



# National Indian Gaming Commission Newsletter

January, 2006

Volume 1, Number 1

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### Chairman

Phil Hogen

### Associate Commissioner

Cloyce "Chuck" Choney

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## MESSAGE FROM THE CHAIRMAN

By Phil Hogen

Happy New Year! I hope you had a wonderful holiday season and have a most prosperous year ahead.

The National Indian Gaming Commission has a strong, dedicated team, and I hope that the rest of the Indian gaming community is as proud of them as I am.

After serving his term of three years, Vice Chairman Nelson Westrin has decided to return to his hometown of Lansing, Michigan. Vice Chairman Westrin did an outstanding job serving the Commission and we wish him the best with his new endeavors.



During the summer of 2005, Fred Stuckwisch, our Director of Contracts, took a well deserved retirement from the NIGC. Fred left a strong legacy of leadership and professional service at the Commission. He was one of the Commission's first employees and brought impeccable credentials as a CPA and Certified Fraud Investigator with an MBA. Together, with the first Commission Chair, Tony Hope, Fred helped steer the NIGC through uncharted waters and helped lay the foundation that has accommodated the growth of the industry from millions of dollars per year to nearly 20 billion dollars per year. He took part in writing the first set of regulations and insured that management contracts submitted for the operation of tribal gaming facilities were fair and protected tribal rights, assets and sovereignty.

In November of 2005, NIGC financial analyst, Elaine Trimble-Saiz was chosen to replace Fred as Director of Contracts. Elaine is a highly qualified professional who has worked for the Commission for the past 12 years. The applicant pool was extremely talented and Elaine's experience and dedication was a major factor in our decision. We look forward to many productive years with Elaine at the helm of the Contracts Division.

## **NIGC Senior Staff:**

Joe Valandra, Chief of Staff

Penny Coleman,  
Acting General Counsel

Irene Schrader,  
Director of Administration

Joe Smith, Director of Audits

Elaine Trimble-Saiz,  
Director of Contracts

Alan Fedman, Director of Enforcement

Shawn Pensoneau,  
Director of Congressional and Public Affairs

After three years as Chairman of the NIGC, I have several things to report. First, I will continue to serve as Chairman of NIGC this year to work towards the conclusion of several important matters before the NIGC. More importantly, I have had the pleasure of serving together with former Vice Chairman Nelson Westrin and Commissioner Cloyce "Chuck" Choney which has developed into a strong friendship, I expect to last long after we have finished our duty with the NIGC.

There are so many other leaders and strong team members at the NIGC, that space in this newly-resumed newsletter will not permit tributes to all who deserve special recognition. I hope in future issues we can continue to share information about those who have helped build the NIGC and keep it strong and fair.

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## **Commissioner Celebrates 35 Years of Federal Service**

By Natalie Hemlock, Special Assistant to the Commission

As a federal employee, NIGC Commissioner Cloyce "Chuck" Choney comes from a rich family history steeped in public service. In September of 2005, Commissioner Choney marked 35 years of distinguished federal service. Altogether, the Choney family has a combined federal service record of almost 152 years, spanning more than a century and a half. The Choney family has a longstanding tradition of public service of which they can be proud.



Chuck's family tradition of dedicated service in the Federal government was inspired by his mother. Grace Choney worked for 35 years at the Public Health Service Indian Hospital in Lawton, Oklahoma. She started as a cleaner, put herself through school to become a nurse, and later worked in administration. Chuck's older brother Errol, served in the U.S. Air Force and Civil Service for 30 years. His other brother, Eric, recently retired from the U.S. Army after 26 years. Chuck's sister Karen Culloty, spent 26 years working with Indian Health Service as the Executive Assistant to the Director.

Chuck, an enrolled member of the Comanche Nation of Oklahoma and half Kiowa, grew up in Lawton, Oklahoma. He graduated with a Bachelors of Science degree in Military Science from Oklahoma State University in 1968. After graduating, Chuck spent the next six years in the U.S. Army, and from 1976 to 2001, went on to serve as a Special Agent for the Federal Bureau of Investigation (FBI). During his tenure with the FBI, Chuck was awarded several commendations. In 1995, he was awarded the FBI Shield of Bravery for rescue efforts at the bombing of the Murrah Building, and in 2001, he received the FBI Director's Award for Excellence for Native American Recruiting. He was appointed to the NIGC in December of 2002.

NIGC Chairman Phil Hogen noted that, "Chuck's military experience and leadership, coupled with his 25 years as a Special Agent with the FBI and his background with tribal cultures, has permitted him to quickly evaluate

## **NIGC Welcomes New Employees:**

Wendy Helgemo,  
Attorney in  
Washington, DC

Sally Virag,  
Administrative  
Assistant in Phoenix,  
AZ

Brian Moody, Field  
Investigator in Tulsa,  
OK

Mark D. Phillips, Field  
Investigator in  
Portland, OR

William E. Thomas,  
Field Auditor in Tulsa,  
OK

Andrea C. Choate',  
Records Manager &  
FOIA/PA Assistant in  
Washington, DC

Kwame A. Mainoo,  
Budget Analyst in  
Washington, DC

Denise A. Desiderio,  
OGC Legal Intern in  
Washington, DC

Thomas Leahy,  
Background  
Investigator in  
Reno, NV

Cynthia Ralston,  
Background  
Investigator in  
Minden, NV

Chris White, Financial  
Analyst in  
Washington, DC

Brad Mahaffy, NEPA  
Compliance Officer in  
Washington, DC

challenging situations before the Commission, helping make the right decisions." When asked of his federal service record, Chuck states he is very proud of his service history. "I'm happy with the way my family has served the Indian community and the government and I feel fortunate to have inherited the same sense of pride, commitment and accomplishment."

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## **Changes to the Compliance Reports**

Beginning in 1997, the NIGC began publishing a quarterly report that recorded information on gaming tribes. Information collected in this fashion consists of background information and fingerprints of key employees and primary management officials employed by tribal gaming operations. Also collected is information on ordinance approvals, tribal state compact approvals, payment of fees, submission of annual audits and submission of minimum internal control standard reports.

In recent years, this data has been collected on a six month reporting period. As of January 1, 2006, the NIGC will be issuing the Compliance Report on an annual, calendar year basis. Letters to tribes have been sent out recently, and we invite any questions you may have regarding this change. Please direct questions to your Region Directors.

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## **Upcoming Training and Events**

The NIGC will hold government-to-government consultations with California tribal leaders during the Western Indian Gaming Conference (WIGC), January 10-13, 2006, in Palm Springs, California. This has been the ongoing policy of the Commission in order to receive input from the tribes while formulating policy that will affect their day-to-day activities with respect to gaming. To date, the current Commission sent out 613 invitations to gaming Tribes and Tribal gaming Commissions, with 261 participating in government-to-government consultations over the past 3 years. This consultation also coincides with the Department of Justice government-to-government consultation regarding proposed changes to the Johnson Act, set to take place January 12, 2006, during the WIGC.

On January 23-26, 2006, the Indian Gaming Working Group (IGWG) will be sponsoring a training conference for tribal regulators. The conference will be held at Airport Embassy Suites Hotel located at 7900 Northeast 82nd Avenue, Portland, Oregon, and tribes from the states of Alaska, Washington, Oregon and Idaho are invited to attend. The training will be provided by federal agencies that have a regulatory or law enforcement role in Indian gaming. The training will cover a broad range of topics and is intended to provide tribal regulators with information which will enable them to work more effectively with the federal agencies involved in Indian gaming. For further information, please call the NIGC Portland Region Office at (503) 326-5095

## In Brief

On August 24, 2005, the United States District Court for the District of Columbia issued a decision in *Colorado River Indian Tribes v. NIGC*. The federal district court held that the NIGC could not fine the Tribe for resisting the NIGC's attempt to conduct an audit of the Tribe's Class III gaming operation. The court based its decision on its opinion that the Indian Gaming Regulatory Act (IGRA) does not provide the NIGC with authority to issue Minimum Internal Control Standards (MICS) for Class III gaming.

Because the NIGC does not agree with this decision, we are following the court's order only to the Colorado River Indian Tribes, as the decision was limited to these Tribes. Unless future developments influence the scope of NIGC's Class III role, the NIGC will continue to conduct business as usual with Class III MICS audits and enforcement actions.

## New Chief of Staff at NIGC

In December 2005, Joe Valandra joined the Commission as the new Chief of Staff. In his new role, Joe will be responsible for running the day-to-day operations of the Commission and implementing the policies of the Commission. Joe has over 20 years of experience having played a significant role in the management of public, private and non-profit businesses. He also has broad experience in gaming and development with both non-Indian and Indian projects. Joe is an enrolled member of the Rosebud Sioux Tribe of South Dakota.



## Parting Words from Nelson Westrin

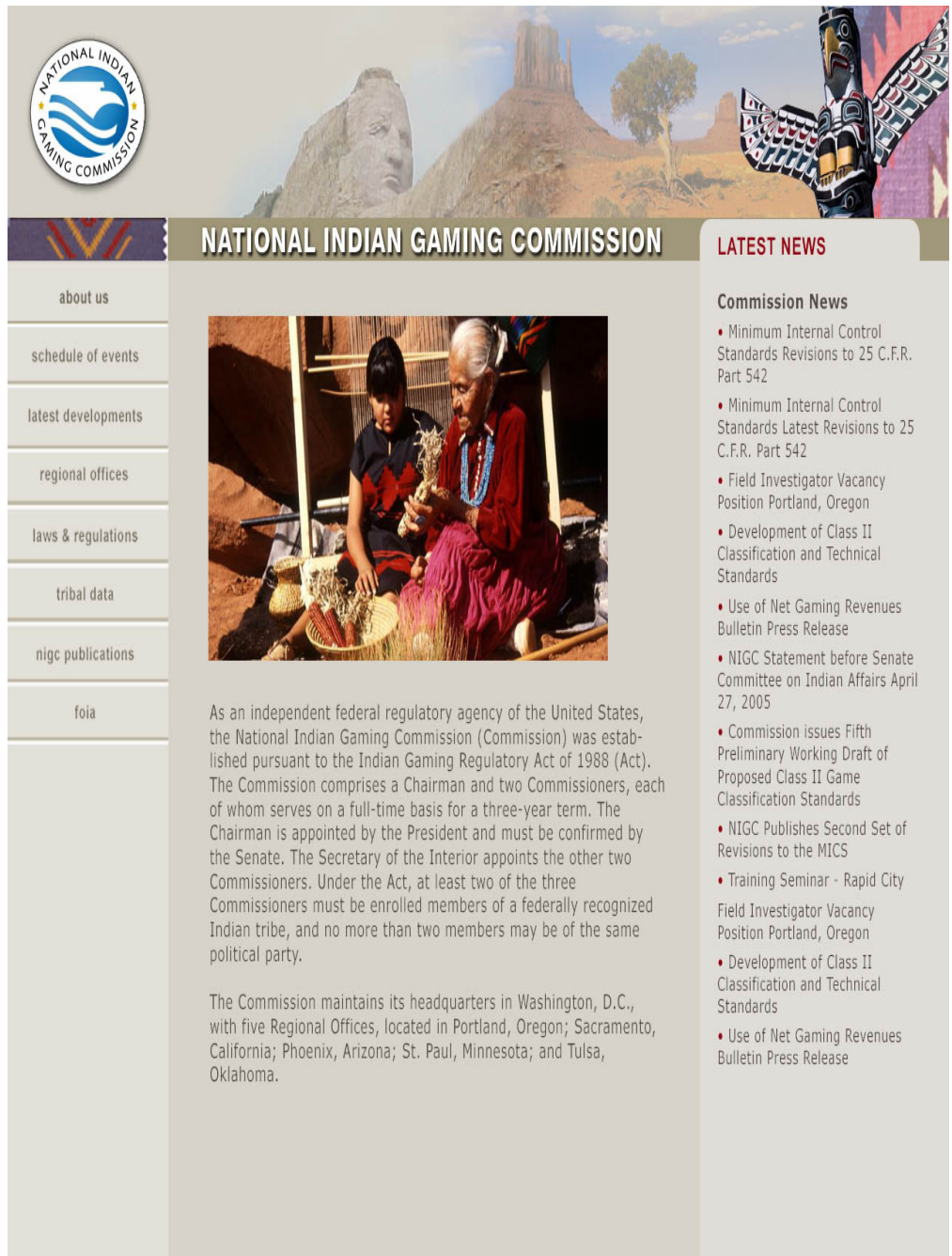
It has been my honor and pleasure to serve on the National Indian Gaming Commission. As I end my three year term and return home to Michigan, I leave with fond memories of Indian country and the outstanding tribal leaders and regulators with whom I have worked during my term on the Commission. I also leave with great respect for the ability of Indian tribes to effectively exercise their sovereignty to properly conduct and regulate gaming to develop their local economies, build their community infrastructure and develop adequately funded tribal government programs for their members. The steady growth of tribal gaming since the inception of IGRA is proof of the public's confidence in both the integrity and outstanding work of tribes in conducting and regulating gaming operations. My own experience over the past three years consulting with tribal leaders, working with tribal regulatory advisory committees, and visiting tribal gaming operations throughout the country validates this public perception. Continued diligence and commitments in this area will provide the appropriate measures with this ongoing challenge throughout the industry.

I feel fortunate to have served on a strong and active Commission with a very capable staff. The NIGC team remains intact under the leadership of Chairman Hogen and can be expected to continue thoroughly carrying out its statutory role under IGRA. I was blessed to be a part of this Commission over the past three years and wish you all the best for continued success.



## New NIGC Website in 2006

The NIGC website is undergoing a redesign to become more user friendly and should be functioning by the Spring of 2006. Below is a sample of our new design. Please check our site periodically at [www.nigc.gov](http://www.nigc.gov) for further information. Should you have suggestions to improve the site, email Shawn Pensoneau at [shawn\\_pensoneau@nigc.gov](mailto:shawn_pensoneau@nigc.gov)



**NATIONAL INDIAN GAMING COMMISSION**

**LATEST NEWS**

**Commission News**

- Minimum Internal Control Standards Revisions to 25 C.F.R. Part 542
- Minimum Internal Control Standards Latest Revisions to 25 C.F.R. Part 542
- Field Investigator Vacancy Position Portland, Oregon
- Development of Class II Classification and Technical Standards
- Use of Net Gaming Revenues Bulletin Press Release
- NIGC Statement before Senate Committee on Indian Affairs April 27, 2005
- Commission issues Fifth Preliminary Working Draft of Proposed Class II Game Classification Standards
- NIGC Publishes Second Set of Revisions to the MICS
- Training Seminar - Rapid City
- Field Investigator Vacancy Position Portland, Oregon
- Development of Class II Classification and Technical Standards
- Use of Net Gaming Revenues Bulletin Press Release

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**latest developments**

**regional offices**

**laws & regulations**

**tribal data**

**nigc publications**

**foia**

As an independent federal regulatory agency of the United States, the National Indian Gaming Commission (Commission) was established pursuant to the Indian Gaming Regulatory Act of 1988 (Act). The Commission comprises a Chairman and two Commissioners, each of whom serves on a full-time basis for a three-year term. The Chairman is appointed by the President and must be confirmed by the Senate. The Secretary of the Interior appoints the other two Commissioners. Under the Act, at least two of the three Commissioners must be enrolled members of a federally recognized Indian tribe, and no more than two members may be of the same political party.

The Commission maintains its headquarters in Washington, D.C., with five Regional Offices, located in Portland, Oregon; Sacramento, California; Phoenix, Arizona; St. Paul, Minnesota; and Tulsa, Oklahoma.

# NIGC Tribal Consultations



We look forward to working with you in the coming year. Following is contact information for the National Indian Gaming Commission's Regional Offices, including updated staff information and contact information.

### **National Indian Gaming Commission Regional Offices**

#### **Region I**

Solomon Building  
620 SW Main Street  
Suite 212  
Portland, OR 97205  
Phone: (503)-326-5092  
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**Randy Sitton, Region Director**

#### **Region II**

801 I Street  
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Sacramento, CA 95814  
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Fax: (916)-414-2310

**Eric Schalansky  
Region Director**

#### **Region III**

One Columbus Plaza  
3636 N. Central Ave.  
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Phoenix, AZ 85012  
Phone: (602)-640-2951  
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**Ken Billingsley, Region Director**

#### **Region IV**

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**John Peterson, Region Director**

#### **Region V**

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**Cindy Altimus, Region Director**

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