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CALIFORNIA GAMBLING CONTROL COMMISSION



July 9, 2010

Elizabeth Kipp
Chairperson

Joe Dhillon, Chief Legislative Counsel
State of California Gambling Control
2399 Gateway Oaks Drive
Sacramento, CA 95833-4231

Miles Baty
Vice Chair

Dear Mr. Dhillon:

Lisa Garcia
Secretary

The Tribal Council of the Big Sandy Rancheria Band of Western Mono Indians would like to thank the California Gambling Control Commission for this opportunity to make final comments on Regulation CGCC 8. As you may be aware, the Big Sandy Rancheria has always been of the opinion that CGCC 8 is unnecessary and it continues to be of that opinion. Big Sandy Rancheria does recognize the fact that many Tribal Governments and their staff have worked very diligently on said Regulation for a long period of time in conjunction with representatives from CGCC, but Big Sandy has not changed its position.

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Johnny Baty
Treasurer

Arrow Sample
Member-At-Large

Please be advised that Attorney General Brown of California had previously submitted letters to various Tribal leaders that identified that the following were the primary areas of concern when reviewing Regulation CGCC 8:

- 1) There should be strong and effective regulation of Tribal gaming in California;
- 2) The Compacts define the appropriate scope of that regulation, and no regulation is valid that seeks to amend the Compacts or that otherwise conflicts with them;
- 3) Tribal regulators have the first-line responsibility for gaming regulation; and
- 4) State regulators have the responsibility of verifying compact compliance.

It is Big Sandy's position that statements 1), 3) and 4) are expressed within the CGCC 8 in its most recent version, and that said points would also

express the position of Big Sandy. It is principle 2) that is still of concern, because it appears that CGCC 8 (even if improved) advances a Regulation that requires Tribes to perform requirements that are already being performed by Big Sandy and most other California Tribes. There are Tribes in the State of California that have requirements in their amended Compacts (MOUs) that deal with the Minimum Internal Controls and the audits thereof, and that if this issue of Minimum Internal Controls is addressed in another Tribe's Compact as an amendment, then CGCC 8 can be interpreted, not just as a Regulation, but is an attempt to amend Big Sandy's Gaming Compact with the State of California, and this is not acceptable to the Big Sandy Rancheria Band of Western Mono Indians.

Thank you for your time and attention to the above, but Regulation CGCC 8 is an additional intrusion into Big Sandy's ability to maintain its sovereignty, because this Regulation can be viewed as an Amendment to Big Sandy's present Compact with the State of California.

Respectfully Submitted



Elizabeth D. Kipp
Tribal Chairperson

Cc: Big Sandy Rancheria Gaming Commission
Sharon House, Attorney