



Federal Register

**Monday,
December 22, 2003**

Part LX

National Indian Gaming Commission

Semiannual Regulatory Agenda

NATIONAL INDIAN GAMING COMMISSION (NIGC)

NATIONAL INDIAN GAMING COMMISSION

25 CFR Ch. III

Semiannual Regulatory Agenda

AGENCY: National Indian Gaming Commission.

ACTION: Semiannual regulatory agenda.

SUMMARY: The National Indian Gaming Commission (NIGC) today is publishing an agenda of its open and anticipated rulemaking actions. The agenda is a general announcement to the public intended to provide notice of rulemaking actions in which the public may wish to participate. In the future, the Commission intends to issue notices of proposed rulemaking or advance notices of proposed rulemaking, or final rules for the following: rules establishing technical standards for game classifications; rules establishing technical standards for gaming machines and associated equipment; rules revising Freedom of Information Act Procedures; rules revising Privacy Act procedures; rules establishing a process for the assessment, notification, and collection of debts owed the NIGC; rules revising tribal background investigation submission requirements and timing; rules concerning hearings and appeals procedures; rules concerning enforcement; rules revising the scope and review of management

contracts; rules concerning net gaming revenue; rules concerning gaming facility licensing standards; rules concerning practice before the Commission; rules implementing the National Environmental Policy Act (NEPA); and rules concerning technical amendments to the Minimum Internal Control Standards. The Commission invites questions and public comment on individual agenda items.

FOR FURTHER INFORMATION CONTACT: John R. Hay, National Indian Gaming Commission, 1441 L Street NW., Suite 9100, Washington, DC 20005, (202) 632-7003 (not a toll-free number).

SUPPLEMENTARY INFORMATION: In accordance with Executive Order 12866 “Regulatory Planning and Review” and the Regulatory Flexibility Act, 5 U.S.C. 605, executive agencies are required to publish semiannual regulatory agendas in the **Federal Register** each year.

The regulations being considered by the Commission are not “significant” rules within the meaning of E.O. 12866, and no Regulatory Impact Analysis is required. The Commission also has determined, under the Regulatory Flexibility Act, that most of the regulations under consideration will not have a significant economic impact on a substantial number of small entities. For these regulations, no Regulatory Flexibility Analysis is required. The Commission has not yet determined whether the rules implementing the National Environmental Policy Act, the

Privacy Act, or gaming facility licensing require a Regulatory Flexibility Analysis. The proposed rules are not covered under section 202 of the Unfunded Mandates Reform Act (Pub. L. 104-4), as they are not Federal mandates that may result in an expenditure of \$100 million or more in any one year by State, local, or tribal governments, in the aggregate, or the private sector. Further, these proposed rules are not considered major under 5 U.S.C. 801 enacted by Public Law 104-121, and, therefore, are not subject to section 801’s 60-day deferral requirement. The Commission has not yet determined whether the technical amendments to the Minimum Internal Control Standards, technical standards for game classifications, technical standards for gaming machines and associated gaming equipment, or the Privacy Act procedures are a major rule.

For this edition of the National Indian Gaming Commission’s regulatory agenda, the most significant regulatory actions are included in The Regulatory Plan, which appears in part II of the **Federal Register**. The Regulatory Plan entries are listed in the table of contents below and are denoted by a bracketed bold reference, which directs the reader to the appropriate sequence number in part II.

Philip N. Hogen,
Chairman, National Indian Gaming Commission.

National Indian Gaming Commission—Proposed Rule Stage

Sequence Number	Title	Regulation Identification Number
4282	Freedom of Information Act Procedures (Amendments)	3141—AA21
4283	Privacy Act Procedures (Amendments)	3141—AA28
4284	Technical Standards for Game Classifications, Gaming Machines, and Gaming Systems (Reg Plan Seq No. 150)	3141—AA29

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

National Indian Gaming Commission—Final Rule Stage

Sequence Number	Title	Regulation Identification Number
4285	Debt Collection	3141—AA25

NIGC

National Indian Gaming Commission—Long—Term Actions

Sequence Number	Title	Regulation Identification Number
4286	Practice Before the Commission	3141—AA07
4287	Hearings and Appeals Procedure	3141—AA08
4288	Enforcement	3141—AA09
4289	Management Contracts	3141—AA13
4290	Net Gaming Revenue	3141—AA14
4291	Tribal Background Investigation Submission Requirements and Timing	3141—AA15
4292	Administrative Fees	3141—AA16
4293	Gaming Facility Licensing Standards	3141—AA23
4294	National Environmental Policy Act (NEPA) Implementing Regulations	3141—AA26
4295	Technical Amendments to the Minimum Internal Control Standards	3141—AA27

National Indian Gaming Commission (NIGC)

Proposed Rule Stage

4282. FREEDOM OF INFORMATION ACT PROCEDURES (AMENDMENTS)

Priority: Other Significant

Legal Authority: 5 USC 552

CFR Citation: 25 CFR 517.3; 25 CFR 517.6; 25 CFR 517.8

Legal Deadline: None

Abstract: These rules will revise the current regulations to make them consistent with the amended Freedom of Information Act (FOIA). The rules will also update information such as addresses and copying fees.

Timetable:

Action	Date	FR Cite
NPRM	12/00/03	

Regulatory Flexibility Analysis

Required: No

Government Levels Affected: None

Agency Contact: Gregory Smith, FOIA/PA Officer, National Indian Gaming Commission, Suite 9100, 1441 L Street NW., Washington, DC 20005
 Phone: 202 632—7003
 Fax: 202 632—7066
 Email: gregory__smith@nigc.doi.gov

RIN: 3141—AA21

4283. PRIVACY ACT PROCEDURES (AMENDMENTS)

Priority: Other Significant

Legal Authority: 5 USC 552a

CFR Citation: 25 CFR 515

Legal Deadline: None

Abstract: These rules will revise current regulations to update addresses and list systems of records.

Timetable:

Action	Date	FR Cite
NPRM	12/00/03	

Regulatory Flexibility Analysis

Required: No

Small Entities Affected: No

Government Levels Affected: Federal, Tribal

Agency Contact: Penny J. Coleman, Deputy General Counsel, National Indian Gaming Commission, Suite 9100, Suite 9100, 1441 L Street NW., Washington, DC 20005
 Phone: 202 632—7003
 Fax: 202 632—7066

RIN: 3141—AA28

4284. • TECHNICAL STANDARDS FOR GAME CLASSIFICATIONS, GAMING MACHINES, AND GAMING SYSTEMS

Regulatory Plan: This entry is Seq. No. 150 in part II of this issue of the Federal Register.

RIN: 3141—AA29

National Indian Gaming Commission (NIGC)

Final Rule Stage

4285. DEBT COLLECTION

Priority: Other Significant

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

CFR Citation: 25 CFR 580

Legal Deadline: None

Abstract: This regulation will establish a process for the assessment, notification, and collection of debts

owed the National Indian Gaming Commission.

Timetable:

Action	Date	FR Cite
Interim Final Rule	11/20/01	66 FR 58056
Interim Final Rule Comment Period End	01/04/02	
Interim Final Rule Comment Period Reopened	01/09/02	67 FR 1273

Action	Date	FR Cite
Interim Final Rule Comment Period End	01/14/02	
Final Rule	03/00/04	

Regulatory Flexibility Analysis

Required: No

Small Entities Affected: No

Government Levels Affected: Tribal

NIGC

Final Rule Stage

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RIN: 3141-AA25

National Indian Gaming Commission (NIGC)

Long-Term Actions

4286. PRACTICE BEFORE THE COMMISSION

Priority: Substantive, Nonsignificant

CFR Citation: Not Yet Determined

Timetable:

Action	Date	FR Cite
NPRM	To Be Determined	

Regulatory Flexibility Analysis Required: No

Government Levels Affected: Tribal

Agency Contact: William F. Grant
Phone: 202 632—7003
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RIN: 3141-AA07

4287. HEARINGS AND APPEALS PROCEDURE

Priority: Other Significant

CFR Citation: 25 CFR 522 to 524; 25 CFR 533; 25 CFR 535; 25 CFR 539; 25 CFR 573; 25 CFR 575; 25 CFR 577

Timetable:

Action	Date	FR Cite
NPRM	To Be Determined	

Regulatory Flexibility Analysis Required: No

Government Levels Affected: Tribal

Agency Contact: Penny J. Coleman
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RIN: 3141-AA08

4288. ENFORCEMENT

Priority: Other Significant

CFR Citation: 25 CFR 573

Timetable:

Action	Date	FR Cite
NPRM	To Be Determined	

Regulatory Flexibility Analysis Required: No

Government Levels Affected: Tribal

Agency Contact: Penny J. Coleman

Phone: 202 632—7003

Fax: 202 632—7066

RIN: 3141-AA09

4289. MANAGEMENT CONTRACTS

Priority: Other Significant

CFR Citation: 25 CFR 531; 25 CFR 533; 25 CFR 536

Timetable:

Action	Date	FR Cite
NPRM	To Be Determined	

Regulatory Flexibility Analysis Required: No

Government Levels Affected: Tribal

Agency Contact: Penny J. Coleman

Phone: 202 632—7003

Fax: 202 632—7066

RIN: 3141-AA13

4290. NET GAMING REVENUE

Priority: Substantive, Nonsignificant

CFR Citation: 25 CFR 571; 25 CFR 573

Timetable:

Action	Date	FR Cite
NPRM	To Be Determined	

Regulatory Flexibility Analysis Required: No

Government Levels Affected: Tribal

Agency Contact: Penny J. Coleman

Phone: 202 632—7003

Fax: 202 632—7066

RIN: 3141-AA14

4291. TRIBAL BACKGROUND INVESTIGATION SUBMISSION REQUIREMENTS AND TIMING

Priority: Other Significant

CFR Citation: 25 CFR 556; 25 CFR 558

Timetable:

Action	Date	FR Cite
NPRM	To Be Determined	

Regulatory Flexibility Analysis Required: No

Government Levels Affected: Tribal

Agency Contact: Penny J. Coleman

Phone: 202 632—7003

Fax: 202 632—7066

RIN: 3141-AA15

4292. ADMINISTRATIVE FEES

Priority: Substantive, Nonsignificant

CFR Citation: 25 CFR 514

Timetable:

Action	Date	FR Cite
NPRM	To Be Determined	

Regulatory Flexibility Analysis Required: No

Government Levels Affected: Tribal

Agency Contact: Penny J. Coleman

Phone: 202 632—7003

Fax: 202 632—7066

RIN: 3141-AA16

4293. GAMING FACILITY LICENSING STANDARDS

Priority: Substantive, Nonsignificant

CFR Citation: 25 CFR 522.4(b)(6); 25 CFR 522.6(b)

Timetable:

Action	Date	FR Cite
NPRM	To Be Determined	

Regulatory Flexibility Analysis Required: Undetermined

Government Levels Affected: Tribal

Agency Contact: Penny J. Coleman

Phone: 202 632—7003

Fax: 202 632—7066

RIN: 3141-AA23

4294. NATIONAL ENVIRONMENTAL POLICY ACT (NEPA) IMPLEMENTING REGULATIONS

Priority: Substantive, Nonsignificant

CFR Citation: Not Yet Determined

Timetable:

Action	Date	FR Cite
NPRM	To Be Determined	

NIGC

Long-Term Actions

Regulatory Flexibility Analysis**Required:** Undetermined**Government Levels Affected:** Tribal**Agency Contact:** Kathy Zebell

Phone: 202 632—7003

Fax: 202 632—7066

RIN: 3141—AA26**4295. TECHNICAL AMENDMENTS TO THE MINIMUM INTERNAL CONTROL STANDARDS****Priority:** Other Significant. Major status under 5 USC 801 is undetermined.**CFR Citation:** 25 CFR 542**Timetable:**

Action	Date	FR Cite
NPRM	To Be	Determined

Regulatory Flexibility Analysis**Required:** No**Government Levels Affected:** Tribal**Agency Contact:** Penny J. Coleman

Phone: 202 632—7003

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RIN: 3141—AA27

[FR Doc. 03—24030 Filed 12—19—03; 8:45 am]

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