



**NAVAJO NATION DEPARTMENT OF JUSTICE**  
**OFFICE OF THE ATTORNEY GENERAL**

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June 17, 2011

Chairwoman Tracie Stevens  
National Indian Gaming Commission  
1441 L Street N.W., Suite 9100  
Washington, D.C. 20005

**RE: Comments for Part 559 - Facility License Notification,  
Renewals, and Submissions**

Dear Chairwoman Stevens:

Thank you for the opportunity to provide comments to Part 559, Facility License Notification, Renewals, and Submissions. The Navajo Nation ("Nation") is very pleased with the efforts of the National Indian Gaming Commission' ("NIGC") in coordinating with the tribes on these important issues. More importantly the Nation is encouraged at the NIGC moving more towards recognizing and respecting tribal sovereignty.

For the most part the Nation is very pleased with the draft amendments. In our previous comments to the Notice of Inquiry ("NOI"), the Nation took a firm position that the NIGC review Part 559 to ensure compliance with the Indian Gaming Regulatory Act ("IGRA") and NIGC's very limited regulatory responsibilities. After review of these amendments, it appears that this Commission is moving in that direction and is much appreciated.

At the NOI Consultation in Albuquerque, at the Hyatt Regency Tamaya Resort, representatives of the Nation were in attendance. One of the expressed concerns of the Nation was the purpose of the 120 day "notice". The new language in Part 559.1(a), "obtain verification", provides the clarification the Nation requested and is appreciated.

Chairwomen Tracie Steven

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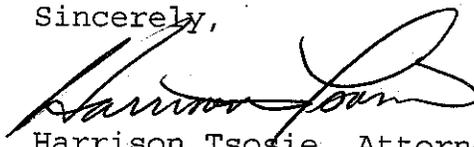
Page: 2

The new language in Part 559.2 is concerning. The Nation supports the reduction of the "notice" to 60 days. The Nation does not support the extension of this review for an additional 60 days. Our concern is the potential for uncertainty on the timing for the issuing a new facility license. The 60 day notice is not a true reduction, and the Nation would continue to treat the notice as 120 days. It would preferably and clearer for the original 120 days to remain versus the 60 days, with one extension of 60 days. It would be most optimal for the notice to be 60 days without any extension.

In our written comments, to the NOI, the Nation recommended the striking of Part 559.5. It was the Nation's position that the certification is in direct conflict with tribal sovereignty. We are encouraged and fully support the striking of the public health and safety reporting requirements in Part 559.5.

We very much appreciate the NIGC's efforts to amend its facility licensing requirements. Thank you for this opportunity and consideration of the Nation's comments.

Sincerely,



Harrison Tsosie, Attorney General

xc: Carleen Chino, Executive Director  
Navajo Gaming Regulatory Office