



Mashantucket Pequot Tribal Nation
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Secretary Ryan Zinke
U.S. Department of Interior
1849 C Street, NW
Washington, DC 20240

Principal Deputy Assistant
Secretary John Tashuda
U.S. Department of Interior
1849 C Street, NW
Washington, DC 20240

RE: Proposed Revisions to Fee-to-Trust Regulations (25 CFR 151)

Dear Secretary Zinke and Principal Deputy Assistant Secretary Tashuda:

On behalf of the Mashantucket Pequot Tribal Nation (MPTN), I write to thank you for the honor of hosting the March 15th consultation. Although it was rescheduled a couple of times, we're glad that we were able to gather at Mashantucket with you to discuss this extremely important issue.

As I mentioned in my comments at the consultation, the MPTN supports changes to the fee-to-trust process that would make the process more efficient. However, we DO NOT support any changes that will impede on the rights of tribal governments. Further, we oppose any changes to the regulations that make it more difficult or costly for tribes to place land in trust.

We believe any changes made should achieve three goals:

- 1) They should fulfill the Department's trust obligation to Indian tribes and therefore work in the tribes' best interest.
- 2) They should streamline, or make the process more efficient, so it's quicker and less burdensome and costly.
- 3) They should fulfill the purpose of the Indian Reorganization Act, which is to rectify the effects of the allotment policy and to restore tribal governments to self-sufficiency.

Although the Department withdrew its initial proposed revisions that were circulated in October 2017, I'd like to further address a couple of specific items contained in it.

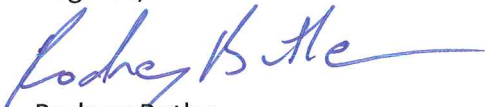
The introduction of the idea that mitigation agreements or MOU's with state and local governments should be provided to the Department as part of the fee to trust process is unacceptable as it gives the perception that neighboring governments have power or leverage over tribes. We oppose this provision in the October draft, or any provision that would require agreements or MOU's with local governments be submitted to the Department as part of the fee to trust application process.

The other provision I'd like to address is the removal of the "Patchak Patch", by reinstating the 30-day waiting period for placing land into trust, after a final agency decision to place land in trust. We oppose this for two reasons:

- 1) Leaving these decisions open to challenge simply invites additional litigation which is costly and burdensome and keeps the land out of trust until the litigation concludes.
- 2) The Department proposed a separate provision that would recognize the Secretary's authority to remove land from trust if it loses litigation. This allows the Department to deal with the extremely rare case of a fee to trust determination being overturned by taking the land out of trust. Therefore, the 30-day window is unnecessary.

In closing, we appreciate the opportunity to provide input on this process, and we're hopeful that you will take into consideration the recommendations made by Indian Country. Please contact me at RodneyButler@mptn-nsn.gov or 860.396.6133 should you have any questions.

Regards,



Rodney Butler
Chairman