

Winn-A-Bingo operation on the Iowa side to take a firsthand look at just what that operation is and to give ourselves an opportunity to really sort through the issue of whether retrocession is going to make it easier for that sort of operation or more likely for that sort of operation to be set up in Nebraska. And for legal reasons as well as I think factual and experiential reasons, I don't think it is the case that retrocession is going to make a gambling operation more likely than it currently is. The purpose of these three WHEREAS resolutions is, number one, to recite current law, current law as interpreted by our Attorney General in an opinion that he sent Senator Conway in July and current law as two or three federal courts of appeals have stated it. And, secondly, the purpose of those three WHEREAS paragraphs, and here I think Senator Goll and I are in total agreement, is to memorialize and to cement as much as possible a commitment the tribe has made to us that it is not going to do that. The tribe, in a resolution passed on January 8, has indicated that, (A), they will not in any respect violate any state or federal law in conducting any gaming operations on the Nebraska side, and, (B), that they have utterly no intent of undertaking any such operation at this time. They argued, Chairman Snake, when the Judiciary Committee met up in Winnebago, and I have his comments here, assured the committee that they have absolutely no plans to undertake gaming operations, that it would be counterproductive because of their operation across the river and it is simply not something that is going to be done. What I wanted to do in these WHEREAS paragraphs was to take those commitments and those comments and cement them into this resolution so that when the Bureau of Indian Affairs reviews this resolution, when the NITOR (phonetic) is approving it, they will understand the commitments made, and then when we vote on the resolution here, we will understand the commitments made. Now, Senator Goll is correct, this is a very fluid area, the law is changing all the time but current law in Nebraska, according to our Attorney General and according to courts of appeals around the country that have ruled on this issue, is that retrocession does not in any respect either increase or decrease the rights or the privileges or the authorities of Indian tribes to undertake either legal or illegal gaming operations. By legal I mean bingo which is legal under Nebraska law, by illegal I mean slot machines which are illegal under current Nebraska law. That is the current state of the law and that's clear. That's relatively clear,