



June 14, 2011

Ms. Tracie L. Stevens, Chairwoman
National Indian Gaming Commission
1441 L Street NW, Suite 9100
Washington, DC 20005

Dear Chairwoman Stevens:

I am writing on behalf of the Mohegan Tribe of Indians of Connecticut to comment on the National Indian Gaming Commission's ("NIGC") preliminary draft facility licensing regulation posted on the NIGC's website. I appreciate the opportunity to submit comments on the NIGC's proposed changes to 25 CFR 559 concerning facility license notification, renewal, and submission requirements. I commend the NIGC's recent efforts to consult with tribal governments in revising existing regulations as a positive reflection of its recent commitment to working with tribes on a meaningful government-to-government basis.

In reviewing the draft facility licensing regulations, I am encouraged by the NIGC's proposed changes, which are consistent with the fact that the Indian Gaming Regulatory Act ("IGRA") does not establish the NIGC as a licensing authority. Section 2710(b)(1)(B) of the IGRA specifically vests tribal governments with licensure authority and recognizes the issuance of gaming facility licenses as a proper exercise of a tribe's inherent sovereignty and jurisdiction. I am also encouraged by the NIGC's proposed change to eliminate difficult Indian lands eligibility requirements, which I believe are inconsistent with the purposes of the IGRA. I strongly support the NIGC's proposal to eliminate public health and safety reporting requirements and agree that a tribal attestation of compliance is sufficient with regard to environmental and public health and safety issues. Further, I support the NIGC's proposed removal of the three-year renewal requirement, which under the current regulations impose a burdensome filing requirement on Tribes. I believe that Congress did not intend to impose such affirmative regulatory mandates on tribal governments. In sum, I commend the NIGC's efforts to amend its facility licensing requirements to more closely comport with the purposes and language of the IGRA.

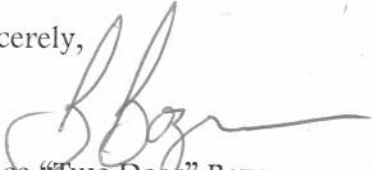
NIGC's draft regulation on facility licensing is a significant improvement over existing regulations. Other commenter's have recently made a recommendation that the regulation should go further and state that tribal governments possess the authority to independently issue facility licenses and may open new tribal facilities while NIGC's verification process is pending. This is a concept that is worthy of consideration and the Mohegan Tribe will study this recommendation and will reserve comment on it in the interim.

THE MOHEGAN TRIBE

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In closing, I would like to reiterate the Mohegan Tribe's appreciation for the opportunity to provide comments on this important regulation. Thank you for your anticipated consideration of these comments.

Sincerely,

A handwritten signature in black ink, appearing to read 'Bozsum', with a long horizontal flourish extending to the right.

Bruce "Two Dogs" Bozsum
Chairman
Mohegan Tribe

cc: Mohegan Tribal Council
Helga Woods, Attorney General, Mohegan Tribe
John B. Meskill, Director, Mohegan Tribal Gaming Commission