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December 12, 2025

Nicole Rupert, Executive Secretary
Nevada Gaming Control Board
7 State of Nevada Way
Las Vegas, NV 89119
regcomments@gcb.nv.gov

Re: Comments to Proposed Amendments to NGC Regulations 5.240 and 5.242 on Cloud Computing Services

Dear Executive Secretary Rupert:

On behalf of Amazon Web Services, Inc. (“AWS”), we respectfully submit these comments regarding the proposed amendments to NGC Regulations 5.240 and 5.242 on cloud computing services (“Cloud Regulations”).

We appreciate the Nevada Gaming Control Board’s (“Board”) continuing commitment to enhancing the Cloud Regulations. AWS has been registered as a cloud computing service provider for just over two years. Throughout that time, AWS has worked closely with the Board to expand the scope of its services and locations, enabling Nevada licensees to access a broader range of products and technology solutions, all with premier data security tools.

AWS fully supports the Board’s proposal to remove the requirements for cloud services providers to register and to obtain prior approval for each service and location to offer solutions to Nevada licensees (“Proposal”). This change will provide more flexibility to licensees to use valuable services, while reducing the administrative burden on AWS – who would no longer need to submit each item for approval – and on the Board, who would no longer need to evaluate each submission in advance. Importantly, the Proposal preserves key security standards, ensuring licensees will continue to use cloud services from reputable providers that adhere to at least industry-standard (if not industry-leading) security practices.

Following a detailed review of the Proposal, AWS respectfully offers the Board some recommendations to help ensure that the Proposal maintains the flexibility and tools currently available to licensees under the existing Cloud Regulations. In summary, the suggested revisions would: (1) allow licensees to use cloud services from facilities that employ appropriate security

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practices, including compliance with applicable ISO standards, where the provider of cloud services maintains control over the relevant equipment, (2) confirm that ISO certificates will satisfy certain of the licensee's documentation obligations, and (3) clarify that cloud services would not be IT services requiring registration as an "information technology service provider". Enclosed is a copy of the Proposal with AWS's suggestions in green.

We ask the Board to consider AWS's suggestions during its evaluation of the Proposal. AWS believes that these suggestions are in line with the Board's goals in considering the Proposal and will enhance it by preserving the options currently available to licensees, while also providing additional clarity around the Board's expectations for the new requirements.

We appreciate the Board's attention to this matter and time to consider the proposed enhancements enclosed. We are happy to discuss any questions or concerns. Please feel free to contact me at 702-599-8073 or erica.okerberg@gtlaw.com.

Best regards,

A handwritten signature in black ink that reads "Erica L. Okerberg". The signature is written in a cursive, flowing style.

Erica L. Okerberg
Vice Chair, Global Gaming Practice

1.137 “Hosting center” defined. “Hosting center” means a facility that houses associated equipment, cashless wagering systems, games, gaming devices, race book operations, or sports pool operations, in whole or in part thereof, and which is not located on the premises of a licensed gaming establishment, or the business premises of a gaming licensee, or the business premises of a cloud computing service provider that meets the requirements set forth in paragraph (c) of subsection 2 of section 5.242 of these regulations. For purposes of this section, “business premises of a gaming licensee” does not include space leased by a licensee from a third-party data center operator.

[...]

5.240 Service Providers.

1. [No Change]

2. Definitions.

(a) “Chair” means the Chair of the Nevada Gaming Control Board or the Chair’s designee.

(b) ~~“Cloud computing services”:~~

~~—(1) Consist of the following as defined by the National Institute of Standards and Technology in NIST SP 800-145 and as further explained in NIST SP 500-292:~~

~~——(I) Software as a Service;~~

~~——(II) Platform as a Service; or~~

~~——(III) Infrastructure as a Service.~~

~~—(2) The services described in subparagraph (1) do not include the performance of any service, action, transaction, or operation that would otherwise require a gaming license or registration pursuant to Chapter 463 of NRS or these regulations, other than a registration as a cloud computing service provider.~~

~~—(e) “Cloud computing service provider”:~~

~~—(1) Means a person who, on behalf of a licensee, provides cloud computing services by acquiring and maintaining the computing infrastructure and software necessary to provide cloud computing services for associated equipment, cashless wagering systems, games, gaming devices, race book operations, or sports pool operations, in whole or in part, and otherwise in accordance with paragraph (4) of section 5.225 and section 5.242 of these regulations~~

~~—(2) The services described in subparagraph (1) do not include the performance of any service, action, transaction, or operation that would otherwise require a gaming license or other registration pursuant to Chapter 463 of NRS or these regulations.~~

~~—(d)]~~ “Information technology service provider” means a person who, on behalf of a licensee, provides management, support, security, or disaster recovery services for games, gaming devices, or associated equipment. For avoidance of doubt, this does not include a person who provides cloud computing services.

(e) “Service provider” means a person who:

(1) Is a cash access and wagering instrument service provider as defined in NRS 463.01395;

(2) Is an information technology service provider~~;~~ ~~or~~

~~—(3) Is a cloud computing service provider].~~

3. Except as otherwise provided in this subsection, a licensee may only use a service provider that is registered as such with the Board. A licensee may use a person holding a manufacturer’s license issued by the Commission pursuant to NRS 463.650 ~~{or registered with the Board as a manufacturer of associated equipment pursuant to section 14.020 of these regulations}~~ as a service provider to the extent the licensed manufacturer ~~{or registered manufacturer of associated equipment}~~ is supporting ~~{or providing cloud computing services for}~~ such manufacturer’s gaming products ~~{manufactured by the licensed manufacturer or registered manufacturer of associated equipment}~~.

4. [No Change]

5. Except as otherwise provided in this subsection, a person may act as a service provider only if that person is registered with the Board. Once

registered, a service provider may act on behalf of one or more gaming licensees. Any person holding a manufacturer's license issued by the Commission pursuant to NRS 463.650 ~~{or registered with the Board as a manufacturer of associated equipment pursuant to section 14.020 of these regulations}~~ may perform the services of a service provider without registering pursuant to this section only if such services are limited to supporting ~~{or providing cloud computing services for}~~ such manufacturer's gaming products ~~{manufactured by the licensed manufacturer or registered manufacturer of associated equipment}~~. Any licensed manufacturer ~~{or registered manufacturer of associated equipment}~~ that functions as a service provider pursuant to this subsection shall notify the Board of performing such services within 30 days of commencing such function.

6. [No Change]

7. [No Change]

8. [No Change]

9. [No Change]

10. [No Change]

11. [No Change]

12. [No Change]

13. [No Change]

14. [No Change]

15. [No Change]

5.242 Cloud computing services.

1. ~~{Before a cloud computing service provider may provide any cloud computing services to a licensee:~~

~~—(a) The cloud computing service provider must be registered with the Board as a cloud computing service provider or exempt from such~~

~~registration in accordance with section 5.240 of these regulations; and~~

~~—(b) The cloud computing services offered by the cloud computing service provider must be approved by the Board Chair or the Chair's designee in writing pursuant to this section.~~

~~—2. Equipment and software utilized by the cloud computing service provider for any cloud computing services provided to a licensee must be located:~~

~~—(a) On the premises of a licensed gaming establishment;~~

~~—(b) On the premises of a hosting center registered with the Board pursuant to section 5.230 of these regulations; or~~

~~—(c) On the business premises of the cloud computing service provider if:~~

~~—(1) The business premises is controlled by the cloud computing service provider and the cloud computing service provider is the sole occupant of the space;~~

~~—(2) The transactions conducted pursuant to the cloud computing services are lawful in the jurisdiction in which the business premises is located and do not violate the laws of the respective country, territory, or other recognized regional or tribal government thereof; and~~

~~—(3) For business premises that house equipment and software utilized by the cloud computing service provider located outside the State of Nevada, the cloud computing service provider has established the business premises meet the factors set forth in paragraph (a) of subsection 2 of section 5.2305 of these regulations to the Board Chair, or the Chair's designee's, satisfaction, and the Board Chair, or the Chair's designee, has determined that the criteria set forth in paragraph (b) of subsection 2 of section 5.2305 of these regulations have been met regarding the business premises.~~

~~—3. A cloud computing service provider may apply to the Board Chair for a waiver or modification of the requirements of subsection 2.~~

~~—(a) If satisfied that the requested waiver or modification is consistent with the public policy set forth in NRS 463.0129, the Board Chair may, in the Chair's sole and absolute discretion, grant the~~

~~requested waiver or modification subject to any conditions, limitations, or alternative requirements as the Chair may deem necessary or appropriate.~~

~~—(b) If the waiver allows for the use of one or more hosting centers that are not registered with the Board pursuant to section 5.230 of these regulations, any such hosting center shall:~~

~~—(1) Be deemed the business premises of the cloud computing service provider for the purpose of these regulations; and~~

~~—(2) With the exception of the requirement to register with the Board, comply with the standards and requirements set forth in sections 5.231 through 5.235 of these regulations unless specifically waived or modified by the Board Chair pursuant to this subsection.~~

~~—(c) Such application shall be considered part of, or an addendum to, the cloud computing service provider's application for registration, and the Board may impose an investigation fee pursuant to paragraph(d) of subsection 3 of section 4.200 of these regulations to cover any costs associated with processing the application for waiver or modification.~~

~~—4. A cloud computing service provider registered with the Board:~~

~~—(a) Must comply with all applicable standards of the International Organization for Standardization, including, without limit, ISO/IEC 27001, 27002, and 27017, or the equivalent;~~

~~—(b) Must be the sole operator and administrator of the equipment utilized in the cloud computing services provided pursuant to this section, and the equipment used to provide the applicable cloud computing services must be under the exclusive operation and control of the cloud computing service provider; and~~

~~—(c) Shall not have access to the software, applications, or data contained or transacted on any associated equipment, cashless wagering system, game, gaming device, race book operation, or sports pool operation of the gaming licensee for which it is providing its services, except when the service provider is a licensed manufacturer or registered manufacturer of associated equipment providing cloud computing services for gaming products manufactured by the licensed manufacturer or registered manufacturer of associated equipment, as~~

~~permitted in subsections 3 and 5 of section 5.240 of these regulations, to the extent such access is necessary to perform those services.~~

~~— 5. An application for an approval required by paragraph (b) of subsection 1 shall be made, processed, and determined using such forms as the Chair may require or approve and must be accompanied and supplemented by such documents and information as may be specified or required by the Board. The application shall include the following:~~

~~— (a) A description of the scope and nature of the specific services provided to licensees.~~

~~— (b) A statement on compliance of the cloud computing services provided by the cloud computing service provider with all applicable standards of the International Organization for Standardization, including but not limited to ISO/IEC 27001, 27002, and 27017, or the equivalent.~~

~~— (c) If the equipment and software used by the cloud computing service provider is located:~~

~~— (1) On the premises of a licensed gaming establishment, the name of the licensed gaming establishment.~~

~~— (2) On the premises of a hosting center registered with the Board pursuant to section 5.230 of these regulations, the name of the registered hosting center.~~

~~— (3) On the business premises of the cloud computing service provider, the location of those premises and a written statement, signed under penalty of perjury, that the premises comply with the requirements set forth in paragraph (c) of subsection 2.~~

~~— (d) A statement subscribed by the applicant that:~~

~~— (1) The information being provided to the Board is accurate and complete; and~~

~~— (2) The applicant agrees to cooperate with requests, inquiries, or investigations of the Board and Commission.~~

~~—6. The Commission may require a cloud computing service provider, or any person associated with the cloud computing service provider who is registered with the Board pursuant to subsection 6 of section 5.240 of these regulations, submit an application for finding of suitability, and that a failure to submit such an application within 30 days of the notice to file such an application may constitute grounds for a finding of unsuitability by the Commission.~~

~~—7. Each cloud computing service provider shall inform the Board in writing within 30 days of any material changes in the information provided in accordance with subsection 4. Failure to comply with the reporting requirement of this subsection constitutes an unsuitable method of operation.~~

~~—8. The use of a registered cloud computing service provider by a licensee shall in no way alter the nature or classification of a transaction, nor shall such use relieve a licensee of any obligation or liability the licensee has under the Gaming Control Act or the regulations adopted thereunder. Any such transaction shall be considered as if the licensee conducted it without the use of a cloud computing service provider.~~

~~—9. Except as otherwise provided in subsection 3, the Board Chair, or the Chair's designee, in his or her sole and absolute discretion may, upon receipt of an application for waiver or modification, waive or modify any requirement of this section, including, without limitation, the disclosure to the Board of certain information that would hinder operations or pose a hardship due to contractual obligations, if the Board Chair, or the Chair's designee, is satisfied that the requested waiver or modification is consistent with the public policy set forth in NRS 463.0129. Such waiver or modification shall be subject to any condition, limitation, or alternative requirement the Chair, or the Chair's designee, may deem necessary or appropriate. Such application shall be considered part of, or an addendum to, the cloud computing service provider's application for registration, and the Board may impose an investigation fee pursuant to paragraph (d) of subsection 3 of section 4.200 of these regulations to cover any costs associated with processing the application for waiver or modification.~~

~~—10. Any person whose request for approval of a cloud computing service under this section is not approved by the Board Chair or the Chair's designee may appeal the decision using the administrative~~

~~appeal process found under sections 4.185 through 4.195 of these regulations, inclusive.~~

~~—11. A state gaming licensee shall report in writing to the Board the use of any approved cloud computing service at least 30 days prior to the commencement of such services. The report required by this subsection must include the name of the registered cloud computing service provider, a description of the operations of the state gaming licensee that will use such services, and an attestation that the transactions that will be processed using the cloud computing service provider will comply with the law in the jurisdiction(s) in which such services are provided. Any change to or termination of the use of the cloud computing services reported pursuant to this subsection must be reported by the gaming licensee to the Board within 30 days of such change or termination of service.}~~ *A licensee may utilize cloud computing services on the condition that the licensee:*

*(a) Ensures that **the licensee's** use of the cloud computing services will not result in a violation of NRS Chapter 463 or the Commission's regulations;*

(b) Ensures that the equipment and software utilized in providing cloud computing services are located;

(1) On the premises of a licensed gaming establishment; or

(2) On the premises of a hosting center registered with the Board pursuant to section 5.230 of these regulations; or

(3) On the premises of a facility that is compliant with industry-standard security practices, including applicable International Organization for Standards, including without limitation ISO/IEC 27001, 27002, and 27017, or the equivalent, so long as the provider of cloud computing services has control over the equipment and software utilized in providing cloud computing services, provided that the Board and Commission shall have the ability upon reasonable request to access the portions of the facility from which the cloud computing services are provided, subject to observing reasonable security practices.

(c) Ensures that the cloud computing services are in compliance with all applicable standards of the International Organization for Standards, including without limitation ISO/IEC 27001, 27002, and 27017, or the equivalent; and

(d) Maintains documentation regarding what procedures and efforts it undertook to satisfy paragraphs (a) through (c) of this subsection. Such documentation shall be retained by the licensee during all periods of time the licensee utilizes cloud computing services and shall be provided to the Board upon request. To satisfy paragraphs (1)(b)(3) and (1)(c) of this subsection, a licensee may obtain copies of the certifications for applicable standards of the International Organization for Standards, or the equivalent.

2. For purposes of this section, “cloud computing services” consists of the following as defined by the National Institute of Standards and Technology in NIST SP 800-145 and as further explained in NIST SP 500-292:

(a) Software as a Service;

(b) Platform as a Service; or

(c) Infrastructure as a Service.

“Cloud computing services” does not include the operation of gaming or the manufacture of a gaming device, associated equipment, cashless wagering system, or interactive gaming system for use or play in Nevada the performance of any service, action, transaction, or operation that would otherwise require a gaming license or registration pursuant to NRS Chapter 463 or the Commission’s regulations.