



OFFICE OF THE GOVERNOR

August 29, 2008

Via Facsimile: 202-273-3153 & U.S. Postal Service

Ms. Paula Hart, Acting Director
Office of Indian Gaming
Office of the Deputy Assistant Secretary
Policy and Economic Development
1849 C Street, NW
Mail Stop 3657-MIB
Washington, DC 20240

Re: Class III Tribal State Gaming Compact Process

Dear Ms. Hart:

The Governor's Office has had an opportunity to review the proposed regulations concerning the process the Department of the Interior intends to use in acting upon tribal-state class III gaming compacts and compact amendments that have been submitted by tribes or states for review. With one exception, we believe the proposed regulations will provide necessary clarity to the process. That exception is proposed section 293.16, subsection (b). While subsection (a) conforms to the provisions of 25 U.S.C. §2710(d)(3)(B) and states that a compact or compact amendment will only be effective upon publication of the Secretary's approval in the Federal Register, subsection (b) selects a date for publication of that notice forty-five days after the last possible date for the Secretary's action. This date could work a hardship on both tribes and states in that class III gaming and the revenue stream from such gaming could not commence until more than six weeks after the Secretary would have approved a compact or compact amendment. We see no reason for a delay of that length for publication of a notice of approval. As a result, we suggest revising section 293.16, subsection (b), to provide that the Secretary shall file the notice of approval with the Office of the Federal Register no later than five working days after the Secretary has acted or the compact or amendment has been deemed approved.



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Thank you for the opportunity to provide these comments.

Sincerely,



ANDREA LYNN HOCH
Legal Affairs Secretary