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NIGC Announces Extension on Comment Period for After-Acquired Lands Policy

Washington, DC September 4, 2008 — National Indian Gaming Commission (NIGC) Chairman Philip N. Hogen announced today that the agency is extending the time period for comments on how the NIGC should handle its decisions under the after-acquired lands provision of the Indian Gaming Regulatory Act (IGRA), 25 U.S.C. § 2719, in light of the Department of the Interior's new regulations on that topic (73 FR 29354). In an August 11, 2008, letter to tribal leaders, Chairman Hogen had asked for input on the issue by September 5, 2008. That timeframe has now been extended to September 30, 2008.

Questions to be addressed by interested parties include:

- Is there any reason to doubt the NIGC's current view that the NIGC, when making its own decisions pursuant to 25 U.S.C. § 2719, should follow the substance of the Department's after-acquired lands regulations?
- Should the NIGC write a bulletin to inform tribes and the public how it interprets and implements 25 U.S.C. § 2719, especially in light of the Department's regulations?
- Should the NIGC issue its own regulations to govern its decisions under 25 U.S.C. § 2719? If so, should they be identical in substance to the Department's regulations?
- If the NIGC undertakes a rulemaking under 25 U.S.C. § 2719, are there any subjects or issues that were not covered by the Department's regulations that should be covered in NIGC regulations?

Should the NIGC promulgate procedural regulations that would govern the process for developing Indian lands opinions and determinations at the NIGC?

Comments can be sent to Chairman Hogen at NIGC, 1441 L Street, NW, Washington, DC 20005 or faxed to (202) 632-7066.

