



October 18, 2007

VIA U.S. MAIL

Re: Proposed facility license standards

Dear Tribal Leader:

The National Indian Gaming Commission (NIGC) has just published proposed licensing standards for gaming facilities. The Indian Gaming Regulatory Act (IGRA) requires that tribes license their gaming facilities and that the construction and operation of those facilities be conducted in a manner that safeguards the environment and health and public safety (EPHS).

The proposed regulations recognize that in issuing and renewing facility licenses, tribes will have enacted, adopted, or applied EPHS laws and codes. The proposed regulation would require that at the time of issuance or renewal of a facility license, tribes list those EPHS provisions applicable to the gaming operation and certify that the facility is in compliance with them.

Further, the proposed regulation would require that with respect to new tribal gaming facilities, tribes identify the parcel where the gaming will be located and provide information sufficient to show that the gaming will occur on "Indian lands" as defined in IGRA. The proposed regulation would also clarify the manner in which NIGC will secure compliance with the proposed facility licensing standards.

The NIGC first identified the need for facility license standards in 2005. In 2006, the NIGC prepared draft facility license regulations, which we distributed to tribal leaders and placed on our website for comment. Since that time, the NIGC has met with over 113 tribal leaders or tribal representatives and reviewed over 135 written comments on the draft regulations.

The NIGC considered all of the comments on the draft regulations and has made significant changes to the proposed rule. As a result, the NIGC has substantially reduced the submission requirements in both parts of the proposed rule.

In direct response to comments that the request for Indian lands information in the prior draft was too cumbersome, the new proposed rule requires only the name, legal description and parcel or tract number of the land where new gaming will occur if the Bureau of Indian Affairs (BIA) holds the deed to the land. The NIGC will then work with the BIA to obtain additional lands information that that agency maintains.

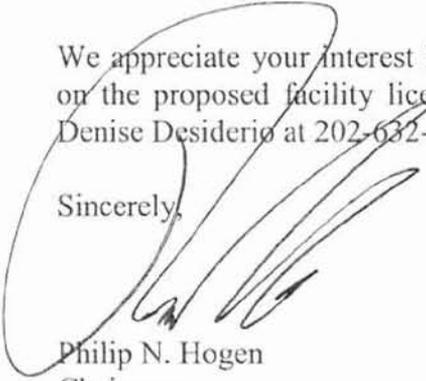
The EPHS section has also been significantly modified so that the only information required to be submitted with the facility license is a tribal certification that the tribe has identified and enforces EPHS laws applicable to its gaming operation and a document listing those applicable laws.

In keeping with the NIGC's commitment to government-to-government consultation, we are seeking tribal comments on this proposed rule. Enclosed is a copy of the proposed rule as published in the Federal Register on October 18th, 2007. Please submit your comments with 45 days of publication in the Federal Register. Comments should be addressed to:

Facility License Standards – Proposed Rule
Attention: Penny J. Coleman, Acting General Counsel
National Indian Gaming Commission
1441 L Street, NW, Suite 9100
Washington, DC 20005

We appreciate your interest in this regulation and look forward to receiving your views on the proposed facility license standards. If you have any questions, please contact Denise Desiderio at 202-632-7003.

Sincerely,



Philip N. Hogen
Chairman

Enclosure