



Via Facsimile and U.S. Mail

August 9, 2012

W. Charles Ulrey, Jr., Director of Development
Ottawa Tribe of Oklahoma
P.O. Box 110
Miami, OK 74355
Fax: (918) 542-3214

Re: Indian Lands Legal Opinion

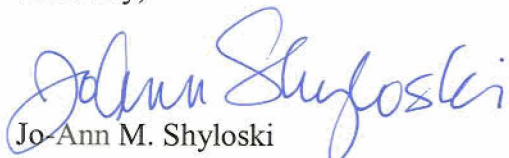
Dear Director Ulrey:

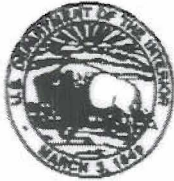
Thank you for your letter dated December 21, 2011, requesting an Indian lands opinion from the National Indian Gaming Commission Office of General Counsel regarding two parcels of land as follows: Lots 31 and 32, Block 117, City of Miami, Original Plat, Ottawa County, Oklahoma, and Lots 1, 2, 3, and 4, Block 125, City of Miami, Ottawa County, Oklahoma.

You provided copies of trust deeds for both properties and letters from BIA confirming the parcels are within the Ottawa Tribe of Oklahoma's (Tribe) former reservation. We have reviewed the submission and the Bureau of Indian Affairs confirmed that the parcels are in trust for the Tribe and within the Tribe's former reservation in Oklahoma as defined by the Secretary. Therefore, the parcels are Indian lands eligible for gaming as trust lands over which the Tribe exercises governmental power. See 25 U.S.C. § 2703(4). Although the trust deeds are dated July 15, 2004, and August 17, 2004, the parcels are not subject IGRA's prohibition on gaming on trust lands acquired after October 17, 1988, because they are within the boundaries of the Tribe's former reservation in Oklahoma as defined by the Secretary. See 25 U.S.C. § 2719(a)(2)(A)(i).

If you have any questions, please feel free to contact me at 202-632-7003.

Sincerely,


Jo-Ann M. Shyloski
Associate General Counsel



**United States Department of the Interior
BUREAU OF INDIAN AFFAIRS**

Miami Agency
Post Office Box 391
Miami, Oklahoma 74355



IN REPLY REFER TO:

JAN 31 2012*Via Facsimile and U.S. Mail*

To: Ms, Dawn Baum, Staff Attorney
National Indian Gaming Commission
1441 L. N.W. Suite 9100
Washington D.C. 20005

From: Superintendent, Miami Agency

Subject: Indian lands opinion -- Ottawa Tribe of Oklahoma

The Bureau of Indian Affairs, Eastern Oklahoma Region, Miami Agency (Agency) is in receipt of your correspondence dated January 27, 2012. The correspondence requested the Agency to reconfirm that the following described parcels are trust lands and located within the Ottawa Tribe of Oklahoma's (Tribe) last existing reservation as defined by the Secretary:

Lots 31, and 32, Block 117, City of Miami, Original Plat, Ottawa County,
Oklahoma and Lots 1, 2, 3 and 4, Block 125, City of Miami, Ottawa County,
Oklahoma.

The Agency reaffirms that the aforementioned property is held in Trust for the Tribe and is located within the last existing reservation as defined by the Secretary. If you have additional questions, please feel free to contact me at (918) 542-3396.

CC: Karen Ketcher, Acting Regional Director
Eastern Oklahoma Regional Office
Bureau of Indian Affairs
P.O. Box 8002
Muskogee, OK 74402
Fax: (918) 781-4604