



Federal Register

**Tuesday,
May 27, 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, Advance Notices of Proposed Rulemaking, or Final Rules for the following: 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 administrative fees; 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., 9th Floor, Washington, DC 20005, (202) 632-7003 (not a toll-free number).

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

The regulations being considered by the Commission are not “significant”

rules within the meaning of Executive Order 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. Finally, most of the Commission’s proposed rules are not considered major under 5 U.S.C. 801, enacted by Public Law 104-121, and therefore, are not subject to section 801’s 60-day deferral requirement. The Commission has not yet determined whether the technical amendments to the Minimum Internal Control Standards or the Privacy Act procedures are a major rule.

Penny J. Coleman,
Acting General Counsel, National Indian Gaming Commission.

National Indian Gaming Commission—Proposed Rule Stage

Sequence Number	Title	Regulation Identification Number
4104	Freedom of Information Act Procedures (Amendments)	3141-AA21
4105	Privacy Act Procedures (Amendments)	3141-AA28

National Indian Gaming Commission—Final Rule Stage

Sequence Number	Title	Regulation Identification Number
4106	Debt Collection	3141-AA25

National Indian Gaming Commission—Long-Term Actions

Sequence Number	Title	Regulation Identification Number
4107	Practice Before the Commission	3141-AA07
4108	Hearings and Appeals Procedure	3141-AA08
4109	Enforcement	3141-AA09
4110	Management Contracts	3141-AA13
4111	Net Gaming Revenue	3141-AA14
4112	Tribal Background Investigation Submission Requirements and Timing	3141-AA15
4113	Administrative Fees	3141-AA16
4114	Gaming Facility Licensing Standards	3141-AA23
4115	National Environmental Policy Act (NEPA) Implementing Regulations	3141-AA26

NIGC

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

Sequence Number	Title	Regulation Identification Number
4116	Technical Amendments to the Minimum Internal Control Standards	3141-AA27

National Indian Gaming Commission (NIGC)

Proposed Rule Stage

4104. 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
NPRM	05/00/03

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

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

Timetable:

Action	Date
NPRM	06/00/03

Regulatory Flexibility Analysis Required: No

Small Entities Affected: No

Government Levels Affected: Federal, Tribal

4105. • PRIVACY ACT PROCEDURES (AMENDMENTS)

Priority: Other Significant

Legal Authority: 5 USC 552a

CFR Citation: 25 CFR 515

Legal Deadline: None

Agency Contact: John R. Hay, Staff Attorney, National Indian Gaming Commission

Phone: 202 632-7003
 Fax: 202 632-7066

RIN: 3141-AA28

National Indian Gaming Commission (NIGC)

Final Rule Stage

4106. 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
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
Interim Final Rule Comment Period End	01/14/02
Final Rule	07/00/03

Regulatory Flexibility Analysis Required: No

Small Entities Affected: No

Government Levels Affected: Tribal

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

Phone: 202 632-7003
 Fax: 202 632-7066
 Email: cynthia_shaw@nigc.doi.gov

RIN: 3141-AA25

National Indian Gaming Commission (NIGC)

Long-Term Actions

4107. PRACTICE BEFORE THE COMMISSION

Priority: Substantive, Nonsignificant

CFR Citation: Not Yet Determined

Timetable:

Action	Date
NPRM	To Be Determined

Regulatory Flexibility Analysis Required: No

Government Levels Affected: Tribal

Agency Contact: William F. Grant
 Phone: 202 632-7003

NIGC

Long-Term Actions

Fax: 202 632-7066

RIN: 3141-AA07

4108. 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
NPRM	To Be Determined

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

Phone: 202 632-7003

Fax: 202 632-7066

RIN: 3141-AA08

4109. ENFORCEMENT**Priority:** Other Significant**CFR Citation:** 25 CFR 573**Timetable:**

Action	Date
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

4110. MANAGEMENT CONTRACTS**Priority:** Other Significant**CFR Citation:** 25 CFR 531; 25 CFR 533; 25 CFR 536**Timetable:**

Action	Date
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

4111. NET GAMING REVENUE**Priority:** Substantive, Nonsignificant**CFR Citation:** 25 CFR 571; 25 CFR 573**Timetable:**

Action	Date
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

4112. TRIBAL BACKGROUND INVESTIGATION SUBMISSION REQUIREMENTS AND TIMING**Priority:** Other Significant**CFR Citation:** 25 CFR 556; 25 CFR 558**Timetable:**

Action	Date
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

4113. ADMINISTRATIVE FEES**Priority:** Substantive, Nonsignificant**CFR Citation:** 25 CFR 514**Timetable:**

Action	Date
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

4114. GAMING FACILITY LICENSING STANDARDS**Priority:** Substantive, Nonsignificant**CFR Citation:** 25 CFR 522.4(b)(6); 25 CFR 522.6(b)**Timetable:**

Action	Date
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

4115. NATIONAL ENVIRONMENTAL POLICY ACT (NEPA) IMPLEMENTING REGULATIONS**Priority:** Substantive, Nonsignificant**CFR Citation:** Not Yet Determined**Timetable:**

Action	Date
NPRM	To Be Determined

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

Phone: 202 632-7003

Fax: 202 632-7066

RIN: 3141-AA26

4116. 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
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-AA27

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