

it is evident that casinos need to embrace a risk-based approach to anti-money laundering and there is no one size fits all approach for casinos that is sufficient. The area that casinos will need to continue to focus on in 2015 is their customer's source of funds and proper due diligence procedures. This is covered under the regulations published in the Code of Federal Register §1021.210(b)(2)(v)(A) as "When required by this chapter, the name, address, social security number, and other information, and verification of the same, of a person;" Obviously, this is a very broad regulation and can be interpreted differently. Yet it is very clear on FinCEN's approach as Calvery stated in the BSA Conference in June 2014, "Casinos are required to be aware of a customer's source of funds under current AML requirements."

It is evident by the newly adopted NIGC regulations and the interpretation of Title 31/BSA regulations that all casinos are not the same and different internal controls need to be in place and embraced by each facility. To do this effectively and efficiently, several departments need to be included to decide how much risk your facility would like to embrace. Indian gaming has always been on the cutting edge of regulations and I anticipate this to continue in 2015.

Chris Foster, VP of Sales and Marketing COST of Wisconsin



Chris Foster

As 2014 comes to a close, we are seeing many new opportunities within the Native American gaming industry. While there are few new large-scale properties being constructed, existing casinos are pursuing numerous additions and upgrades. Facilities are moving forward with renovation and expansion plans that were shelved during the recession. These projects share a common trend; maximize the thematic

WOW factor in the most cost-effective manner. Instead of developing an immersive theme throughout a facility, we are integrating fewer theme areas overall but each with very high visual impact. These impact areas may include water features, thematic icons, or artistic elements. Theme features can be cultural, tell a specific story, or simply provide visual stimulation. Many of these features have high-end LED lighting displays, and some even offer light shows to compliment the theme work. The common rationale for developing thematic items remains unchanged from twenty or thirty years ago; thematic features offer unique branding opportunities and help differentiate one facility from another.

Casinos are also differentiating experiences within their respective properties as well. Restaurants and bars in

casinos are using theme work to promote unique dining experiences. The thematic features chosen for bars and restaurants can be based on cuisine, architectural style, or cultural elements, much like the casino as a whole. Steakhouses versus Asian cuisine restaurants are accented differently with thematic facades, artistry, sculptures, landscape, decorative lighting, and glass work. Additionally, ancillary amenities such as hotels/resorts, water parks, spas, etc., will become more prevalent at existing casinos. These amenities will also follow a similar thematic program as the casino.

A key transition will also take place in theme design and construction as casino design evolves to better engage the Gen-Y's and millennials. The use of theme work in branding and this branding presence in social media outlets will aid in maintaining the relationship with these critical demographics in the real and virtual world. Photographic opportunities within key theme areas are instantly uploaded to social media sites and can serve as an excellent call to action for attracting users' friends and family.

Offering branding opportunities and differentiation from the competition is often the key reason for adding theme and specialty construction work to Native American casino projects. We see this trend continuing in unique and interesting ways into 2015 and beyond.

Gabriel S. Galanda, Partner Galanda Broadman



Gabriel S. Galanda

2015 will bring answers to growing questions surrounding the National Indian Gaming Commission's ambivalence about enforcement of the Indian Gaming Regulatory Act.

In Bay Mills, various state amici curiae argued to the U.S. Supreme Court that the "Commission only rarely invokes its authority to enforce the law against Indian tribes." That criticism tracks with the U.S. Government Accountability Office (GAO)'s recent preliminary report to Congress that "[i]n recent years, the Commission has rarely initiated enforcement actions." According to GAO findings, the NIGC issued a single Notice of Violation in 2012 and 2013 – combined.

Meanwhile, as tensions boil over at several California tribal casinos, people are asking: Where's the NIGC? After prolonged IGRA violations and related physical violence within the Picayune Rancheria of Chukchansi Indians, a federal judge closed the tribe's casino, describing the situation as an "explosive keg." The NIGC took no enforcement action for nearly three years. According to the *Fresno Bee*, former NIGC