

**NATIONAL
INDIAN
GAMING
COMMISSION**

JUL 24 1997

Gary A. Lasley, Chairman
Omaha Tribe of Nebraska
P.O. Box 368
Macy, Nebraska 68039

Dear Chairman Lasley:

This letter responds to your request to review and approve the amendment to the Omaha Tribe of Nebraska's Amended and Restated Class III Iowa Gaming Code, Title XII at sections 6.6(mm). The amendment was adopted by the Tribe by Resolution No. 97-92 on April 7, 1997. Under the Indian Gaming Regulatory Act (IGRA), the amendment is hereby approved.

Under the IGRA and the regulations of the National Indian Gaming Commission (NIGC), the Chairman is directed to review amendments to ordinances with respect to the requirements of the IGRA and the implementing regulations. Thus, the scope of the Chairman's review and approval is limited to the requirements of the IGRA and the NIGC regulations.

Thank you for submitting the amendment to the ordinance of the Omaha Tribe of Nebraska. The NIGC staff and I continue to look forward to working with you and the Tribe in implementing the IGRA.

Sincerely yours,



Tom Foley
Vice-Chairman

cc: John Peebles
Monteau, Peebles & Evans
12100 West Center Road
Suite 519
Bel Air Plaza
Omaha, Nebraska 68144-3960

fax: (402) 837-5308 Jun 12 1997 15:39 P. 05

OMAHA TRIBE OF NEBRASKA

P. O. Box 368
Macy, Nebraska 68039

EXECUTIVE OFFICERS

Gary A. Lasley, Chairman
Greg Phillips, Vice-Chairman
Franklin Dick, Treasurer
Forrest "J.C." Aldrich, Secretary



TRIBAL ADMINISTRATION

(402) 837-5391
FAX (402) 837-5308

MEMBERS

Doran L. Morns, Sr.
Irene L. Parker
Clifford R. Wolfe, Jr.

RESOLUTION 97-92
OF THE
OMAHA TRIBE OF NEBRASKA

JUN 17 1997

Re: Amendment to the Amended and Restated Gaming Code of August 8, 1995

- WHEREAS, the Omaha Tribe of Nebraska is a federally recognized Indian Tribe organized pursuant to the Indian Reorganization Act of June 18, 1934 (48 Stat. 984), as amended, and a Constitution and Bylaws approved March 30, 1936 by the Secretary of the Interior and amended on July 9, 1964, October 28, 1966, December 30, 1981, and August 19, 1986; and
- WHEREAS, pursuant to Article IV, Section 1 (j) of the Constitution of the Tribe, the Tribe has the power to regulate trade, commerce and all manner of criminal and non-criminal conduct on its reservation; and
- WHEREAS, pursuant to the Indian Gaming Regulatory Act, P.L. 100-497, codified at 25 U.S.C. § 2701, et seq., the Tribe may engage in Class III gaming pursuant to a Compact with a State and so long as such gaming is conducted in accordance with that Compact and a Gaming Code is duly adopted by the Tribe; and
- WHEREAS, on December 30, 1991, the sovereign Indian Nation of the Omaha Tribe of Nebraska and the sovereign State of Iowa entered into a Compact for the conduct of Class III gaming on the Tribe's lands in the State of Iowa; and
- WHEREAS, pursuant to the terms of the Compact the Tribe is required to enact and enforce a Gaming Code which meets, or exceeds, the standards set forth in the Compact; and
- WHEREAS, on April 13, 1992, the Tribe adopted the Omaha Tribe of Nebraska Class III Iowa Gaming Code, Title XII (the "Code"); and
- WHEREAS, the Code was submitted to the National Indian Gaming Regulatory Commission ("NIGC") for approval and on May 24, 1994, the NIGC requested that certain changes be made to the Code; and

100

WHEREAS, the Tribe adopted the "Omaha Tribe of Nebraska Amended and Restated Class III Iowa Gaming Code, Title XII" ("Amended and Restated Code") as of August 5, 1995, which incorporated the changes requested by the NIGC and resubmitted such Amended and Restated Code to the NIGC for approval; and

WHEREAS, the Amended and Restated Gaming Code was approved by the NIGC; and

WHEREAS, it is necessary to amend the Amended and Restated Gaming Code at Section 6.6(mm) to read as follows:

Following advice and consent of the Tribal Council, to appoint a trustee to operate a Gaming facility in the event the Primary Management Official's License has been Revoked or Suspended pursuant to the terms of the Compact, this Code or the Regulations;

NOW THEREFORE, BE IT RESOLVED, that the Class III Iowa Gaming Code at Section 6.6(mm) be amended to read as follows:

Following advice and consent of the Tribal Council, to appoint a trustee to operate a Gaming facility in the event the Primary Management Official's License has been Revoked or Suspended pursuant to the terms of the Compact, this Code or the Regulations;

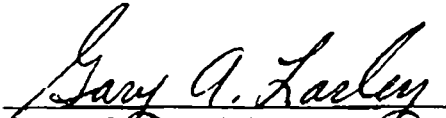
NOW THEREFORE, BE IT FURTHER RESOLVED, that copies of this Resolution shall be immediately forwarded to the National Indian Gaming Commission and Kim Schmett, Director of the Iowa Department of Inspections and Appeals.

BALANCE OF PAGE PURPOSEFULLY LEFT BLANK

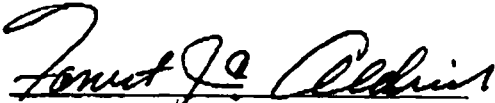
CERTIFICATION

This will certify that the foregoing resolution was considered at a meeting of the Omaha Tribal Council of the Omaha Tribe of Nebraska, duly called and held on the 7 day of April, 1997, and was adopted by a vote of 6 FOR, 0 AGAINST and 0 NOT VOTING OR ABSENT. A quorum of 7 was present.

Dated this 7 day of April, 1997.


Gary A. Lisle, Chairman
OMAHA TRIBAL COUNCIL

ATTEST:


Forrest "J.C." Aldrich, Secretary
OMAHA TRIBAL COUNCIL

RECEIVED:


Superintendent
BUREAU OF INDIAN AFFAIRS