



December 8, 2005

Chairman Mitchell Cypress
Seminole Tribe of Florida
6300 Stirling Road
Hollywood, Florida 33024

Re: Amendment to the Seminole Tribe of Florida Gaming Ordinance;
Resolution No. C-254-05

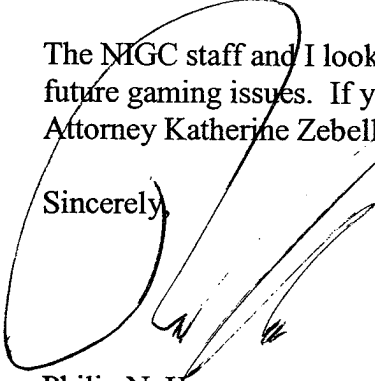
Dear Chairman Cypress:

This letter is in response to the Seminole Tribe of Florida's recent submission to the National Indian Gaming Commission ("NIGC") of Resolution No. C-254-05. The Resolution amends the Seminole Tribe of Florida ("Tribe") Gaming Ordinance by changing key aspects of the Seminole Tribal Gaming Commission.

This letter constitutes approval, under IGRA and the related administrative regulations, of the Amendment to the Tribe's existing Gaming Code.

The NIGC staff and I look forward to continuing to work with you and the Tribe on future gaming issues. If you have any questions, please feel free to contact Staff Attorney Katherine Zebell at (202) 632-7003.

Sincerely,



Philip N. Hogen
Chairman

cc: George Skibine, Office of Indian Gaming
Management, Dept. of Interior
Moses Osceola
Max Oseceola
David Cypress
Andrew Bowers
Jim Shore
Ed Jenkins

RE: AMENDMENT OF ORDINANCE NO. C-02-94, SECTION 5-2 OF THE ORDINANCE OF THE SEMINOLE TRIBE OF FLORIDA FOR GAMING ON TRIBAL LANDS

SEMINOLE TRIBE OF FLORIDA
HOLLYWOOD, FLORIDA

RESOLUTION No. C-254-05

- WHEREAS, the Seminole Tribe of Florida is an organized Indian Tribe as defined in Section 16 of the Act of June 18, 1934, as amended; and
- WHEREAS, the Tribal Council of the Seminole Tribe of Florida is the governing body of the Seminole Tribe of Florida; and
- WHEREAS, the Indian Gaming Regulatory Act, 25 U.S.C. sec. 2701, et seq., enacted on October 17, 1988, provides a statutory basis for the Seminole Tribe of Florida to regulate gaming conducted within the boundaries of its Tribal lands; and
- WHEREAS, the referenced Act established the National Indian Gaming Commission which has promulgated certain regulations, 25 C.F.R. Chapter III; and
- WHEREAS, the Tribal Council duly enacted Ordinance C-02-94, the Seminole Tribal Gaming Ordinance, on September 30, 1993, which was approved by the Commission's Chairman on December 7, 1993; and
- WHEREAS, on November 20, 1995, the Seminole Tribe of Florida established the Seminole Tribal Gaming Commission by Tribal Council Resolution No. C-110-96 to exercise any and all powers and responsibilities set forth in the Seminole Tribal Gaming Ordinance to ensure compliance with the referenced Act as implemented by the regulations promulgated by the National Indian Gaming Commission. Said resolution amended Section 5-2 of the Seminole Tribal Gaming Ordinance and established the Seminole Tribal Gaming Commission which would consist of five Tribal members and the five voting members of the Tribal Council were appointed to said body; and
- WHEREAS, on October 12, 1999, the National Indian Gaming Commission by public notice encouraged Indian tribal governments conducting gaming on their tribal lands to ensure that their tribal gaming commissions are independent due to their different roles as operator and regulator, respectively, where ideally no tribal council member would serve on their tribe's gaming commission; and
- WHEREAS, the Tribal Council having determined that the Seminole Tribal Gaming Commission should include an additional five representatives by appointment of the Tribal Council in addition to the five duly elected voting members of the Tribal Council in order to ensure the integrity of Tribal gaming and better distinguish the roles of gaming operation from gaming regulation; and

RE: AMENDMENT OF ORDINANCE NO. C-02-94, SECTION 5-2 OF THE ORDINANCE OF THE SEMINOLE TRIBE OF FLORIDA FOR GAMING ON TRIBAL LANDS

RESOLUTION No. C-254-05

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WHEREAS, on September 27, 2001 the Tribal Council of the Seminole Tribe of Florida by Tribal Council Resolution No. C-199-01, amended Section 5-2 of Tribal Council Ordinance No. C-02-94. The amendment provided that the Council may appoint a committee to be known as the Seminole Tribal Gaming Commission, consisting of ten (10) Tribal members, five of which are voting officials of the Council and five (5) which are appointed by the Council; and

WHEREAS, the Tribal Council of the Seminole Tribe of Florida made a determination that the Seminole Tribal Gaming Commission should now be comprised of only five (5) tribal member Commissioners appointed by the Tribal Council of the Seminole Tribe of Florida; and

WHEREAS, the five (5) members of the Tribal Council shall now serve as non-voting liaison representatives to the Gaming Commission and in that capacity a Tribal Council member will attend a Gaming Commission meeting when held at the Tribal Reservation which he or she represents in the capacity of such non-voting liaison representative only; and

WHEREAS, the Tribal Council of the Seminole Tribe of Florida is otherwise fully advised.

NOW THEREFORE BE IT RESOLVED: that the Tribal Council of the Seminole Tribe of Florida hereby approves an amendment of Section 5-2 of Tribal Council Ordinance No. C-02-94, an Ordinance of the Seminole Tribe of Florida for Gaming on Tribal Lands, and which section hereafter shall read as follows:

"The Seminole Tribal Gaming Commission shall consist of five (5) Tribal members appointed by the Tribal Council of the Seminole Tribe of Florida commencing with the 2005 Regular Election and at twenty-four (24) month increments in conjunction with the Regular and General Elections."

"The five (5) members of the Tribal Council shall serve as non-voting liaison representatives to the Seminole Tribal Gaming Commission and in that capacity a Tribal Council member will attend a Gaming Commission meeting when held at the Tribal Reservation he or she represents in the capacity of such non-voting liaison only." ; and

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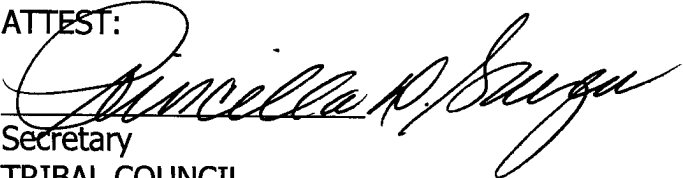
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BE IT FURTHER RESOLVED: that this Resolution is hereby adopted after motion made by Max B. Osceola, Jr. seconded by David R. Cypress, and a roll call vote as follows:

Chairman Mitchell Cypress..... AYE
Vice-Chairman Moses B. Osceola..... AYE
Council Representative David R. Cypress..... AYE
Council Representative Andrew Bowers..... AYE
Council Representative Max B. Osceola, Jr..... AYE

DONE THIS 31ST day of August, 2005, at a special meeting of the Tribal Council, duly convened at Hollywood, Florida, with a quorum being present, by a vote of 5 for, 0 against, with 0 abstentions.


Chairman
TRIBAL COUNCIL

ATTEST:

Secretary
TRIBAL COUNCIL