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September 9, 2022

Via Electronic Mail Only

Mr. E. Sequoyah Simermeyer, Chair
National Indian Gaming Commission
1849 C Street, N.W.
Mail Stop # 1621
Washington, D.C. 20040
Email: NIGC.Outreach@nigc.gov

Re: Comments on the NIGC Proposed Regulatory Revisions

Dear Chairman Simermeyer:

Thank you for providing the Match-E-Be-Nash-She-Wish Band of Pottawatomi Indians, also known as the Gun Lake Tribe (Tribe), an opportunity to provide comments to the National Indian Gaming Commission (NIGC) with respect to the proposed rule changes to 25 CFR Parts 502, 556 and 558, as published in the Federal Register on August 10, 2022.

The Tribe sincerely appreciates the NIGC's recent efforts to create a meaningful and respectful consultation program through the implementation of the NIGC Consultation Policy (NIGC). The Tribe believes effective government-to-government relationships between tribes and the NIGC is best fostered through deliberate, meaningful, and respectful communication which appears to be the goal of the NIGC Consultation Policy. However, here, having the NIGC conduct just two (2) back-to-back virtual consultations in July of 2021—during a global COVID-19 pandemic—is far less than what should be provided to tribes on such an important and complex matter. The limited tribal responses received by the NIGC to date on these matters is further evidence that most tribes have not yet had the ability to fully participate in meaningful consultation with the NIGC on the proposed rule changes. Additionally, the present 30-day comment period, without further meaningful in-person or virtual consultation opportunities, does not equate to sufficient tribal consultation on such significant rule changes.

With more than a year having passed since the publication of the original proposed changes to the regulations, and with no consultations held on the new revised language, it would be more prudent and beneficial for tribes and the NIGC to fully discuss the questions and concerns raised by the proposed rule. For these reasons, the Tribe respectfully urges the NIGC to consider conducting further meaningful in person tribal consultations on the proposed changes to 25 CFR Parts 502, 556 and 558 prior to publishing a final rule. The Tribe is hopeful

BAND OF POTTAWATOMI INDIANS | GUN LAKE TRIBE



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that further consultations, which will allow tribes to be better informed on the NIGC's intentions and to prepare more substantive comments, will occur prior to issuance of a final rule.

Please contact me if you have any further questions related to this matter.

Sincerely,

Jodie G. Palmer, Tribal Council Vice-Chairwoman
Match-E-Be-Nash-She-Wish Band of Pottawatomi Indians
Gun Lake Tribe