24 69:14,21	big 5:15 6:5 27:24	calculated 25:23	chairwoman 1:8 2:1 11:22 13:20
bank 59:18	bill 5:7	calculation 16:2,7 16:16 25:19 26:10 26:10,16 63:19	chance 8:16
barraging 84:21	bingo 36:14	calendar 16:3 25:5 25:12,19 26:6	change 16:1,18,18 16:22 18:16 22:4 62:6,23 63:18,20,23 68:3,14,16 70:9 78:23
baseball 65:6	bismarck 1:3 2:18 2:21 5:3 9:16	call 36:21	changed 18:8,14 63:10 64:19 70:10
based 16:2 25:14,19 26:11,12 29:2,11,13 29:23 42:21	bistis 7:16,16 9:4	capabilities 74:25	changes 15:23 16:1 16:20 20:20 21:16 24:18 38:14 39:20 41:8 46:14,14 69:16 74:21 75:6 78:3
basically 17:16 20:5 21:9 41:13 42:4 45:24 46:22 54:25 55:16,24 56:17 57:10 58:18 59:8,22 60:18 62:25 70:1 74:22 76:3 78:4	bit 16:24 29:20 85:11	capital 83:8	changing 25:4,24 27:12 64:25 65:9
basics 45:2	blank 22:24	care 31:17	chart 75:9
basis 22:17 76:1	body 76:21 77:3,13 77:14,19	case 22:16,16 54:3 65:5 85:4	check 66:6
beautiful 8:17	book 39:5,8	casino 6:1 7:11	chris 27:8
becoming 80:21	booklet 42:23	casino's 5:11	circles 3:13 6:13
beginning 36:20 64:9	books 61:14 62:23 77:6	casinos 4:25 8:20	circulate 62:3
begins 56:7	box 34:13	caught 68:11	circulated 13:2,16 15:17 19:21,21 39:18 41:2,24
behalf 2:11,18 8:8 9:24 11:4 72:20	break 2:25 35:11,15	cause 27:5 58:22	circumstance 27:13 78:24
belcourt 7:15	breakdown 25:6	caused 25:21	circumstances 20:23 27:2 28:15,23 40:16 51:1
believe 30:10 74:10 79:17	brief 35:4 74:6	certain 4:21 10:11 10:11 11:11 27:16 29:3 30:21 31:9 32:11 46:18,19 70:7	city 8:2
beneficiary 82:24	briefing 45:16	certainly 10:1 11:12 23:7 28:4 31:19 35:2 38:17 52:17 54:4 65:22 67:23 81:14 84:16	civil 42:15 44:22
	briefly 65:21	certificate 75:22	clarification 47:11 54:19 58:11 64:3
	bring 3:9 9:25 10:7 30:3 79:14	certificates 81:3	
	broken 10:10	certificate 78:13	
	brought 68:15	certificate 74:12 78:8 79:4,8,10 80:9 81:21 86:1	
	brown 7:10,11	certificates 75:3	
	bubbles 73:18,23	certification 74:10 74:19	
	bubles 73:20		
	bunch 5:22		
	burden 25:25 26:3 31:12 44:25 74:14		
	burdensome 74:16 80:10 81:19		
	business 34:17 60:23		
	businesses 28:10 33:23 61:7		

<p>clarified 43:18 44:8 61:18 63:1 64:2 clarifies 16:15 17:24 46:5 58:19 79:3 clarify 16:5 35:8 41:18 45:21 58:7 61:13,19,20 62:13 62:25 64:4,11,17 clarifying 16:18 78:25 clarity 46:23 47:5 class 13:18 15:12 35:18,20,23 36:5,12 36:14,22,22,24 37:2 37:11,11 58:7,8,13 58:19,20,21 62:1,2 69:17,17 71:5,8,13 73:8 74:9 75:4 76:15,24 77:12 79:6 79:12 80:2,3,4 81:1 81:4,8,8,9 clean 47:11 clear 10:25 14:1,6 45:24 46:11 47:16 47:25 49:19 56:14 62:16 65:13 68:17 70:7 79:16,24 83:2 clearly 50:5 close 22:23 28:21 32:11 68:7 72:7 closed 13:4 18:20 23:9 24:14 32:17 33:8 40:24 41:3 45:14 57:22 60:2 62:10,12 63:5 closes 22:14 79:19 closing 62:21 68:9 68:11 closure 22:24 23:1,2 23:4 42:16 62:6 68:4,5 closures 23:7 32:6,7 32:9,14,19 50:15 collateral 15:5 60:7 60:10,12,14,16 61:5</p>	<p>collected 14:18 collecting 17:23 collection 17:25 collette 7:11 combine 42:1 come 2:8,13 4:20 5:22 6:7 7:3 11:6 35:11 36:25 37:1 40:21 51:3 66:11,21 67:24 69:11 81:22 comes 85:15 comfortable 48:24 coming 3:12 6:1 50:21 51:2 73:12 comment 13:2,3,8 13:11,19 14:3 15:18 16:24 18:19,23 20:5 23:2,8,13,23 24:13 40:23,24 41:3 45:13 48:5 49:12 52:16 53:7 55:7 57:21 60:1 63:4 74:8 79:19 83:17 comments 9:23 11:1 11:16 12:19 13:5,15 13:25 14:5 18:25 20:10,12,15 22:1 23:6,14 24:2,4,15 24:22 30:5 31:20 35:8 36:18 38:18,19 38:24 39:1 41:4 45:16,19,25 47:1 49:1 52:14 53:6,25 55:20 57:23,24 58:10 60:3,11,21 61:3,16,21 63:6,13 65:20 66:12 69:16 69:24 71:1,7,11,16 71:17 72:4,5,20 74:12 79:18,20 80:8 81:15,23 82:11,21 82:25 83:9,20,21 84:7,22 85:9,17 commission 1:1 8:6 9:25 12:7,16,18,22</p>	<p>12:25 13:1,9 14:1,5 14:14 15:1,24 16:21 18:12,18,21 19:15 19:21,25 20:1,7,11 20:14 21:4,10 22:6 22:21 23:10,17,19 23:23 30:4,16 34:14 35:5 39:4,18 40:1,9 41:3,11,14 42:6,21 42:25 43:2,4,8,17 45:5,8,12,16 46:7 46:17,18 47:12,13 49:13 50:1,11,19 52:10,15 53:24 55:5 56:22 57:16 58:6,24 60:4,9,15 61:13,17 61:18,22 62:3,14 63:8,22,25 74:7 78:3,7,15,23 79:10 82:2,3,4,13,22 83:1 83:5,7,9,18 86:15 commission's 15:11 39:21 41:1 42:1 45:21 46:15 55:9 79:5 commissioner 7:25 commissioners 34:11 47:21 50:10 commissions 53:18 committee 38:10 committee 14:16 36:19 37:5,10 38:6 38:11 71:10,23 committee's 37:16 commoners 58:14 communication 48:18,20 49:3,4,9 communications 43:5 48:15 49:15,19 50:6,8 compact 3:17,19 59:21,25 compacts 22:3 31:5 31:21 58:15,16 69:25 70:13</p>	<p>companies 34:3 competitive 33:24 compiling 60:3 complete 56:23 59:24 66:6 78:20 completed 58:9 compliance 37:1,2 39:22,25 40:12,18 40:19,22 50:24 51:4 51:4 76:3,21 comply 57:15 comptroller 24:17 26:2 27:7 70:17 concept 26:23 concepts 29:8 concern 19:14 40:11 40:18,20 47:8 49:1 51:13 53:8 concerns 2:15 21:2 49:6 53:21 concluded 62:15 85:21 conduct 58:21 75:23 conducted 21:23 22:7 58:22 76:3 77:24 conducting 12:7 conducts 77:17 confidential 52:19 52:22 53:4,22 confusing 47:9 cons 3:7 consider 18:13 30:3 32:5 49:13 50:1 52:11 61:22 63:22 65:19 82:5 84:13 consideration 83:24 considering 14:3 19:16 34:8 53:24 80:16 consistencies 47:4 consistency 65:1 consistent 12:8 18:15 63:12,15,17 63:24 64:5 65:4,11</p>
--	---	---	---

<p>65:15 78:18 79:1,2 79:5 82:8 constantly 41:22 constitute 45:12 constitutes 23:4 86:4 constructed 22:7 construction 21:22 32:25 consulations 38:2 consult 12:11 consultation 12:4 14:12 18:17 20:14 48:22 64:1 71:16 72:4 consultations 10:21 13:21,22,24 14:8 17:10 18:2 19:11 38:1 40:4 57:25 84:7 contact 72:22 contain 86:6 contained 82:16,24 content 44:3 context 18:2 49:23 continue 85:2 continuing 24:15 78:22 contract 15:9 23:22 33:15,21 42:17 58:5 58:19 59:9 contractor 50:4 59:4 contractors 58:7 contracts 42:12 44:10 58:14 60:20 82:17 83:4 control 27:3 35:21 35:24,24 36:12,23 37:2,12 38:3,13 71:6 controls 75:14 cooperate 68:18 copies 68:24 70:23</p>	<p>copy 21:14 34:2 75:16 86:5 correct 86:5 corrected 40:13 cost 80:14 costly 80:11 counsel 1:12 2:23,23 9:8 11:9 30:4 35:5 47:18,19,21 51:16 52:10 83:16 counsel's 84:11 counselman 3:3 countries 6:18 country 14:8,11 31:25 66:17 couple 18:6 30:24 course 85:4 court 86:12 courts 83:10 cover 14:18 39:6 54:13 covered 42:22 45:9 58:15 covering 15:1 44:11 72:11 covers 14:17 42:7,8 42:11,13,19,24,24 42:25 43:23 44:12 create 4:4 41:19 47:4 65:1 created 3:4 4:3 criminal 76:2 criteria 30:12 75:9 75:21 76:12,20 78:10,11,24 cumbersome 37:23 current 46:15 59:5 75:10 79:2 currently 43:22 47:9 70:23 customers 76:18 cut 53:21 cycle 26:6</p>	<p>d d 49:21 59:13 63:3 d.c. 8:13,14 9:1,6 36:3 51:16 72:23 dakota 1:3 3:6,16 4:6,10,11 5:4,6 7:15 8:6 50:17 damper 49:3 date 44:4 dated 86:19 dates 37:9 davis 7:13,14 day 2:16 4:18,24 5:10 26:21 36:25 54:8 72:5 85:21 86:19 day's 72:9 days 17:3,7,18,19 21:1,15 22:13 23:3 28:9 32:17,18,18,18 32:18 56:6,22,24 57:3 65:23 66:5 84:24 dc 1:10,14,18 deadline 37:1 38:9 deal 14:25 37:20 dealing 39:17 dean 8:8 decided 38:20 decides 13:10 23:10 deciding 41:5 decision 42:16 44:3 45:11 57:8,8 66:18 78:13 decisions 46:17 60:23 dedicated 14:6 deem 53:4 deemed 52:23 define 18:18 29:2 82:5,18,22,23 83:1 83:10,10 defined 83:7</p>	<p>defines 17:1 definition 17:2 18:13,14 63:11,20 63:23,24 64:2,4 70:9,9,10,14 83:2 83:13 definitions 15:9 29:3 42:25 63:10 70:5,6,13,15,18 delayed 27:6 deletions 73:17,20 demonstrating 77:21 denied 46:9 deny 78:13 departments 22:10 22:10 depending 26:20 28:15 83:6 description 75:10 75:11,14,19 design 28:24 designed 50:13 64:15 designees 12:6 determination 78:6 determinations 68:25 determine 16:17 determined 33:6 determining 12:10 60:5 developing 30:2 development 34:19 34:21 deviate 70:7 device 3:21 devices 5:19,23 devoted 14:6 didn't 66:11 different 5:6 25:8 25:14,15,19 30:24 41:15 49:24,25 59:11 63:21 64:23 69:13,18 70:5,13,18</p>
---	--	--	---

<p>73:15 84:9 difficult 4:2 directed 44:21 directly 22:5 39:22 director 7:6 8:22 9:2 directs 12:9 disagreement 60:13 disapproval 42:9 46:5 disapprovals 42:12 43:20 44:10 disaster 32:16 disasters 27:4 32:20 disbursed 47:6 disclose 53:1 disclosure 53:3 discourage 60:18 61:7 discretion 28:14 59:14 61:1 69:21 discusion 57:22 discuss 14:23 35:22 36:5 51:17 discusses 48:15 discussing 10:12 discussion 13:13,16 16:13 18:20 19:22 20:19 21:8,13 22:12 23:9 24:14 39:19 40:14 41:25 48:14 49:25 53:20 57:10 57:15,17 58:17 59:12 60:2,4 62:4 62:13,22 63:5,7 64:9 74:23 75:7 79:17 83:25 84:5 discussions 26:22 36:8 51:18 79:25 80:1 dishonest 76:2 dispute 76:17 doen't 73:23 doing 5:13 11:15 26:7,9 32:25 35:1 35:18 47:22 68:10</p>	<p>dollar 29:10,17,18 door 3:20 dot 72:3 draft 15:12,22,24 16:1,8,10,13 18:15 18:20 19:22 20:15 20:19 21:9,13,16 22:12 23:9 24:14 26:24 28:8,13 30:2 31:2 39:19,19 40:14 41:9,24 42:4 45:14 46:4 53:19 57:10,16 57:17,22 58:17 59:12 60:2,4 62:4 62:13,22 63:5,7 68:22 74:24 75:7 79:18 80:7 81:14,19 83:12,14 drafted 49:8 51:6 drafts 13:2,13,14,16 15:17 24:11 30:6,24 41:2,7 73:15 85:15 draw 33:4 drawing 9:14 due 17:12 duplicative 31:11 74:17 75:2 durbin 8:10,10 9:3 duty 78:22</p>	<p>effort 51:3 80:11 efforts 52:8 64:10 egregious 50:15 eight 33:3 eighty 86:4 either 9:23 24:3 31:5 40:19 49:20 55:22 78:7,8 85:12 electronic 22:17 57:11 eligibility 68:24 embodied 41:8 embodies 39:21 embody 46:22 embodying 46:15 56:13 employee 56:4,20 employees 15:4 55:3 66:13 76:7,18 78:21 employers 5:16 employment 4:11 75:9 empty 5:22 enacted 19:4,9 encapsulate 84:11 encourage 10:1 12:9 28:5 34:19 79:21 83:19 encouraging 34:21 enforcement 14:24 39:3,17,23 50:24 51:7 52:14 75:16 76:8 77:16 79:12,14 engage 47:15 51:22 engaged 47:12 engaging 52:6 entities 15:7 23:22 58:3 59:2 61:8 entity 59:16,23 entry 18:8,9,11 29:4 68:13,18 environment 21:24 22:8 77:25 environmental 20:17 21:18 22:9</p>	<p>31:16 errors 25:21 26:5 especially 32:24 67:8 71:7 83:25 establish 12:11 established 77:10 establishes 77:12 estimated 12:21 ethic 4:19 5:2 everybody 2:12,21 6:22 7:2,7 8:16 ex 43:4 48:15,18 49:15 examine 79:6 example 20:23 43:9 44:19 46:5 49:17 50:3 59:25 examples 18:11 excuse 7:20 executive 12:8 exercise 59:14 exercising 69:21 existing 14:19 16:12 19:2 58:15 expand 6:5 expanded 5:13 expansion 6:2 expect 50:20 67:17 expected 4:21 expects 28:18 expediting 20:22 experience 4:2 5:1 6:10 expired 22:21 expires 22:14 86:15 explain 35:20 explaining 37:8 express 49:1 expressed 58:12 61:25 extended 36:25</p>
<p>e</p>		<p>earlier 35:25 39:18 67:2 early 60:2 earth 34:11 easier 73:21 economic 34:19,21 economically 76:1 economics 5:15 economy 6:17 edits 73:16 effective 44:4 45:22 75:23 effectiveness 76:23</p>	<p>f</p>
			<p>facilitate 75:2</p>

<p>facilities 34:7 58:8 80:24 81:5,7 82:17 facility 14:20 15:19 17:13 20:21,24 21:1 21:3,7,14,22 22:6 22:14,20,23 28:21 29:18 30:14,16 31:10 32:5 33:10 34:6 63:3 68:7,10 72:2 75:17 81:9 facility's 33:8 factor 5:15 factors 76:13 77:20 facts 49:20 fails 51:5 failure 17:5 43:24 44:13 fair 27:1 28:6 29:13 29:21 75:25 faith 2:7,10 7:18,18 8:18 familiar 41:13 47:17 far 3:8,11,20 5:8,25 6:2,8 24:21 26:6 29:13,22 30:1 34:25 favorable 24:21 february 50:18 federal 12:11,12,14 25:10 31:6,23 33:22 34:21 53:17 71:4 76:4 fee 16:2,8 17:5,6,16 18:3,8,8,9,10,11 24:19 25:18,22,23 28:3 29:8 42:18 feedback 18:5 34:10 35:25 46:2 48:13 53:2,9 58:25 feel 7:3 10:16,18 11:5,13 21:7 26:2 26:25 48:24 70:25 72:19 feeling 7:4 11:6 fees 14:18 15:18,21 16:6,7 17:11,22,24</p>	<p>17:25 18:10,25 24:13,19 26:18,20 27:9,21 29:3,4,4 42:18 63:11,19 80:14 feet 3:14 5:8 field 8:2,10 9:2,4 51:14,15 52:3 67:15 figure 41:22 file 43:24 44:13 filing 43:12,13,14,24 44:12 45:10 final 13:10,11 14:4 40:19 44:5,16 45:12 57:17 finally 15:10 63:8 financial 15:7 24:17 25:2 26:11 28:19 58:3 59:2 69:14 70:16 financially 59:17 77:22 financing 83:4 find 3:12 47:23 68:8 findings 78:7 fine 6:1 42:15 44:22 fines 28:2 fingerprint 17:22,23 firm 3:12 6:12,13 first 24:11,12 28:1 30:18 33:23 39:9 73:18 fiscal 16:3,20 17:3,7 25:5,7,8,10,15,20,25 26:12 29:2 fiscally 75:25 fit 5:20 five 3:17,18 12:16 12:22 14:13 flexible 37:17 flipping 58:18 flood 32:16 flooding 17:13 floor 2:6 11:15 81:8</p>	<p>flushing 44:6 focus 74:24 folks 9:15 18:9 19:24 41:17 73:4,5 79:20 84:14,22 85:5 follow 11:13 31:22 39:12 following 35:17 57:7 foot 5:7 force 3:4 4:22 foregoing 86:3 form 43:17 formal 9:23 10:2 formalize 34:9 55:9 55:25 formalized 51:23 52:5,7 formalizing 55:13 55:22 former 34:11 forms 5:14 forth 12:16 44:1,2 49:10 68:15 75:6 77:11 78:2 forward 12:25 13:10 15:24 18:22 19:1,16 20:2,15 23:11,24,25 38:12 41:5,10,24 45:17 55:13 57:16 60:5 68:4 71:11,21 81:22 fostering 39:23 found 64:20 69:4 four 14:14 33:2,3 69:13 frame 41:1 frankly 73:20 free 7:3 10:16,18 11:5,13 21:7 37:23 70:25 72:19 76:1 front 9:18 full 78:14 fun 30:8 funded 34:17</p>	<p>funding 75:10 funds 77:18 furnished 59:16 further 53:1 54:1 62:19 future 3:24 6:21 57:12</p> <p style="text-align: center;">g</p> <p>gaap 18:15 63:12,15 64:3 70:6,8,10,14 game 77:12 games 36:24 gaming 1:1 2:25 3:7 3:8,21 4:8,17 5:13 5:15,19,23 6:8,16 8:5 15:12 16:2,15 16:20 18:14 42:9 43:20 46:6,9 50:11 55:2 56:1,2,15,18 57:14,18 58:20,21 62:24 63:2 71:5,8 73:8 75:1,4,8,13,17 75:23 76:9,16,23,25 77:2,3 79:6,12,16 81:8,11 general 1:12 9:8 11:9 12:3 42:5,24 43:16 44:11,25 51:16 83:16 84:10 generally 67:14 76:1 getting 5:4 34:25 47:19 51:19,20 67:4 67:11 72:7 80:9 give 10:4 33:14 35:3 54:15,17 82:19 given 27:23 47:1 60:19 70:24 glad 9:11 go 2:4 3:12 5:1,20 10:2 11:11 13:10 21:7 25:22 28:10 33:1 34:6 35:4 38:15,25 39:14 44:20,23 54:4,20,21</p>
--	--	--	---

<p>66:8,22 69:1 70:25 73:6,11 80:18 goal 39:21 40:1 48:19 goes 2:16 16:13 18:21 39:8 going 2:18 3:9 4:22 4:25 5:10,11 9:13 9:20 11:10,11,24 24:9 27:21 33:9 36:6 39:3,11,22 45:6,15 47:14 48:2 48:14 52:25 64:8 67:11,13 68:3,8 69:10 74:14 82:22 85:1 gonna 2:16 3:23 11:10 12:2 19:1 28:21 29:21 33:1,2 34:1,5 36:5 39:9,12 39:16 41:10 54:24 67:18 68:7,14 71:9 71:22 73:7 good 2:3 4:1 6:11,12 6:16 7:10,13,18 8:4 8:7 11:21 26:7 29:15 49:12 72:23 goods 23:20 gotta 3:16 5:19,24 7:20,20 gov 72:3 governing 43:1 government 12:3,4 14:10,10 24:24 31:8 31:15 48:21 government's 25:10 governments 39:24 governor 3:15,18 5:5 governors 3:5 grammatically 68:16 grand 5:11 81:1 granted 66:1</p>	<p>gravely 28:20 great 7:9 54:23 greater 28:3 greatly 45:25 gross 16:17 18:14 29:16 ground 2:25 group 11:18 14:16 15:10 23:15 35:22 36:6,6,9 38:22,25 38:25 54:1,2,7,10 54:17,21,22,23 63:8 64:9 71:12 grouped 12:19 groups 12:17,17,23 14:13,15,15 71:5 growth 4:17 guerber 7:6 8:21,21 9:2 guerger 8:15 guess 2:24 4:18 5:18 78:18 guessing 60:22 guidance 24:1 51:19 82:3 guidelines 31:22</p>	<p>happens 64:11,12 65:13 happy 24:25 hard 5:8 29:10,17 29:18 harm 49:8,9 head 7:21 headquarters 9:6 72:22 health 20:17 21:18 21:24 22:10 31:6,10 31:16,17 78:1 hear 18:5 24:15,25 26:6 28:17 29:7,21 31:19,24 32:21 33:11 36:9 37:17 51:24 66:12 69:15 69:24 71:9 heard 3:10 17:9 18:2,8 19:11,12 22:1,21 24:21 28:1 28:18 29:12 30:1,17 31:4 34:10,25 35:6 35:24 36:15 40:3 41:17 44:7 47:8 50:17 64:18 65:20 67:1,8 68:12 70:5 83:24 hearing 26:7 27:3 29:23 45:1 57:5,6,7 57:9 77:17 78:12 hears 19:18 held 19:12 45:1 57:6 61:14 62:9,24 help 2:25 6:17 50:19 51:3 65:5,16 helped 3:13 4:8,10 64:16 helpful 13:15 26:4 26:13 29:4 69:23 84:19 helps 5:1 16:5 hey 51:11 67:22 68:6</p>	<p>high 29:25 highest 5:16 hill 5:11 hired 78:21 historically 26:19 history 27:23 75:7 hobbs 8:8 hoc 71:12 hold 39:6 holds 33:16 honest 75:24,25 hope 9:16 72:18 hopefully 28:25 75:2 hoping 16:5 horror 3:10 hour 72:7 hundred 4:13 hybrid 80:24 81:7</p>
	<p style="text-align: center;">h</p> <p>half 73:19 80:12,13 hallmark 74:22 hammer 27:24 hand 6:20,20 10:19 74:3 handed 11:25 handful 83:15 handing 9:18 handle 53:18 handled 44:13,14 46:19 hang 84:2,23 hanging 67:19 69:1 happen 67:18 happened 67:10,16 69:5</p>		<p style="text-align: center;">i</p> <p>idea 40:6 50:2 ideas 36:10 80:19 igra 23:21 34:20 61:25 79:5,15 82:10 82:16 igra's 63:17,24 64:5 70:14 ii 13:18 15:12 16:11 36:12,14,22,24 37:2 37:11 58:8,20,20 62:1 69:17 71:5,8 71:13 73:8 74:9 75:4 76:15,24 77:12 79:6,12 80:2,5 81:1 81:4,8,9 iii 35:19,20,23 36:6 36:22 37:11 58:8,13 58:21 62:2 69:17 80:3 81:8 illustrate 76:12 impacted 19:13,19 impacts 19:3 implement 36:7,10 65:7</p>

<p>implementation 76:14 implemented 77:23 implementing 77:7 implies 19:4 important 2:14 47:25 71:22 importantly 47:24 improve 38:12 improvements 46:1 inability 17:14 inception 82:2 include 14:4 included 18:11 75:18 includes 20:21 55:25 56:17 62:22 75:13,19 including 58:20 incorporate 57:19 59:22 incorporates 21:9 increased 28:25 increases 28:12 incremental 50:14 52:1 increments 52:7 independent 71:12 78:19 independently 82:17 indian 1:1 6:17 14:21 23:16,20 24:3 31:6 33:13,16,22,23 34:6 35:1 indians 4:14 indicate 12:18 30:11 67:25 individual 28:23 69:8 industry 3:1,8 71:20 influence 13:5 inform 78:23 84:19 informal 21:9 51:18</p>	<p>informally 52:5 information 9:17,25 22:16 27:22 31:13 34:24 38:7 47:23 52:19,24,25 53:3,18 53:23 56:25 57:2 59:15 64:24 65:2,10 67:12 69:2,22 70:22 72:10 75:2 77:1 80:16 85:14 ingra 70:6 initial 13:14 26:22 53:20 78:5 initially 66:11 70:24 input 14:11 inquiries 20:11 36:17 40:5 inquiry 12:20 19:23 20:1,3 23:17 35:25 55:6,21 58:6 60:8 61:12 63:9,14 74:7 82:4,12 84:18 insertions 73:19 inside 65:6 insight 82:19 inspect 79:6 inspects 77:4 instances 21:4 80:19 institution 59:17 institutional 59:18 integrity 59:5 intent 4:4 46:13 63:18 intentions 68:15 interest 15:14 29:12 36:18 58:3 59:2 61:7 73:9 74:3 80:21 81:13,17,18 82:1,6,20,23 83:7 83:13,22 interested 50:11 84:8,16 85:16 interests 15:7 69:14 82:9</p>	<p>interior 33:17 internal 24:1 34:15 34:15 35:1,21,23,24 36:12,22 37:2,12 38:3,13 75:14 international 6:13 intervene 43:10 introduce 7:2 introduced 9:5 investigate 79:14 investigating 77:7 investigation 58:9 58:23 59:15,20,24 62:6,8,12,15,21 67:16 68:4,11 76:6 76:8 investigation's 62:10 investigations 15:4 15:6 55:2,18 58:2 59:1 61:12 62:4 67:1,2 69:14,22 75:15,20 77:15 investigative 55:19 56:10 79:11 investigator 8:2,11 9:3 investigators 51:15 investment 60:19 investor 59:18 invite 8:16 involving 15:14 16:25 49:20 55:1 isolated 6:11 issuance 56:23 issue 26:2 40:15 48:17 49:6 52:8 54:7 56:19 58:15 65:21 66:7,15,16,18 68:1 69:8 70:16 78:6,8 83:6,20 issueance 40:10 issued 13:6,7,12 19:25 21:14,15 24:11 26:17 27:24</p>	<p>30:16 36:20 40:7 56:1,3,16 57:3 62:16 65:24 79:4 82:3 issues 5:9 16:7 20:18 21:19 22:2,11 27:5 29:5 31:17 37:19 42:22,24 43:15,16,17 44:19 46:19,20 47:3 48:25 51:17,21 53:16 59:6 issuing 68:6 it'll 39:9</p> <p style="text-align: center;">j</p> <p>james 9:3,18 janklow 5:7 jennifer 1:16,19 8:12 9:1,5 64:16,16 jim 7:16 8:1 9:4,18 job 1:25 69:4 jobs 3:10 4:3,4 john 7:6 8:7,21,23 9:2 48:8 52:18 join 11:6 joining 7:22 jones 6:4 judicial 44:6,16 july 36:3 jump 38:23 39:12 54:2 jumping 68:20 june 23:10 jurisdiction 5:9</p> <p style="text-align: center;">k</p> <p>keep 3:23 6:4 33:7 keeping 47:13 75:15 key 15:4 55:3 56:4 56:20 66:13 78:20 kind 2:8 3:21 7:4 37:9 48:14,18 71:1 knew 6:14 67:10 knights 5:12 8:17 know 2:11,13,22 3:1 3:9 4:8,12 6:2,2,3</p>
--	--	---	--

<p>9:2,21 10:7,9,16 17:23 19:15 20:25 21:2,7 22:8 24:8,19 24:25 25:2 26:15,25 27:7,19,24 28:6,8 28:16,17,18,19,22 29:16,18 30:15 32:12,25 33:7,18 34:1,13,18 36:16 38:17 47:21 48:11 48:22,25 50:9,25 51:5,8,9,11,11,14,14 51:24 52:2,4,6,10 52:13,24 53:8 54:4 54:25 55:12 62:9,11 65:3,23 66:3,12,23 67:10,12,13,15,17 67:21 68:17 69:5,7 71:17 80:14 81:5,21 83:15 84:8,14 85:8 85:8 knowing 50:12</p>	<p>law 22:4 31:7 76:4,4 laws 31:23 76:22 laying 44:2,15 49:15 layout 83:5 lays 40:2,8,11 42:4 43:19 45:7 leading 40:10 50:5 learning 4:2 leave 54:3,14 69:6 72:14 leaving 10:12 led 25:18,21 left 10:22 22:24,25 61:1 67:19 69:1 84:22 legal 47:15 letter 37:7 40:11,18 40:20 51:12 62:6,11 68:5,7 letters 38:6 letting 62:11 license 14:20 15:19</p>	<p>link 71:4 list 21:17 39:9 56:20 75:10,13 listen 24:8 54:16 listening 9:24 lists 77:20 little 7:5 11:6,16 27:21 34:23,24 40:6 lives 28:11 loan 6:5,6 located 47:5,10 locations 61:21 lonely 7:4 long 21:17 32:13,13 32:13 look 5:14,24 28:23 33:22 39:5 53:17 72:19 81:14,16 looking 4:25 20:7 30:25 37:9,10 57:23 64:15 67:22 69:18 69:19 71:10 73:14 81:22 lost 73:4 lot 2:17 3:7 4:14,18 4:21,23,24 5:2 13:3 13:15 22:2 27:8 30:17 33:25 35:25 36:18 46:13,14 52:3 81:18 83:24 84:25 love 26:6 29:7 31:19 31:24 33:11 41:12 51:24 lower 49:19 lunch 54:3,13 72:7 72:23,25</p>	<p>major 29:25 33:10 majority 58:11 60:11 making 10:25 18:22 18:24 19:17 20:4 23:11 39:19 41:6 45:18 51:2 60:6 62:15 management 6:12 15:3,8,8 42:12,17 44:10 55:2,3 56:4 56:21 58:4,5,7,13 58:19,20 59:3,3,9 60:17,20,24,25 63:11,19 66:14 69:15 82:16 manages 66:13 mandan 2:18 5:3 manner 17:15 21:23 77:25 march 16:9 25:13 marion 8:4 marjamaa 1:24 86:11 marty 7:14 match 70:8 material 15:22 78:24 materials 11:25 15:16 19:23 21:6,11 21:17 42:3 56:10,11 58:18 62:5 matter 12:19 22:3,7 67:23 matters 77:17 mckee 8:1,1 9:4 mean 10:13 13:4 29:19,20 50:22 54:12 62:17 meant 35:22 meet 3:5 30:12 64:22 78:9,10 meeting 1:1 2:2,9 11:8 12:5,8 35:17 72:12</p>
<p>I</p>			
<p>I 1:9,13,17,24 86:11 laid 30:19 41:15 53:10 73:17 lake 7:11,12 28:20 language 63:18 64:6 78:19 79:2,3 larger 29:17 larry 1:12,15 9:8 11:9,20,22 24:7 27:3 31:2 39:7,14 47:3 50:16 54:22 64:8 65:21 74:4 80:7 late 16:25 17:1,4,4 17:12,16,17,18 26:15,20,21,21,23 27:23,25 28:3,4,5,7 28:11,16,21 29:6,18 42:17,18 43:24 44:12 45:10</p>	<p>20:21,25 21:15 22:13,20 30:16 33:7 56:1,2,3,15,18,20,22 57:3,6 65:25 66:1,8 66:9,15,16,22 68:25 69:3,8 75:17 licensed 69:9 78:21 licensee 57:4 65:24 65:25 licenses 55:3 65:22 licensing 30:15,20 30:23 31:11 32:6 33:11 64:11 68:21 76:7 77:8,9 licensure 59:20 limit 12:13 83:8 limited 43:10,25 44:14,24 46:8 61:24 62:1 linda 8:10 9:3 line 33:4 lines 56:12</p>	<p>m machine 34:2 36:14 maintain 51:4 55:19 61:22 81:20 maintained 61:15 maintaining 59:5 maintenance 21:22</p>	

<p>meetings 2:13,17 7:20 9:12 12:6 36:1 36:2 37:11 member 9:10 11:23 48:23 members 30:4 47:21 memorializing 64:12 memorilizes 52:4 menominee 81:2 mentioned 9:1 11:22 13:20 14:13 18:19 23:8 31:2 80:7 merely 68:10 met 3:15,17 75:21 76:12 method 65:3,9 microphone 2:6,11 7:7 10:23 11:8,19 48:11 74:4 mics 76:14,15 mid 23:9 mike 2:7 7:18 mind 47:14 69:12 minimal 71:6 minimum 35:21,24 36:12,22 37:2,12 38:2,13 minutes 35:12 miscommunications 27:16 misleading 68:5 missed 8:16 missing 29:24 misunderstanding 33:19 mix 81:7 mixture 4:14 modify 42:17 moment 7:1 39:11 monitor 79:6 monitoring 15:4 61:11 62:4 66:25 76:7 77:8</p>	<p>monitors 76:21,23 months 17:12 26:21 32:11 33:1,2,3,3 morning 2:3 7:10,13 7:18,23 8:4,7 11:21 12:1 14:17 15:10,15 38:22 54:15 70:25 72:15,18 73:11 85:4 motion 43:12,13,14 43:25 44:14,24 motions 42:7 43:7,9 43:10,11,25 44:13 44:24 45:10 mountain 7:14,25 move 19:1 23:10,24 23:25 34:4 35:12 37:19 38:25 41:5,10 41:23 55:13 57:16 60:5 68:3 moved 12:25 20:2 moving 19:16 24:19 41:20 45:17 multiple 50:3 murphy 2:19 3:1 murphy's 3:2</p> <p style="text-align: center;">n</p> <p>name 7:8,13,16,24 8:1 9:9 10:24 11:22 48:6 name's 7:10 names 38:9 nation 11:23 national 1:1 59:18 natives 4:13 natrual 32:16 natural 27:4 nature 28:4,16 47:9 necessarily 9:22 49:16 54:12 62:17 need 2:11,14 3:24 6:3 10:8,17,23 11:3 12:12 21:6,12 22:25 25:21 30:13 32:16 32:22 34:6 35:8</p>	<p>48:1 61:17 63:17 64:2 66:20 70:1 71:17 needed 61:13 needs 6:21 25:14 57:2 neither 40:17 net 63:11,20,23 70:13,18 never 27:11 new 3:6 8:6 16:24 17:21 20:21 27:19 41:19 42:4 72:12 newly 21:14 nice 6:23 nigc 7:17 8:2,11 14:18 17:12,22 19:6 19:10 22:13 23:17 23:21 26:1 39:24 48:17 49:10 50:22 52:23 54:25 55:18 56:24 57:1,4,8 58:12 60:16,22 61:3 61:20 62:7,19 65:23 66:10 72:3 76:4 79:15 80:14 nigc's 20:16,22 34:16 61:23 62:1 76:15 nigc.gov 1:11,15,19 nine 2:4 nj343901 1:25 noi 74:13 nomination 36:21 nominations 36:21 37:5,8 38:6 nominees 37:9 non 40:12,18,19 noncompliance 27:12 nontribal 4:7 normally 27:14 north 1:3 3:6,15 4:6 4:10 5:6 7:15 8:6</p>	<p>northwest 1:9,13,17 note 33:9 71:3 noted 63:16 notice 10:5 12:20 16:21,25 17:20 18:22,24 19:16,23 19:25 20:3,4,11,20 22:13,19 23:11,17 35:18,25 36:17 40:4 40:12,18,20 41:6 45:17 50:8 55:6,17 55:21 56:19,24 57:5 58:5 60:6,8 61:12 63:9,14 67:17 68:2 74:7 82:4,12 84:18 noticed 79:24 notices 42:14,17 67:6 notification 23:1 62:16 notifications 14:21 15:19 notified 32:17 notify 56:5,21 57:1 57:7 notifying 22:20 nov 40:6,6,11,13,15 44:19,22 50:3,20,24 51:5 67:4 nov's 26:17,18,19 27:23 50:15 51:2 83:16 number 9:12 13:1 14:8,25 15:16 23:3 24:9 26:4,17,18 30:17 31:3 32:8 35:19 41:15 42:24 50:18 56:12 71:19 80:2,8,23 83:16 84:6,10 numbers 5:22,25 6:6 32:11</p>
---	---	--	---

<p>o</p> <p>object 65:24</p> <p>objection 57:4</p> <p>objections 66:7</p> <p>objective 38:10</p> <p>observation 49:12</p> <p>obsolete 19:8</p> <p>obtaining 74:9</p> <p>obviously 45:11</p> <p>occasions 22:22</p> <p>occur 49:21,21 50:7</p> <p>occurred 49:4,23 62:18</p> <p>october 25:11 37:3</p> <p>office 8:3 20:2 30:18 51:16 72:22 73:21 78:5,12 84:11</p> <p>officers 67:15</p> <p>official 42:14,20 43:11,13 44:18,21 45:3 56:4,21</p> <p>officials 12:12 15:3 55:2,4 66:14</p> <p>oh 68:20</p> <p>okay 11:5 19:1,20 23:15 30:8 33:5 35:13,16 39:16 41:10 53:14,25 64:7 73:2 74:6 81:25</p> <p>old 30:9</p> <p>older 73:22</p> <p>once 6:21 11:14 79:3</p> <p>oneida 11:23</p> <p>ongoing 67:16,25</p> <p>onset 15:20</p> <p>onsite 51:20</p> <p>open 2:9 10:13 11:15 12:4 13:19 21:7 48:20 49:3 53:24 72:5</p> <p>opened 2:2 3:20 62:8</p> <p>opening 21:1,3</p>	<p>operating 55:11 73:22</p> <p>operation 16:16,20 17:14 21:23 29:14 29:20 62:24 63:2 74:25 75:25 77:2,22 77:24</p> <p>operation's 16:2</p> <p>operations 24:23 28:10 75:8,11,14 81:11</p> <p>operator 9:4</p> <p>opinion 58:12</p> <p>opinions 83:16 84:10</p> <p>opportunities 10:6</p> <p>opportunity 2:25 13:8 18:23 23:12 35:3 54:15,18</p> <p>opposed 29:17</p> <p>option 69:7</p> <p>options 35:23 67:5</p> <p>order 12:8 20:9</p> <p>orders 42:15</p> <p>ordinance 19:9 43:9 46:6,9 57:13,15,18 75:18 76:9</p> <p>ordinances 14:20 19:3,4 30:9,11 42:9 43:20 52:12 79:16</p> <p>organizational 75:8</p> <p>originally 35:22 36:4 37:15</p> <p>outdo 5:21</p> <p>outside 27:2,17 47:18</p> <p>outweighed 74:15</p> <p>overall 48:19</p> <p>overflowed 28:20</p> <p>overloaded 65:16</p> <p>oversee 31:9,9</p> <p>oversight 22:11</p> <p>overview 74:6</p> <p>owned 59:16 82:17</p>	<p>ownest 25:24</p> <p>p</p> <p>p.m. 39:2 85:20</p> <p>packet 15:15 73:19</p> <p>packets 9:17</p> <p>page 39:7 54:8,20 68:21</p> <p>pages 73:18 86:4</p> <p>paid 17:17,19 34:17</p> <p>paper 34:3</p> <p>papers 62:23 77:5,6</p> <p>paperwork 64:22</p> <p>parallel 37:19</p> <p>part 9:19 10:14,18 14:10,18,20,23 15:1 15:2,18,20,22 17:1 18:25 19:2,3,7,13 19:17,20,20,23 20:6 20:12,12,13,20 23:14,16 34:16,23 35:21 36:13,24 39:17,20 41:8,16,16 41:20,22 42:3,7,8 42:11,13,19,22,23 43:7,18,19,21,22,22 44:9,19 45:4,7 46:1 46:4 48:14 52:20 54:11 55:24 58:2,5 58:17 60:7 61:11 62:5 64:8,10 69:13 71:9 73:8 74:2,7,21 75:7 85:3</p> <p>parte 43:4 48:15,18 49:15</p> <p>participate 12:10 55:16</p> <p>participation 43:10 44:1,14,24</p> <p>particular 16:3 23:6 24:13 31:2,21 37:22 38:2,11 47:1 49:6 64:9 68:1 70:8,19 71:25 81:23 83:20 84:9</p>	<p>parties 45:22 46:10 50:4,7 52:23 61:10 61:15 63:1</p> <p>parts 9:22 10:11 11:11 13:1 14:25 24:5 31:8,9 33:10 33:13 35:9 39:13 41:16,20 42:2 45:9 54:24 57:20</p> <p>party 50:5 52:22 53:4 62:14</p> <p>passible 32:13</p> <p>paul 7:17 8:11,22</p> <p>pay 4:7 6:6 17:5 80:13</p> <p>payment 17:2,4,4,11 17:16,17 26:23 27:6 28:4,11,16,25 29:16</p> <p>payments 16:14,15 16:25 17:3,6 24:20 24:20,22 29:1,6</p> <p>payout 18:18</p> <p>pays 7:24,24</p> <p>penalty 28:12,24 29:7,10 67:5</p> <p>pending 49:17</p> <p>people 4:18,22,24 6:3,14 9:14 24:17 25:2 26:9 27:16 34:2,2 50:10 51:15 54:2,6 68:17</p> <p>percent 4:13 26:19</p> <p>percentage 29:11,12 29:13,15,21,23 80:13</p> <p>percentages 82:15 82:18</p> <p>period 13:11,19 18:20 21:3 23:9 24:13 25:4 40:21,24 41:3 45:13 57:21 60:1 63:4 72:5 79:19 83:17</p> <p>periods 13:3 30:20</p>
--	---	--	---

<p>permit 20:23</p> <p>person 27:13,19 28:11,19 62:24 66:20 70:17</p> <p>persons 15:7 58:3</p> <p>petition 74:17</p> <p>petitions 78:4</p> <p>phases 12:25</p> <p>philosophy 50:22</p> <p>phone 27:8 51:19</p> <p>pick 2:16 72:10,15</p> <p>picked 4:7</p> <p>picks 43:21</p> <p>pilot 15:3 54:25 55:9,11,13,16,25 56:13 58:1 64:12</p> <p>place 4:20 31:15 36:8 51:8 81:20</p> <p>placed 73:17</p> <p>placement 49:22</p> <p>plan 36:7</p> <p>planet 47:25</p> <p>plans 36:10</p> <p>plata 8:7,8 48:3,5,8 48:9,12 52:16,18,18 53:7,14</p> <p>play 36:14</p> <p>please 19:15,15 48:7 62:10 71:15 72:19 85:7,13</p> <p>plus 4:16</p> <p>pmo's 78:20</p> <p>point 5:21 15:25 29:7 36:15 38:21 51:12,21 80:6</p> <p>points 29:25</p> <p>policies 34:20 35:2 49:14</p> <p>policy 24:2 34:15,15 55:23</p> <p>portland 8:13</p> <p>posed 84:18</p> <p>positions 28:2</p> <p>possible 47:16</p>	<p>post 68:21</p> <p>posted 30:6 71:4</p> <p>posting 85:14</p> <p>posts 77:12</p> <p>potential 14:21 15:13 17:20 24:3</p> <p>powerpoint 9:20 11:10,25 24:6 39:7</p> <p>powers 79:5,7,12,13</p> <p>powwow 9:13</p> <p>practice 43:25 44:24 46:15</p> <p>practices 16:12 24:23</p> <p>prairie 5:12 8:17</p> <p>precise 18:9</p> <p>prefer 18:3</p> <p>preferred 73:25</p> <p>preliminary 13:2,13 15:11,17,24 16:8,10 18:15 19:22 20:15 39:19 41:2,7,9,24 42:4 45:14 46:4 53:19 68:22 79:25 83:13,14</p> <p>premises 68:14,19 79:7</p> <p>prepared 11:3 17:15 84:15</p> <p>presented 45:6</p> <p>preserve 12:15 28:22 67:23</p> <p>presiding 42:14,20 43:11,13 44:18,21 45:2</p> <p>pretty 50:5 73:3</p> <p>previous 30:15 46:17 67:3,3</p> <p>previously 31:4 49:4</p> <p>price 33:23 34:7</p> <p>primary 15:3 55:3 56:4,21 66:14 82:23</p> <p>prior 16:25 57:3 80:6</p>	<p>priority 12:18 55:8</p> <p>private 23:22 60:19</p> <p>probably 2:10,16 38:21 41:11 68:3 84:23 85:9</p> <p>problem 66:10 67:6 67:25</p> <p>procedure 53:10</p> <p>procedures 56:1,2 56:15,18</p> <p>proceed 37:18 84:20</p> <p>proceeding 49:22</p> <p>proceedings 39:3 41:11,14 42:6 43:2 43:3,8 48:2 52:15 53:1 85:21 86:5</p> <p>process 14:2,7,7,16 16:6 20:7,8,22 21:9 27:20 34:9 38:20 40:2,8,9 41:4,15,18 41:18 45:2,7,15,23 46:19,20 47:20 50:14 51:23 52:5,7 53:10 57:23 59:1,4 59:6,7,10 60:3,5 61:6,9 64:1,19,21 65:11,17,18 66:9,21 74:9,14 78:2,3 80:9 80:17 82:7</p> <p>processed 47:2</p> <p>processes 46:22 47:12,18 62:20 65:14 76:18 81:19</p> <p>processing 17:22,23</p> <p>proclude 62:18</p> <p>produce 37:5</p> <p>products 37:4</p> <p>program 15:3 55:1 55:9,11,14,16,22,25 56:13 58:1 64:12</p> <p>progress 37:25</p> <p>progressive 51:23</p> <p>prohibit 49:16</p> <p>prohibited 43:5 49:16 50:6</p>	<p>promulgate 82:13</p> <p>proof 44:25</p> <p>property 23:21</p> <p>proportinate 28:7</p> <p>proposal 17:15</p> <p>proposed 13:6,7,9 14:4 15:23,25 16:4 16:19 17:2 18:1,22 18:24 19:17 20:4 22:4 23:11,13 32:2 41:6 42:15 44:22 45:17 50:12 56:7 60:6 71:5,13,18 72:6</p> <p>proposes 16:10</p> <p>proprietary 61:6</p> <p>proprietary 15:13 15:14 73:9 74:3 81:25 82:6,9,20,22 83:1,7,13,22</p> <p>pros 3:7</p> <p>prosecution 76:8 77:24</p> <p>prosecutions 75:16</p> <p>protect 61:6</p> <p>protection 53:3,22</p> <p>protects 21:24 22:8 77:25</p> <p>provide 22:11 40:20 53:7 56:10 59:12,13 60:17,24 64:3 82:7 82:14 83:3</p> <p>provided 53:6</p> <p>provides 16:21 21:14 22:15 23:21 52:21 55:17 56:9 57:11,12</p> <p>providing 53:22 56:19 78:19</p> <p>provision 20:21 52:20</p> <p>public 12:5,20 13:7 13:11,15,25 20:5,16 20:17 21:18,24 23:12 31:9,16,16</p>
---	--	--	---

<p>44:7 46:7 55:7 58:11,24 77:25 83:19 publish 18:3 published 16:9 publishing 18:1 pull 66:9 pulled 66:2 purchasing 23:20 purports 86:5 purposes 41:25 44:4 44:5,16 53:20 74:18 82:24 pursuant 59:21,24 pursue 5:18 pushes 80:12 put 12:16 15:24 20:15 34:24 36:8 38:11 49:3 51:8 64:16 71:2,11,20 putting 31:12 71:24</p>	<p style="text-align: center;">r</p> <p>raise 10:19 ramp 51:9 67:5 rapid 8:2 rate 16:8,10 ratio 29:15 80:15 reach 21:10 reaches 48:23 reaching 14:9 read 73:21,25 reading 47:20 real 71:24 realize 9:12 10:4 really 4:2,2 5:5,8 6:3 6:9 25:24 26:1,7 61:17 80:12 81:6 reason 17:11 66:2 reasonable 23:5 reasons 69:4 rebuild 32:15 receipt 56:23 78:4 receive 14:3 40:5 50:7 75:3,22 received 12:20 13:15,25 16:24 20:16 23:2 30:5 55:20 58:10 59:23 60:11,22 61:17 63:6 63:13 66:5 74:13 82:11 84:6 receives 76:25 receiving 71:1 recess 85:9 recognize 8:24 70:12 recognizing 52:2 reconsideration 43:15 record 10:8 11:1 32:1 43:14 49:22 75:15 77:9 84:3,5 recordkeeping 75:20</p>	<p>records 61:14,23,24 62:2,23 68:18 77:6 red 56:12 redline 15:22 reduce 26:4 59:14 61:10 69:21 75:1 reduces 26:8 reestablish 36:19 reflect 16:12 reg 34:12 35:2 84:12 84:12 regard 71:12 81:10 region 8:13 9:7 51:15 64:21 65:15 65:17 67:9,14 regional 7:6 8:22,24 9:1 72:22 regions 14:9 65:2,12 65:14 register 71:4 reglation 15:12 regs 15:5,5 37:22 regulated 59:17 80:22 regulating 81:2 regulation 13:17,18 14:22 15:13,23 16:1 17:25 23:16,18,25 24:3 29:8 30:12,21 31:11 55:14,22 65:12 73:8 74:1,10 74:12,22 75:4,22 76:20 78:5,8,13,14 79:4,9,11 80:1,3,5,9 81:3,12,21,24 82:5 82:13 83:5,11 regulations 10:11 11:12,18 14:24 20:6 20:9 24:10 30:16 37:21,25 38:23 39:1 41:21 46:11,21 47:7 55:8,12 64:20 65:7 75:17 76:4,10,22 79:15</p>	<p>regulators 27:17 75:9,11 regulatory 12:17,17 20:6 22:11 62:20 75:1 76:21 77:3,13 77:13,17,18 reinvent 70:1 reiterate 33:18 64:7 relating 15:5,6 16:7 21:18 relationship 14:10 48:21 49:9 relatively 43:16 relicensing 30:21 remaining 37:17 64:5 remedy 51:20 remodels 32:20 removed 14:15 removing 16:11 renovated 5:12 reopen 33:10 67:24 reopens 22:15 repeal 19:13,17,19 30:9 repealed 19:7 repealing 63:22 repetitive 34:23 report 78:6,11 reported 1:24 reporter 86:12 reporter's 86:1 reporting 25:4 52:9 74:18 78:16 reports 55:20 81:3 represent 10:3 84:17 representatives 71:19 reputation 75:24 request 22:16 26:17 56:25 61:24 74:8 78:12 82:7 requested 55:7 82:14</p>
<p style="text-align: center;">q</p> <p>qualify 59:7 quarterly 16:14 24:20,22 29:1 question 18:16 19:6 48:12 52:19 60:8 68:22 82:1 questioned 20:16 60:15 questions 10:1,16 11:1,13,16 18:7,25 23:14 24:2,4 35:7 38:5,18,19 40:25 41:7 45:18 51:19 54:19 58:23 69:11 72:21 79:22 83:21 84:18 85:7 quick 4:17,17 11:15 26:16 quite 3:2 16:24 17:24 29:20</p>	<p>qualify 59:7 quarterly 16:14 24:20,22 29:1 question 18:16 19:6 48:12 52:19 60:8 68:22 82:1 questioned 20:16 60:15 questions 10:1,16 11:1,13,16 18:7,25 23:14 24:2,4 35:7 38:5,18,19 40:25 41:7 45:18 51:19 54:19 58:23 69:11 72:21 79:22 83:21 84:18 85:7 quick 4:17,17 11:15 26:16 quite 3:2 16:24 17:24 29:20</p>	<p>qualify 59:7 quarterly 16:14 24:20,22 29:1 question 18:16 19:6 48:12 52:19 60:8 68:22 82:1 questioned 20:16 60:15 questions 10:1,16 11:1,13,16 18:7,25 23:14 24:2,4 35:7 38:5,18,19 40:25 41:7 45:18 51:19 54:19 58:23 69:11 72:21 79:22 83:21 84:18 85:7 quick 4:17,17 11:15 26:16 quite 3:2 16:24 17:24 29:20</p>	<p>qualify 59:7 quarterly 16:14 24:20,22 29:1 question 18:16 19:6 48:12 52:19 60:8 68:22 82:1 questioned 20:16 60:15 questions 10:1,16 11:1,13,16 18:7,25 23:14 24:2,4 35:7 38:5,18,19 40:25 41:7 45:18 51:19 54:19 58:23 69:11 72:21 79:22 83:21 84:18 85:7 quick 4:17,17 11:15 26:16 quite 3:2 16:24 17:24 29:20</p>

requesting 37:8 requests 22:12 require 23:19 31:22 60:9 61:4 68:24 69:6 required 30:20 31:4 56:5 59:19 requirement 82:9 82:20 requirements 30:19 31:10 74:15,16,18 75:15 78:17 requiring 60:12,18 61:22 research 30:10 reservation 5:14 resolution 76:18 resolutions 19:3 42:9 43:20 resolve 46:18 resolving 48:25 resort 3:13 6:13 7:12 resources 12:21 respond 78:11 response 20:10 40:3 55:21 63:6,14 74:13 82:12 responsibilities 69:15 responsibility 15:8 58:4 59:3 61:4 responsive 40:4 rest 6:23 restriction 49:5 result 17:8 results 17:4 55:18 56:6,19,24 57:2 resume 35:17 73:2 78:20 retain 40:14 79:11 retains 79:13 return 50:20 revenue 18:14 70:13 70:18 77:1	revenues 16:17 63:11,20,23 75:24 76:6,17,23 review 12:22 14:19 19:2 20:7,11,22 44:2,6,15,16 45:1 45:10 60:20 61:4 74:8 78:4 82:8,14 reviewing 14:2 20:9 41:4 57:24 63:6 reviews 77:1 revising 18:13 revision 63:15,16 revisit 72:11 73:10 revocation 57:9 revoked 66:1 richard 7:24 rid 73:23 right 2:4,17 4:13 5:15 6:15 8:19 9:6 28:22 30:25 45:15 57:5 67:23 73:6 rights 66:1 risks 61:10 river 5:11 road 34:5 45:24 roads 32:12 roberts 1:12,15 9:8 11:9,21,23 39:16 49:11 53:5,12,15 54:23 74:6 81:25 84:3 rock 2:8,12,19 4:5,9 4:16 6:9 7:19 ronde 81:1 room 46:25 70:24 72:16 roulette 3:22 rule 13:10,12 15:25 18:22,24 19:17 20:4 23:11,13 41:6 45:18 57:17 60:6 rules 13:6,7,9 14:4 42:5 43:1 45:23 77:12	ruling 14:7 run 24:5 54:25 running 25:16,17 s safe 75:25 safety 20:18 21:18 21:25 22:10 31:16 31:17 78:1 sand 33:4 satisfies 76:19 saw 84:8 saying 27:1 36:16 says 27:18 33:4 scale 61:2 scaled 14:14 scenario 49:5 schedule 10:5,18 35:20 schedules 72:13 scheduling 54:7 scope 12:14 59:15 69:22 search 68:18 seasonal 23:1 32:7,9 32:19 seasonally 22:23 second 50:5 54:8,20 60:22 73:19 84:4 secretary 33:16,17 section 16:4,11,19 16:25 17:21 23:6,15 24:19 35:7 38:24 39:2 41:12 43:4,22 45:19 47:2 51:7 56:8 59:13 67:3 70:2 sections 16:23 35:13 39:15 47:5 53:16 68:13 69:12 see 13:22 20:20 24:9 26:24 27:22 28:8,13 31:1 32:1 36:11 37:14 40:23 46:16 50:21 51:6,22 53:17	56:12 71:1,24 72:18 81:16 85:11 seeking 14:11 56:3 71:7 79:18 self 13:18 15:12 73:8 74:1,10,12,22 75:4,22 76:20 78:5 78:8,12,14 79:4,9 79:11 80:1,3,5,9,22 81:2,3,12,21 semiformal 40:12 seminole 8:9 49:2 send 62:10 68:24 sending 20:24 30:22 sense 41:17 47:22 separate 26:10 64:17 september 1:2 13:19 25:11,11 37:6 38:10 86:19 service 43:3 services 23:20 31:6 session 54:15 72:15 73:11 set 75:6 77:11 sets 78:2 setting 44:1 settlement 49:17,24 seven 3:5,13 6:12 severe 51:9,10 severity 28:15 sexiest 47:24 shape 43:17 share 49:7 52:23 53:9 shared 13:23 sharing 49:6 85:15 shift 74:24 short 73:3 show 75:23 76:19 77:4 85:5 showing 76:20 shows 15:22 shy 7:5 11:6
--	---	---	---

side 61:2 similar 28:9 47:5 62:19 simple 45:23 simply 55:17 83:10 single 25:6 sinner 3:15,18 5:6 sioux 2:8,19 4:9 7:19 sit 7:3 site 61:20,23 sites 61:15 sitting 5:23 situation 48:16,22 situations 32:4 34:1 50:2 six 86:4 size 29:14 skills 6:12 slightly 64:22 small 29:14,20 sole 15:13,14 61:6 73:9 74:2 81:25 82:6,9,20,22 83:1,7 83:12,22 solitify 34:13 solving 52:8 somebody 6:4 somebody's 66:9 soon 71:2 sooner 66:20 sorry 48:8 73:24 75:21 sort 20:3,4 24:1,5 29:25 40:8 44:3,6 46:2 49:18,24 50:13 51:8,22 62:8 63:21 64:13,21 67:18 75:5 sought 18:17 40:23 sound 76:1 south 2:20 3:6 4:6 4:10 5:4 50:17 sovereign 21:21 sovereignty 74:23	sovereign 12:15 speak 9:22 10:14 53:12 speaking 10:9 specialists 47:15,15 specialized 47:19 specific 9:22 12:23 37:23 47:18 67:14 80:19 83:17 specifically 25:17 68:23 specifics 53:13 spirit 7:11,12 structured 29:1 st 7:17 8:11,22 stability 83:3 stable 77:22 staff 8:25,25 9:7 26:16 27:12,13 30:10 48:24 51:14 52:3 stakeholders 71:20 stand 81:1,4,9 standard 44:1,15,25 45:8,10 71:21 72:6 standards 12:11,13 12:14 35:21 36:13 36:13,23,23 37:3,12 37:13 38:3,4,13,14 71:6,7,14 72:1 77:10 standing 2:7,12,19 4:5,9,16 6:8 7:19 stands 14:12 start 4:1 12:2 39:17 54:7,10,24 started 2:5 37:15 55:5 state 4:6,10 9:11 10:24 22:3 31:22,22 32:10 48:6 58:16 59:20,21,25 stated 50:16 58:14 statement 10:3,7,17 12:3	statements 11:3 26:12 54:19 states 6:18 23:22 61:3 statute 33:14 82:6 statutory 63:17 64:5 78:18 79:1 stay 10:16 72:8 step 20:3 48:11 50:13 52:5 stephanie 1:24 10:22 86:11 stepped 40:8,17 steps 48:1 51:8,17 81:20 stevens 1:8,11 2:1,3 6:25 7:22 8:23 9:9 24:7 35:16 46:24 48:4,6,10 50:9 52:17 53:25 64:7 73:2 79:23 83:23 84:6 stories 3:10 straus 8:8 streamline 16:6 41:18 59:7,10 streamlined 59:4 78:17 streamlining 56:14 street 1:9,13,17 stress 20:13 stretch 35:11 stringent 76:14 strong 36:17 structured 31:20 72:1 stuff 47:24 subchapter 41:19 42:2 subject 12:19 37:16 67:25 84:9 subjects 45:8 74:5 submission 60:9,12 74:16 75:1	submissions 22:17 42:21 43:12 45:5 57:12,13 submit 13:5 20:25 21:19 30:22 38:9 55:17 65:10 69:2 72:20 83:19 submitted 19:5,10 21:11 49:2 52:20 57:19 69:23 79:20 submitting 21:5,17 57:14 65:3,4 substantial 17:8 substantive 16:18 successfully 27:19 suggest 26:14 38:14 suggested 27:3 50:13 61:3,21 65:7 67:5,21 71:22 74:20 82:15,21,25 83:9 suggestion 51:25 suggestions 36:7 38:12 59:22 71:9 83:20 suite 1:9,13,17 summary 11:15 14:5 39:1 summer 20:2 55:6 supplement 43:14 supported 20:11 55:21 58:11 60:12 supportive 63:15 suppose 2:15 supposed 20:25 47:22 sure 5:19 25:23 29:24 30:25 39:6 64:24 65:14 69:3 73:14 84:1 surprise 67:4 surprised 51:1 surprising 32:8 surprisingly 25:8,12 surroundings 5:24
--	--	---	--

<p>suspend 43:1 57:6 system 26:15,23 75:12,20 76:16,24 77:8,9,14,23 systems 76:5</p>	<p>terms 17:16 18:7 21:21 22:19 23:3 24:1 40:25 45:17 64:22 65:9 testimony 45:6 77:16 tgra 75:8,10 thank 2:9,10,12 6:22,24,25 7:21,22 8:23 21:5 24:7 49:11 72:23,24 85:18,19 thing 29:9 32:5 36:11 49:18,25 65:19 67:1 68:2 71:3 things 3:23 4:21 17:9 26:7 27:4 28:9 28:17 30:3,22 31:3 35:19 38:17 67:20 70:3,5 79:23 think 5:13 6:2,15 7:5 9:13 19:18 24:11,12 26:1 30:10 32:23 35:4,6 36:1,2 39:7 46:13,24,25 47:2 49:8,12,13,18 49:23,24 50:2 52:11 52:21 53:23 58:23 66:24 67:9 68:6,9 72:4 80:12,24,25 81:10 82:1 85:9 thinking 30:1 36:4 54:16 third 61:15 62:25 thought 28:6 33:1,2 43:18 53:2,9 83:6 thoughts 13:23 48:16 49:7 50:12 70:15 71:18 three 8:5 12:25 30:21 37:19 time 2:13,24 3:1,16 4:20 5:9 9:16 10:4,6 10:15 11:4,12,14</p>	<p>12:21 17:24 21:3 24:11 30:20 33:5 35:15 37:24 40:15 40:20 41:1 55:1 60:19 67:9 72:25 85:10 timeframe 20:20 timely 17:15 times 27:10 timing 44:3 today 2:9 19:12 35:6 36:12 37:21 38:17 72:13 73:13 84:24 85:1,5 today's 73:4 tomorrow 13:18 15:10 37:22 72:11 72:18 73:7,10,11,12 85:1,4,12 topics 10:11 37:16 44:11 73:10 total 26:18 tournament 18:10 29:4 town 8:6 85:2 tracie 1:8,11 9:9 48:3 track 37:19 transcribed 13:21 transcribing 10:20 transcriptionist 10:21 transcripts 57:25 transparent 14:6 45:22 48:21 transpired 13:22 tribal 2:23 12:12 14:16 19:4,9 20:14 22:3,4 24:24 31:7 31:15 36:19 37:4,10 38:6 39:1,23 57:18 58:15 59:21,25 60:23 65:20 71:5,10 71:16,23 72:3 74:23 75:17 76:4 77:3</p>	<p>79:15 83:8 tribally 59:16 tribe 2:19,21 4:9 7:12,15,19 8:9 9:24 10:3 11:4 19:14 21:17,19,20,21 22:5 22:22 23:22 25:7,12 27:5,17,20 28:16 31:18,18,19,21 40:21 46:8,12 48:17 48:20,23 49:2,10 50:4 51:1,3,3,21 55:20 56:9,20,21,25 57:1,5,7,13 59:11 59:16,20 61:1,9 66:3,13,17,17,19 67:4,22 68:24 69:7 70:20 72:20 75:22 76:11,15,17,19 77:18,21 78:9,10,21 78:22 79:8 80:22 81:13 82:7,15 tribe's 24:16 25:5,25 29:2,13 31:21 57:8 61:6 76:9 85:16 tribes 2:14 4:5,16 8:5 9:10 12:5,9,15 13:3,4,7,23 14:9,11 17:10 18:3,23 19:8 19:12,18 20:5,24 21:10 22:9,22 23:3 23:12,19 25:8,9,13 25:14,17 26:13,22 26:25 27:9,12,22 28:5 29:5 30:19 31:4,23,25 32:3,7,8 32:10 33:11,20 34:3 34:4,18 36:18 37:7 37:18 39:22 40:5 41:21 47:14 48:1 50:18 51:11,18,24 52:3,6,11 55:7,10 55:15,17 56:3,10 58:25 61:22 62:7 64:1,18 65:3,21</p>
<p>t</p>			
<p>table 3:22 7:3 tables 5:18 take 3:19 7:1 9:15 12:21 25:1 28:14,23 33:1,3 35:11,13 40:9,10 48:1 50:23 51:10,17 52:12 61:8 81:14,16 83:18 taken 1:2 31:3,17 35:15,19 38:2 67:13 72:25 takes 33:2,3 60:19 77:15,16 talk 11:16 15:11 24:18 38:8 39:9,13 39:14 54:22 73:7 74:1,2,4 talked 26:22 38:22 70:4 81:6 talking 10:9 13:17 14:17 24:10 36:11 37:21 38:16 54:7,10 task 3:4 taxes 4:7,11 technical 36:13,23 37:12 38:3,14 51:20 technology 73:21 tell 4:3 6:11 8:18 telling 33:7 temporary 22:24 23:1,4,6 32:6,7,14 32:19,22,23 33:6 42:16 65:22,25 66:15,16 ten 2:4 3:19,20 36:2 term 18:7 terminated 22:14,20 33:8</p>			

<p>66:4,8 68:6 69:16 69:24 71:8,11,19 74:11,11,20,21 75:3 80:1,2,8,15,18,23 81:2,6,11,15,17 83:19 84:16,17 85:2 tried 45:20,21 53:17 trouble 25:16 true 86:4 trust 61:4 try 9:15 34:6 42:1 trying 6:9 25:18 27:9 33:20 41:22 46:11 47:16 48:19 61:8 65:1,10 72:13 84:1 tulalip 9:10 turn 2:6 4:16,23 11:7,19 15:20 17:19 27:15 39:14 42:3 54:21 turning 42:23 turtle 7:14,25 twelve 73:18 two 5:8 7:20 15:16 26:21 33:1 38:16 73:15,24 74:4,10,11 74:11 84:24 type 32:14 types 27:5 71:25</p>	<p>unfamiliar 52:13 unfortunately 4:12 4:24 unique 50:25 united 61:3 unofficial 51:17 unusual 46:25 update 56:11 use 20:8 31:5 52:25 62:20 uses 76:15 usually 24:16 27:15 utilize 16:16</p>	<p style="text-align: center;">w</p> <p>wager 18:18 wait 66:4,4,23 waive 43:1 walk 7:7 9:20 27:19 75:5 walker 8:8 walking 27:10 walks 76:11 wanna 5:20 34:12 34:18 48:16 81:14 want 2:4,12,20 3:18 3:21,22 5:18 6:22 8:24 13:21 24:17 33:4,18 34:13 35:3 37:18 39:6 48:13 53:1 54:15 64:19,24 66:19 68:6,17 wanted 26:13 34:24 37:23 53:8 wants 6:4 41:5 ward 1:16,19 8:12 8:12 9:5 washington 1:10,14 1:18 9:10 32:9 36:3 watch 6:3 way 26:8 27:1 29:1 38:20 43:17 62:11 65:15 66:8 68:8 72:1 73:16,25 we've 10:6 12:24 13:14,16 14:7,13 16:23 17:9 18:1,8 18:17 19:11,21 21:11 22:1,24,25 23:2 24:5,10,14,18 24:21 26:7 29:6,12 30:1,5,17 31:4 34:10,25 35:9,18 36:15 37:18 38:22 40:3,3 41:16 44:7 45:20 47:8 50:13 51:6 53:17 57:25 60:21 64:18 65:20</p>	<p>67:1,8 68:12 69:10 70:5 72:9 73:3,4 74:13 79:24 80:2 83:24 84:6,23 website 13:24 30:6,7 37:7 38:7 70:22,25 71:2,15,16 72:19 85:14 wednesday 54:9 week 6:23 79:20 weeks 17:12 welcome 2:20 23:7 38:19 went 37:7 64:21 65:21 wheel 3:22 70:1 white 27:8 willful 27:11 willing 54:4 66:22 winter 32:12 wisconsin 11:24 wolfe 8:4,5 word 68:5,8 73:23 words 6:23 work 4:19,22 5:2,3 7:14 8:13 24:20 26:8 32:2,3 33:12 50:10 52:3 56:7 71:5 72:1 81:6,12 81:16 working 4:15 6:20 13:14 25:9 39:24 52:6 71:12 80:15 works 9:7 27:20 31:25 worksheets 27:10 world 71:24 worth 80:10 written 9:23 10:2 13:25 18:19 23:8 42:21 43:12 45:5,13 47:10 53:6 57:21,24 60:1 63:4 79:18</p>
<p style="text-align: center;">u</p> <p>undergo 59:19 underlying 49:14 undermine 74:18 understand 7:5 24:16 62:7 84:25 understandably 85:12 understanding 35:2 53:15 55:10 64:14 understood 64:25 73:15 undertaken 79:8</p>	<p style="text-align: center;">v</p> <p>varied 70:11 varies 31:18 32:1 66:16 variety 32:3 35:1 63:13 69:3 various 14:9 39:20 41:20 47:6 75:6 varying 70:18 vendors 33:22 77:10 verbal 9:23 verbiage 68:14 version 69:18 73:22 versions 69:13 73:24 vice 2:7 6:25 7:19 8:15 view 61:25 views 29:22 34:19 51:25 84:9 violate 82:19 violation 17:1,8,20 42:14 62:18 67:18 77:14 violations 76:9 79:15 visit 71:15 85:13 void 42:16 voluntary 39:21 40:21</p>		

y	
yeah	48:8 68:20
year	3:17,19 16:3,4 16:20 17:3,7 18:21 25:5,5,7,10,20,20,25 26:12 29:2 32:24 36:1 38:15 39:18 81:4
years	2:23,24 3:2 25:9,12,15 30:17,21
yep	69:18