

**Indian Gaming
Federal Report**

**Monday
April 27, 1992**

Part LVIII

**National Indian
Gaming Commission**

Semiannual Regulatory Agenda

NATIONAL INDIAN GAMING COMMISSION (NIGC)

NATIONAL INDIAN GAMING COMMISSION

25 CFR Ch. III

Semiannual Regulatory Agenda

AGENCY: National Indian Gaming Commission.

ACTION: Publication of semiannual regulatory agenda.

SUMMARY: The National Indian Gaming Commission is today publishing an agenda of its open and anticipated rulemaking actions. The agenda is a

general announcement to the public intended to provide advance notice of rulemaking actions in which the public may wish to participate. The Commission invites questions and public comment on individual agenda entries.

FOR FURTHER INFORMATION CONTACT: Michael Cox, General Counsel, National Indian Gaming Commission, Suite 250, 1850 M Street NW., Washington, DC 20036, 202-632-7003.

SUPPLEMENTARY INFORMATION: In accordance with Executive Order 12291 "Federal Regulation" and the Regulatory Flexibility Act (5 U.S.C. 605), executive

agencies are required to publish semiannual regulatory agendas in the **Federal Register** in April and October of each year.

The regulations being considered by the Commission are not "major" rules within the meaning of E.O. 12291, and no Regulatory Impact Analysis is required. The Commission also has determined, under the Regulatory Flexibility Act, that the regulations under consideration will not have a significant economic impact on a substantial number of small entities. Accordingly, no Regulatory Flexibility Analysis is required.

Anthony J. Hope,
Chairman.

Proposed Rule Stage

Se- quence Number	Title	Regulation Identifier Number
4090	Review of Tribal Ordinances Under the Indian Gaming Regulatory Act	3141-AA01
4091	Compliance and Enforcement Procedures Under the Indian Gaming Regulatory Act	3141-AA02
4092	Review of Management Contracts and Collateral Agreements Under the Indian Gaming Regulatory Act	3141-AA03
4093	Review of Petitions for Certificate of Self-Regulation Under the Indian Gaming Regulatory Act	3141-AA04

Final Rule Stage

Se- quence Number	Title	Regulation Identifier Number
4094	Definitions Under the Indian Gaming Regulatory Act	3141-AA00

NATIONAL INDIAN GAMING COMMISSION (NIGC)

Proposed Rule Stage

4090. ● REVIEW OF TRIBAL ORDINANCES UNDER THE INDIAN GAMING REGULATORY ACT

Significance: Agency Priority

Legal Authority: 25 USC 2701 et seq

CFR Citation: Not yet determined

Legal Deadline: None

Abstract: This rule implements the Chairman's authority to review and approve tribal ordinances or resolutions governing class II and class III gaming. Also addressed will be licensing background investigations; individually owned operations; grandfathered operations; and Privacy Act requirements.

Timetable:

Action	Date	FR Cite
NPRM	05/00/92	
NPRM Comment Period End	07/00/92	
Final Action	09/00/92	
Final Action Effective	10/00/92	

Small Entities Affected: None

Government Levels Affected: None

Agency Contact: Mary Jane Markley, Staff Attorney, National Indian Gaming Commission, Suite 250, 1850 M Street NW., Washington, DC 20036, 202 632-7003

RIN: 3141-AA01

4091. ● COMPLIANCE AND ENFORCEMENT PROCEDURES UNDER THE INDIAN GAMING REGULATORY ACT

Significance: Agency Priority

Legal Authority: 25 USC 2701 et seq

CFR Citation: Not yet determined

Legal Deadline: None

Abstract: This rule will provide compliance and enforcement procedures under the Indian Gaming Regulatory Act. The rule will address notice; monitoring; audits; notices of violation; orders of temporary and permanent closure; civil penalties; hearings and appeals; subpoenas; depositions; and discovery.

NIGC

Proposed Rule Stage

Timetable:

Action	Date	FR Cite
NPRM	05/00/92	
NPRM Comment Period End	07/00/92	
Final Action	09/00/92	
Final Action Effective	10/00/92	

Small Entities Affected: None**Government Levels Affected:** None

Agency Contact: Neil Stoloff, Staff Attorney, National Indian Gaming Commission, Suite 250, 1850 M St. NW., Washington, DC 20036, 202 632-7003

RIN: 3141-AA02

4092. ● REVIEW OF MANAGEMENT CONTRACTS AND COLLATERAL AGREEMENTS UNDER THE INDIAN GAMING REGULATORY ACT

Significance: Agency Priority**Legal Authority:** 25 USC 2701 et seq**CFR Citation:** Not yet determined**Legal Deadline:** None

Abstract: This rule implements the Chairman's authority to review and approve management contracts and collateral agreements for the operation

and management of class II and class III gaming. The rule will also address accounting for gaming operations, fees for background investigations, and the requirements of the National Environmental Policy Act.

Timetable:

Action	Date	FR Cite
NPRM	06/00/92	
NPRM Comment Period End	08/00/92	
Final Action	10/00/92	
Final Action Effective	11/00/92	

Small Entities Affected: None**Government Levels Affected:** None

Agency Contact: Fred Stuckwisch, Chief of Staff, National Indian Gaming Commission, Suite 250, 1850 M St. NW., Washington, DC 20036, 202 632-7003

RIN: 3141-AA03

4093. ● REVIEW OF PETITIONS FOR CERTIFICATE OF SELF-REGULATION UNDER THE INDIAN GAMING REGULATORY ACT

Significance: Agency Priority**Legal Authority:** 25 USC 2701 et seq**CFR Citation:** Not yet determined**Legal Deadline:** None

Abstract: This rule will provide procedures for a tribe to petition the Commission for a certificate of self-regulation of class II gaming. The rule will implement the statutory standards that must be met in order for the Commission to grant such a petition. The rule also will implement the Commission's authority to remove a certificate of self-regulation for just cause.

Timetable:

Action	Date	FR Cite
NPRM	08/00/92	
NPRM Comment Period End	10/00/92	
Final Action	12/00/92	
Final Action Effective	01/00/93	

Small Entities Affected: None**Government Levels Affected:** None

Agency Contact: Michael Cox, General Counsel, National Indian Gaming Commission, Suite 250, 1850 M St. NW., Washington, DC 20036, 202 632-7003

RIN: 3141-AA04

NATIONAL INDIAN GAMING COMMISSION (NIGC)

Final Rule Stage

4094. ● DEFINITIONS UNDER THE INDIAN GAMING REGULATORY ACT

Significance: Agency Priority**Legal Authority:** 25 USC 2701 et seq**CFR Citation:** 25 CFR 502**Legal Deadline:** None

Abstract: This rule will define key terms used in the Indian Gaming Regulatory Act. The purpose of the rule is to provide guidance to tribes, their attorneys, enforcement personnel, and

others who have an interest in Indian gaming.

Timetable:

Action	Date	FR Cite
NPRM	11/01/91	56 FR 56278
NPRM Comment Period End	12/31/91	
Final Action	04/00/92	
Final Action Effective	05/00/92	

Small Entities Affected: None**Government Levels Affected:** None

Agency Contact: Mary Jane Markley, Staff Attorney, National Indian Gaming Commission, Suite 250, 1850 M Street NW., Washington, DC 20036, 202 632-7003

RIN: 3141-AA00

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