



Confederated Tribes and Bands  
of the Yakama Nation

Established by the  
Treaty of June 9, 1855

August 11, 2021

Chairman E. Sequoyah Simermeyer  
National Indian Gaming Commission  
Department of Interior  
1849 C Street NW, Mail Stop #1621  
Washington, DC 20240

*Subject: NIGC Consultation Series A*

Dear Chairman E. Sequoyah Simermeyer:

On behalf of the Confederated Tribes of the Yakama Nation, I hereby provide input for the “National Indian Gaming Commission Consultation (NIGC) Series A:”

In regard to 25 C.F.R. 502.14 #11 we request for the NIGC to leave the decision up to the individual Tribe for the background investigation of the “Custodian of licensing records, if designated as a key by a Gaming Ordinance or resolution approved by the Chair.”

NIGC policy changes a few years ago to exclude tribal gaming regulatory agents (TGRA) and commissioners in the NIGC background check process resulted in the Yakama Nation Tribal Council had to amend our Ordinance, process it through NIGC, and amend our Gaming Compact with Washington State Gambling Commission in order to get in compliance with NIGC’s changed policy. If NIGC changes it back, we will have to amend our Compact and Ordinance again.

We do not agree with this addition. The wording is misleading and needs clarification. The Yakama Nation Gaming Commission already has procedures in place that all TGRA employees are backgrounded and licensed through the Washington State Gambling Commission with FBI fingerprint process. The Yakama Nation Gaming Commission holds each employee to the same standards that NIGC set for their process.

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The next area is 25 CFR Part 502.14 Key Employee “(c) If not otherwise included, any other person whose total cash compensation is in excess of \$100,000 per year; or,” We agree with raising the wage threshold. Yakama Nation will have to amend our Gaming Ordinance definition section which currently refers to in excess of \$50,000 per year in this area.

For the next two areas, we have similar concerns for deletions of particular wording. In 25 CFR Parts 502.14 (d) Key Employee, NIGC proposes to delete the following “Any other person designated by the tribe as a key employee.”

In 25 CFR 502.19 (d) Primary Management Official, NIGC proposes to delete “Any other person designated by the tribe as a primary management official.”

There is concern with the deletion of “Any other person designated by the tribe as a key employee/primary management official.” This takes away the responsibility of NIGC to license what Yakama Nation or the Gaming Commission determines as a Key Employee/Primary Management Official that is identified in NIGC’s definition. We disagree with the NIGC proposed language.

25 C.F.R. 514.4 Fees How does a gaming operation calculate the amount of the annual fee it owes? Adding (f) the amounts wagered that the gaming operation can demonstrate were issued by the gaming operation as promotional credits may be excluded from the total amount of money wagered.

We agree with this new addition to the accounting process which for operations has the opportunity to remove any possible amortization of promotional credits (free play) for patrons in respect to the annual NIGC Fees.

Finally, there is 25 CFR 522 Submission of Gaming Ordinance or Resolution, the NIGC proposes:

522.2 Submission requirements “(d) A copy of the tribe’s constitution”

Yakama Nation is a Treaty Tribe, we are not a constitution Tribe. We do not agree with this wording. We request the original wording be left in place which is:

522.2 Submission requirements “(d) Copies of all Tribal Gaming Regulations”

The Yakama Nation Gaming Commission have regulations established that are approved and enforced.

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We do not have any further comments to the remaining topics proposed at this time.  
Thank you.

Sincerely,

A handwritten signature in cursive script that reads "Delano Saluskin".

Delano Saluskin  
Tribal Council Chairman  
Confederated Tribes of the Yakama Nation

CC: Law and Order Committee Members  
Yakama Nation Gaming Commissioners, Executive Director, Licensing Manager