April 13, 2010

Via Facsimile and U.S. Mail

George Blanchard, Chairman
Absentee Shawnee Tribe of Oklahoma
2025 S. Gordon Cooper Dr.
Shawnee, OK 74801
Fax: 405-275-5637

Re: Absentee Shawnee Tribe of Oklahoma Gaming Ordinance (Aug. 20, 2009).

Dear Chairman Blanchard:

This letter responds to your request that the National Indian Gaming Commission ("NIGC") review and approve the Absentee Shawnee Tribe of Oklahoma's ("Tribe's") March 17, 2010 amended gaming ordinance. The Tribe adopted its amended gaming ordinance via resolution L-AS-2010-12.

This is to acknowledge that the NIGC received the Tribe's amended gaming ordinance submission on September 9, 2009. Consequently, the ordinance has now been deemed approved by operation of law, but I would have approved the amendment anyway as fully compliant with the Indian Gaming Regulatory Act ("IGRA") and NIGC regulations. *See* 25 U.S.C. § 2701 *et seq.*; 25 C.F.R. §§ 502 - 577.

Thank you for submitting the Tribe's amended gaming ordinance for review. The NIGC apologizes for the confusion regarding your submission. If you have any questions or concerns regarding this letter or the ordinance review process, please contact Staff Attorney Rebecca Chapman at (202) 632-7003.

Sincerely,

George T. Skibine
Acting Chairman

cc: Alyssa Campbell, Attorney General, Absentee Shawnee Tribe of Oklahoma

MAR 29 2010

LEGISLATIVE

RESOLUTION NO. L-AS-2010-12

ABSENTEE-SHAWNEE TRIBE OF OKLAHOMA

REGULAR EXECUTIVE COMMITTEE MEETING

MARCH 17, 2010

A RESOLUTION DULY ADOPTED BY THE EXECUTIVE COMMITTEE OF THE ABSENTEE SHAWNEE TRIBE OF OKLAHOMA AMENDING THE ABSENTEE SHAWNEE TRIBE OF INDIANS OF OKLAHOMA GAMING ORDINANCE AS PROVIDED FOR IN THE ATTACHMENT "EXHIBIT A", EFFECTIVE IMMEDIATELY.

WHEREAS, the Absentee-Shawnee Tribe of Oklahoma is a federally recognized Indian Tribe exercising all inherent sovereign rights from time immemorial; and

WHEREAS, the Absentee-Shawnee Tribe of Oklahoma has a Constitution approved by the Department of Interior last amended in August, 1988; and

WHEREAS, the Executive Committee of the Absentee-Shawnee Tribe of Oklahoma is empowered by the Constitution to speak and otherwise conduct business in the name of, and on behalf of, the Absentee-Shawnee Tribe of Indians of Oklahoma; and

WHEREAS, the authorities granted by this Resolution shall be continuing until and unless rescinded by separate action of this body; and

WHEREAS, it is the responsibility of the Executive Committee to uphold its constitutional responsibility of the Tribe and its membership as the highest priority; and

WHEREAS, from time to time it is necessary to amend laws and ordinances to reflect the best interests of the Tribe and the Executive Committee believes it to be in the best interest of the Tribe for the Gaming Ordinance to be amended; and

NOW THEREFORE BE IT RESOLVED, that the Absentee Shawnee Tribe of Oklahoma amends the Absentee Shawnee Tribe of Indians of Oklahoma Gaming Ordinance as provided for in the attachment "Exhibit A", **EFFECTIVE IMMEDIATELY.**

CERTIFICATION

We, George Blanchard, Governor and Michelle Lopez, Secretary of the Absentee Shawnee Tribe of Oklahoma, do hereby certify this Resolution No. L-AS-2010-12 to be a true and exact copy as approved by the Executive Committee of the Absentee Shawnee Tribe of Oklahoma at a duly called meeting held on March 17, 2010, there being a quorum present, by vote of 4 in favor, 0 opposed, and 0 abstentions, as follows: Lt. Governor Little Axe: Yes, Secretary Lopez: Yes, Treasurer Chisholm: Yes, Representative Onzahwah: Yes, Governor Blanchard's vote, if required, NA.

GEORGE BLANCHARD, Governor

MICHELLE LOPEZ, Secretary

ABSENTEE SHAWNEE TRIBE OF OKLAHOMA
SEAL

ABSENTEE SHAWNEE TRIBE OF OKLAHOMA
GAMING ORDINANCE

Revised and amended March 17, 2010

MAR 29 2010

Section 1. Scope.

The Absentee Shawnee Tribe of Oklahoma Gaming Ordinance shall apply to all gaming conducted within the territorial jurisdiction of the Absentee Shawnee Tribe of Indians of Oklahoma.

Section 2. Purpose.

This Ordinance is intended to promote the peace, safety, and welfare of all persons coming within the jurisdiction of the Absentee Shawnee Tribe of Indians of Oklahoma by insuring that any game conducted within the tribal jurisdiction is conducted in a fair and responsible manner.

Section 3. Definitions.

a. "Gaming" shall include all games in manner, type and definition as described in Public Law 100-497 - The Indian Gaming Regulatory Act (definitions, 25 U.S.C. 2703, section 4, paragraphs 6-8) as defined in the National Indian Gaming Commission Regulations (25 CFR Part 502, sections 502.2, 502.3, and 502.4); State Gaming Compact and as detailed in the Oklahoma State - Tribal Gaming Act approved November 2, 2004.

b. "Court" means the District Court of the Absentee Shawnee Tribe of Oklahoma unless otherwise specified.

c. "Executive Committee" means the Absentee Shawnee Tribal Executive Committee.

d. "Gaming Commission" or "Commission" means the regulatory agency established by the Absentee Shawnee Tribal Executive Committee to monitor all gaming conducted within the jurisdiction of the Absentee Shawnee Tribe of Indians of Oklahoma, and charged with the responsibility to protect Tribal assets. The Gaming Commission is composed of a full-time staff headed by an Executive Director, and two part-time Gaming Commissioners who conduct hearings, approve licensing actions and adjudicate appeals.

Section 4. Gaming Licenses.

No person or legal entity shall conduct any game or gaming-related activity, or provide equipment, supplies, or services within the jurisdiction of the Absentee Shawnee Tribe of Indians of Oklahoma without a license issued pursuant to this Ordinance. No games shall be played which are not conducted pursuant to Federal Public Law 100-497, the National Indian Gaming

Commission Regulations, the State of Oklahoma State-Tribal Compact, and the Absentee Shawnee Tribal Gaming Commission Policies and Procedures.

Section 5. Filing Instruments with the Gaming Commission.

Any document, affidavit, return, report, fee or other instrument of payment required to be filed with, delivered to, or served upon the Gaming Commission according to this Ordinance shall be deemed to be properly filed, delivered or served, as the case may be, if it is filed, delivered, or served upon the Gaming Commission Executive Director, or any full time employee of the Gaming Commission Compliance department.

Section 6. Issuance of Instruments by the Gaming Commission.

Any registration form receipt, license application acknowledgment, or other instrument which the Gaming Commission is required or permitted to issue pursuant to the Ordinance, may be issued by the Gaming Commission Executive Director or any full time staff member, in accordance with the current Gaming Commission Policies and Procedures Handbook. Issuance by any such authorized person shall have the same effect as if such instrument were personally issued by the Gaming Commission Executive Director.

Section 7. Audits and Reviews.

Any individual, organization, or corporation which applies for or receives a license to conduct gaming, gaming-related activities, or to provide equipment, supplies, or services within the jurisdiction of the Absentee Shawnee Tribe of Indians of Oklahoma pursuant to this Ordinance shall be deemed to have consented to the jurisdiction of the Courts of the Absentee Shawnee Tribe of Oklahoma, and the Tribe's laws, and shall be subject to seizure of any funds owed, and may be subject to an audit review of records by authorized accounting or law enforcement agencies of the Tribe without notice or warrant.

Section 8. Citation.

The Ordinance may be cited as the Absentee Shawnee Gaming Ordinance of 1990, as revised and amended March 17, 2010.

Section 9. Severability.

The provisions of this Ordinance are severable, and if any part or provision hereof shall be held void by appropriate judicial authority, the decision of the Court in so holding shall not affect or impair any of the remaining parts of provisions of the Ordinance.

TITLE I – DEVELOPMENT, ADMINISTRATION AND ENFORCEMENT

Section 101. Absentee Shawnee Tribe Gaming Commission Established.

In order to provide for the orderly development, administration and regulation of all Absentee Shawnee Tribe of Oklahoma gaming enterprises, there is established the Absentee Shawnee Tribal Gaming Commission. The Absentee Shawnee Tribal Governor shall nominate persons to serve as Gaming Commissioners, subject to confirmation by the Tribal Executive Committee. The Gaming Commission shall consist of two duly appointed, part-time gaming commissioners, one designated as Gaming Commissioner and one designated as Deputy Gaming Commissioner as well as optional full-time staff departments which may include, but is not limited to, Executive Director, Compliance, Surveillance, Background Licensing, Vendor Licensing, Internal Audit, and any other departments or divisions that may be required in order to accommodate future gaming growth. The Gaming Commissioners shall recommend, and the Governor shall appoint, a Gaming Commission Executive Director. The Gaming Commission Executive Director shall provide progress reports/updates as requested and receive guidance from the Absentee Shawnee Tribe's Executive Committee. Under the direction of the Gaming Commission Executive Director, the gaming commission staff shall monitor the tribe's gaming enterprise(s) for compliance with all National Indian Gaming Commission (NIGC) and tribally prescribed rules, regulations, and policies; track, audit, and recommend annual external audit contracts, and verify all gaming revenues; prepare appropriate Annual Gaming Commission budgets, hire and staff all Gaming Commission departments and divisions for all Absentee Shawnee Tribal gaming enterprises; inspect and supervise the installation of all gaming equipment; perform background investigations of gaming enterprise employees and gaming enterprise vendors; recommend the issuance of, or denial of, Absentee Shawnee Tribal gaming licenses; recommend the suspension or revocation of existing gaming licenses. All Gaming Commissioners shall serve in a part-time capacity only, and any appointment shall be based only on the integrity and qualifications of the appointee, and not on popularity, as the nature of the Gaming Commissioner position is to adjudicate and fairly apply the rules, regulations, and policies adopted by the National Indian Gaming Commission, in accordance with any compact with the State of Oklahoma, and the Absentee Shawnee Tribal Executive Committee, and not to represent the tribal community at large.

Section 102. Gaming Commissioner Qualifications

The Gaming Commissioner and Deputy Commissioner must meet the following qualifications:

a. Never been convicted of a felony, gaming offense or crime involving dishonesty or moral turpitude.

b. Not have a direct or indirect financial interest in the gaming facility.

c. Not be a member of the Executive Committee or Election Commission or related to any member of the Executive Committee or Election Commission by blood or marriage within the second degree, however, a Gaming Commissioner, who has been qualified and is serving a term of office, shall be allowed to complete his

term of office in the event that a person related to the Gaming Commissioner by blood or marriage within the second degree is elected to a position on the Executive Committee or Election Commission. In this event, that a currently serving Gaming Commissioner shall not be disqualified from the term of office but shall be allowed to complete the term of office, but shall not be eligible for re-appointment to that position so long as they are related to a currently sitting member of the Executive Committee or Election Commission.

d. Not have had his/her surety bond forfeited or been criminally convicted or found civilly liable for any breach of fiduciary duty to the tribe or have been impeached or removed from Tribal office.

e. Be at least twenty-five (25) years of age.

f. Be a lay member of the tribal community or a non-tribal member closely associated with the Absentee Shawnee Tribe, or an individual who possesses gaming regulatory experience.

g. All Gaming Commissioners in order to support the standards and strict compliance required of all other gaming enterprise associates, should be subject to the same background investigations and licensing standards in all gaming enterprise and gaming commission employees, and their investigation should be handled in the same manner as any other background investigation, and be conducted by the gaming commission's background investigators.

h. Gaming Commissioners are prohibited from participating in any aspect of gaming in any of the Absentee Shawnee Tribe gaming enterprises and facilities during the term of their office.

Section 103. Gaming Commission Term of Office.

Said Commissioners shall be appointed for a period of four (4) years. In order to maintain continuity, the terms for each Gaming Commissioner should be staggered such that only one Commissioner is replaced every even-numbered year. The Gaming Commissioner shall be the senior member of the Gaming Commission. When the senior member vacates office, the Deputy Gaming Commissioner of the Gaming Commission shall automatically shift to the higher office of Gaming Commission and the newly appointed member shall be designated as the Deputy Gaming Commissioner.

Section 104. Vacancies and Interim/Temporary Commissioners.

a. Should any vacancy occur, the office shall be filled by appointment of the Governor and confirmed by the Executive Committee and the un-expired portion of the Commissioner's term shall be filled in the same manner as the initial appointment of a Commissioner.

b. An interim commissioner may be selected by the Governor any time a vacancy occurs. Such an interim commissioner shall fill the position until the Executive Committee confirms the appointment of a person to fill the Commissioner's position. An interim commissioner shall be subject to the same background investigation as a regularly appointed commissioner and nothing in this section shall prohibit such person from serving as an interim commissioner pending the outcome of key employee review.

Section 105. Removal and Suspension of Gaming Commissioners.

a. A commissioner may be removed from office prior to the end of any term for cause under the provisions of tribal law pertaining to same.

b. A commissioner may be suspended by the Executive Committee for ninety (90) days for cause. During such suspension, an interim commissioner shall be appointed.

c. Commissioners shall serve their terms of office free from political influence from any department of the government and may be removed only for cause, after a hearing in the Absentee Shawnee District Court.

Section 106. Quorum.

A quorum for the conduct of business shall be both gaming commissioner and deputy gaming commissioner. Changes to the Absentee Shawnee Tribal Minimum Internal Control Standards or to the Gaming Commission Policies and Procedures must be approved by both Gaming Commissioners. Each Commissioner is vested with one vote for any decision. If any action is not passed by unanimous approval, then the action fails.

Section 107. Duties and Responsibilities of Gaming Commissioners.

a. The Absentee Shawnee Tribe of Oklahoma Gaming Commission shall be charged with the sole responsibility of administering and enforcing the provisions of the Gaming Ordinance.

b. A Gaming Commissioners' duties and responsibilities are limited and specific in order to enable such Commissioner to fairly and impartially review and adjudicate all matters relating to employee, vendor and gaming enterprise compliance with all National Indian Gaming Commission (NIGC), Compact requirements, and tribally prescribed rules, regulations and policies.

c. These duties and responsibilities shall include, but are not limited to the following:

1. Gaming Commissioners shall review all employee and vendor licensing applications and approve· the issuance or deny the issuance of valid temporary gaming licenses.

2. Gaming Commissioners shall approve or deny the suspension or revocation of existing gaming licenses.

3. Gaming Commissioners shall hear and decide appeals regarding gaming enterprise employee licensing or gaming patron disputes within a reasonable time after the incident occurs.

4. Gaming Commissioners shall adjudicate all other matters related to violations of the Absentee Shawnee Tribal Minimum Internal Control Standards brought before the Gaming Commission by Gaming Commission departments or divisions.

5. Gaming Commissioners shall review compliance, internal and external audit reports to ensure compliance with NIGC, State Compact, and tribally prescribed rules, regulations, and policies.

6. Gaming Commissioners shall review surveillance and compliance investigation reports.

7. Gaming Commissioners shall make final determination regarding the issuance of permanent gaming licenses following NIGC review of all key employee gaming license applications.

d. Gaming Commissioners shall not attempt to manage, control, manipulate, or influence Absentee Shawnee Tribal gaming enterprise operations in any way.

e. Gaming Commissioners do not have supervisory authority over gaming commission staff, and therefore should not participate in, direct or attempt to influence the outcome, course or direction of a gaming commission investigation into any aspect of compliance, surveillance, revenue control, background investigation, or internal audit, or any other gaming commission department or division, but must remain independent of all gaming operations and investigations so as to be prepared at all times to fairly and impartially judge all matters brought before them.

Section 108. Duties of Gaming Commission Staff.

a. It shall be the responsibility of the Gaming Commission, under the direction of the Executive Director, to timely promulgate regulations necessary to administer the provisions of this Gaming Ordinance.

b. These duties shall include, but are not limited to, the following:

1. Printing and making available employee and vendor license application forms for initial and renewal licenses, as well as any other necessary licenses.

2. Supervising the collection of license fees and other revenues prescribed in this Gaming Ordinance and other tribal ordinances relating to gaming and gaming-related activities.

3. Processing all license applications.

4. Issuing licenses.

5. Determining and regulating applicable license fees within a reasonable dollar amount.

6. Performing internal audits and contracting for external audits in accordance with NIGC, State Compact, and tribal rules; regulations and policies.

7. Reviewing all gaming equipment and gaming operation contracts, records, documents necessary and pertinent to the financial accountabilities of licensees, or enforcement of any provision of gaming equipment and gaming operation contracts, agreements, and this or other related gaming ordinances.

8. Conducting all aspects of gaming licensing. The Absentee Shawnee Tribe of Oklahoma Gaming Commission shall have the power and authority to deny any application, to limit, condition, suspend, or revoke any license, to order the imposition of a fine upon any licensed person or gaming vendor for any cause deemed reasonable by the Gaming Commission, or to make assessment for money owed the Absentee Shawnee Tribe of Oklahoma by contract or license agreement, and to levy collection of the same with or without notice.

9. Performing any other duties required in the Gaming Ordinance or in any amendments thereto, which may be hereafter specified by the Absentee Shawnee Tribe of Oklahoma Gaming Commission.

10. Defending their actions in any court of competent jurisdiction or initiating any actions with the consent of the Executive Committee.

Section 109. Gaming Commission Authority.

a. The Absentee Shawnee Tribe of Oklahoma Gaming Commission may exercise any reasonable power and authority necessary to perform the duties assigned by this Gaming Ordinance, and is not limited by any enumeration of powers in the chapter.

b. Gaming Commission shall not revise contracts but only may approve or deny contracts dealing with machine placement, gaming equipment or gaming services and shall only review the contracts to determine if the provisions are in violation of the Minimum Internal Control Standards (MICS), Tribal Internal Control Standards (TICS), National Indian Gaming Commission (NIGC) regulations, Indian Gaming Regulatory Act (IGRA), or the Gaming Ordinance. Gaming Commission shall not make any revisions to contracts.

c. Gaming Commission shall provide documentation upon denial of a contract citing the reason the contract was denied, identify the section that is not consistent with regulations and identify what regulation it is not compliant with.

d. Construction contracts and contracts for financing or lending of money are excluded from approval by Gaming Commission. Construction companies and financing companies who are not involved in gaming machine leases are exempt from being licensed by the Gaming Commission.

Section 110. Confidentiality of Informant.

The Absentee Shawnee Tribe of Oklahoma Gaming Commission may refuse to reveal, at any court proceedings, the identity of any informant, if such revelation would subject the informant to bodily harm.

Section 111. Gaming Commission Meetings.

Regular and special meetings of the Absentee Shawnee Tribe of Oklahoma Gaming Commission may be held, at the discretion of the Absentee Shawnee Tribe of Oklahoma Gaming Commission, at such times and places as may be convenient and open to tribal members, with the notice posted in a public place at least twenty-four (24) hours prior to the meeting.

Section 112. Gaming Commission Organization.

The Absentee Shawnee Tribe of Oklahoma Gaming Commission may organize and form departments or divisions as may be necessary and from time to time alter such plan of organization as may be expedient. The Absentee Shawnee Tribe of Oklahoma Gaming Commission shall recommend the budget for operations, to the Executive Committee and take any other steps necessary to fulfill duties and responsibilities under the Gaming Ordinance.

Section 113. Gaming Regulation Amendments and Revisions.

In adopting, amending, or repealing any regulations under this Gaming Ordinance, the Absentee Shawnee Tribe of Oklahoma Gaming Commission shall give prior notice of the proposed action to all licenses and other persons whom the Absentee Shawnee Tribe of Oklahoma Gaming

Commission has reason to believe have a legitimate and bona fide interest in such proposed action.

Section 114. Gaming Ordinance Hearings.

The Absentee Shawnee Tribe of Oklahoma Gaming Commission shall afford an applicant for a license or permit an opportunity for a hearing with one Gaming Commissioner prior to final action denying such applications and shall afford a licensee or other person or persons subject to the Gaming Ordinance the same opportunity for a hearing with one Gaming Commission prior to taking final action resulting in terminating, revoking, suspending, or limiting a license or any other adverse action the Absentee Shawnee Tribe of Oklahoma Gaming Commission deems appropriate; provided that the Absentee Shawnee Tribe of Oklahoma Gaming Commission, with the approval of the Executive Director, may summarily and temporarily suspend or extend the suspension of a gaming license for sixty (60) days in those cases where such action is deemed appropriate by the Absentee Shawnee Tribe of Oklahoma Gaming Commission. In cases where a license is suspended prior to a hearing, an opportunity for hearing with one Gaming Commissioner shall be provided.

Section 115. Gaming Commission Certification of Findings.

Whenever upon specific factual finding the Absentee Shawnee Tribe of Oklahoma Gaming Commission determines that any person has failed to comply with the provisions of the Gaming Ordinance, or any regulation promulgated hereunder, the Absentee Shawnee Tribe of Oklahoma Gaming Commission shall make a certification of findings with a copy thereof to the subject or subjects of that determination. After five (5) days notice and within ninety (90) days thereof, the Absentee Shawnee Tribe of Oklahoma Gaming Commission's Gaming Commissioner shall hold a hearing at which time the subject shall have the opportunity to be heard and present evidence.

Section 116. Licensing Hearings.

At such hearing it shall be the obligation of the subject to show cause why the determination is incorrect, why the application in question shall not be denied, why the license or permit in question shall not be revoked or suspended, why the period of suspension should not be extended, or to show cause why special conditions or limitations upon a license or permit should not be imposed, or to show cause why any other action regarding any other person or persons subject to any action should not be taken.

Section 117. Adjudication of Licensing Disputes.

Following such hearing the Absentee Shawnee Tribe of Oklahoma Gaming Commission's Gaming Commissioners shall within seven (7) days, reach a determination concerning the accuracy of the preliminary certification of facts and whether the license in question should be granted, continued or suspended, revoked, conditioned or limited, and whether or not any other action recommended to or by the Absentee Shawnee Tribe of Oklahoma Gaming Commission (including, but not limited to forfeitures or fines) should be taken.

Section 118. Gaming Commission Conflict.

Each Gaming Commissioner shall execute a conflict of interest provision disclosing potentially unethical situations. In the event that a conflict arises, the Commissioner with the conflict shall recuse himself/herself from hearing the issue. The issue shall be heard by another sitting member of the Gaming Commission. In the event that all Gaming Commissioners are conflicted, the District Judge of the Absentee Shawnee District Court shall preside over the issue.

Section 119. Appeals.

A. The Supreme Court of the Absentee Shawnee Tribe of Oklahoma shall have exclusive jurisdiction to hear appeals from final decisions of the Absentee Shawnee Tribe of Oklahoma Gaming Commission denying, modifying, conditioning, or revoking any license.

B. Any affected party may appeal any final decision of the Absentee Shawnee Tribe of Oklahoma Gaming Commission within thirty (30) days after such decision by filing a notice of appeal with the Absentee Shawnee Tribe of Oklahoma Gaming Commission and serving a copy on the Absentee Shawnee Tribe. Thereafter, the Absentee Shawnee Tribe of Oklahoma Gaming Commission shall promptly file the full record of the proceeding, including the notice of appeal with the Supreme Court of the Absentee Shawnee Tribe of Oklahoma.

C. In all appeals, the Supreme Court of the Absentee Shawnee Tribe of Oklahoma shall give proper deference to the Absentee Shawnee Tribe of Oklahoma Gaming Commission. The Supreme Court of the Absentee Shawnee Tribe of Oklahoma shall not set aside, modify, or remand any determination by the Absentee Shawnee Tribe of Oklahoma Gaming Commission unless it finds the determination is arbitrary and capricious, unsupported by substantial evidence or contrary to law. The Supreme Court of the Absentee Shawnee Tribe of Oklahoma shall issue a written decision on all appeals, which decision shall be final.

D. The Supreme Court of the Absentee Shawnee Tribe of Oklahoma may, in its discretion, award costs and attorneys' fees to the Absentee Shawnee Tribe of Oklahoma against any appellant whose appeal was frivolous, malicious or in bad faith. Such fees shall be assessed and collected as a tax imposed under this title.

Section 120. Finality of Commission of Supreme Court Action.

Any final finding or determination of the Absentee Shawnee Tribe of Oklahoma Gaming Commission which is not timely appealed, and any final determination of the Supreme Court of the Absentee Shawnee Tribe of Oklahoma in proceedings pursuant to Section 119, shall be final and binding in any other proceeding against or by the same person before the Absentee Shawnee Tribe of Oklahoma Gaming Commission or the Supreme Court of the Absentee Shawnee Tribe of Oklahoma.

Approved by L-AS-2010-12
March 17, 2010

TITLE II. – LICENSING/PERMITS

Section 201: License Required.

Any person, organization, or corporation conducting gaming, gaming-related activities, or providing equipment, supplies, or services within the jurisdiction of the Absentee Shawnee Tribe of Indians of Oklahoma shall be required to have and display prominently an appropriate, valid and current Gaming license issued pursuant to the provisions of this Ordinance. Any other forms of public gaming operations being conducted within the jurisdiction of the Absentee Shawnee Tribe of Oklahoma without the lawful written approval of the Absentee Shawnee Tribe of Oklahoma Gaming Commission are prohibited.

Section 202: Licensing Fees.

Licenses shall be issued for Absentee Shawnee Tribal Gaming Enterprise managers and employees, Gaming Commission employees and Gaming Commissioners, as well as any vendor providing games, gaming-related equipment, supplies, or services, and each shall have a separate fee, and each shall grant separate privileges as detailed in the Gaming Commission Policies and Procedures manual. Licensees shall operate and conduct only those activities authorized under each license as listed in this Ordinance or as may be further specified in regulations promulgated pursuant to this Ordinance.

Section 203: Exemptions.

The following activities are not public gaming operations under the terms of this Ordinance, and therefore do not require a license under this title:

A. Gaming not for gain. Gaming in which no cash or valuable prizes are won, other than "points" for cumulative competitive ratings, or "places" for immediate competitive rankings, is not subject to the provisions of this Ordinance. However, gaming for gain which is conducted by a non-profit organization is subject to the requirements of this Ordinance if case or valuable prizes are awarded. "Valuable prize" means an object or service worth $100.00 (One hundred dollars) or more in fair market value.

Section 204: License application deadline.

All persons or organizations who may seek to engage in public gaming activities within the jurisdiction of the Absentee Shawnee Tribe of Oklahoma must apply for the same at least thirty (30) days prior to the scheduled activities.

Section 205: License renewals.

Every licensee intending to continue engaging in public gaming activities within the Absentee Shawnee Tribe of Oklahoma during the next following calendar year shall apply for renewal of the license at least thirty (30) days prior to the end of the previous license period.

Section 206: License display.

Every licensee shall wear or display in a prominent place a current and valid Absentee Shawnee Gaming license.

Section 207: License updates.

When a licensee changes a location of public gaming activating within the Absentee Shawnee Tribe of Oklahoma, the Gaming Commission shall issue a corrected license for the balance of the current period reflecting the new address upon reasonable proof of change of address and without imposition of an additional license fee.

Section 208: License Fees.

Each application for an initial or renewal license shall be accompanied by payment of the current license fee approved by the Gaming Commission. Subject only to the appeal as provided under this Ordinance, the Gaming Commission's determination of the license fee properly owed under this Ordinance shall be final. This fee is imposed for the revocable privilege of being licensed to engage in public gaming activities within the Absentee Shawnee Tribe of Oklahoma.

Section 209: Non-transferability.

The license issued pursuant to the provisions of this Ordinance is valid only for the person(s) or organization(s) at the place of business shown on the face thereof. It is not assignable or otherwise transferable to any other person or organization or for any other location without the written approval of the Gaming Commission.

Section 210: License fee usage.

All license fees shall become part of the Gaming Commission budget of the Absentee Shawnee Tribe of Oklahoma, and shall be used to offset the costs of the Gaming Commission operation.

Section 211: Revocable privilege.

The Gaming Operations license is a revocable privilege, and no holder thereof shall be deemed to have a part in any vested rights therein or there-under. The burden of providing qualifications to hold any license rests at all times in the licensee. The Gaming Commission is charged by law with the duty of continually observing the conduct of all licensees to the end that licenses shall not be held by unqualified or disqualified persons or unsuitable person(s) whose operations are conducted in an unsuitable or unlawful manner.

Section 212: Violations.

Violation of any provisions of this Ordinance or any of the Gaming Commission's rules by a licensee, his agent, or employee shall be deemed contrary to the public health, safety, morals,

good order, and general welfare of the Absentee Shawnee Tribe of Oklahoma and the inhabitants of the Absentee Shawnee Tribe of Okalahoma, and shall be deemed grounds for affirmative Gaming Commission action. Such Gaming Commission action shall include, but not limited to:

A. Suspension or revocation of a license;

B. Refusal to grant or renew a license;

C. Exclusion of individuals or individuals representing corporate entities from any or all gaming facilities;

D. Filing of court action.

Section 213: Licensee responsibilities.

Acceptance of a license or renewal thereof, or a condition imposed thereon, by a licensee constitutes an agreement on the part of the licensee to be bound by all the regulations and/or conditions of the Gaming Commission and by the provisions of this Ordinance as the same are now or may hereafter be amended or promulgated. It is the responsibility of the licensee to keep himself informed of the contents of all such regulations, provisions, and conditions, and ignorance thereof will no excuse the violations.

Section 214: Contract review by Gaming Commission.

As a provision of licensing, all contracts or agreements with the Absentee Shawnee Tribe of Oklahoma that include gaming or gaming-related activities, equipment, supplies or services must be reviewed by the Gaming Commission. Upon such review the Gaming Commission shall reform all gaming contracts to comport and comply with existing tribal and federal law. Any reformation provisions shall be prepared in writing and delivered to the Executive Committee and all other parties to the contract.

Section 215: Contract reformation.

Any person or entity entitled to receive notice of reformation subject to Section 214 may request a hearing for reconsideration of the Gaming Commission's reformation, provided such request is made within ten (10) days of delivery of reformation provisions, the Gaming Commission, upon such request, shall promptly set a hearing date, notify any person or entity entitled to notice pursuant to Section 214 of the hearing date in writing. At the hearing, the Gaming Commissioners shall receive testimony and exhibits to determine whether to amend the reformation provisions prepared pursuant to Section 214. In no event shall the Gaming Commission delay a hearing requested pursuant to this section more than forty-five (45) days beyond the date of issuance of notice of reformation pursuant to Section 214.

Section 216: Gaming Commission decisions.

At the conclusion of any hearing required by Section 215, the Gaming Commission shall within five (5) days render a written decision. Said decision shall contain a determination that reconsideration is warranted or not warranted. If reconsideration is warranted the Gaming Commission shall state whether any reformation is necessary and if so shall fully describe the contract reformation imposed. Nothing herein shall prevent the Gaming Commission from withdrawing its original determination that reformation is necessary. A copy of the decision of the Gaming Commission shall be sent immediately to the Executive Committee and all other parties to the reformed contract.

Section 217: Appeal of Gaming Commission decisions.

Within ten (10) days of the decision of the Gaming Commission issued pursuant to Section 216 the Executive Committee or any other parties to the reformed contract may initiate an appeal to tribal district court. The court shall review the decision of the Gaming Commission to determine whether the final reformation decision is an abuse of Gaming Commission discretion. If the court determines that no abuse of discretion exists, the Commission's decision shall stand as written. If the court determines that the Gaming Commission's decision is an abuse of discretion, the court shall vacate the decision and shall direct the Gaming Commission to prepare reformation if any is necessary pursuant to court order.

Section 218: Effective date.

Reformation of a contract pursuant to Section 214 shall be effective upon expiration of the time available for reconsideration by the Gaming Commission provided reconsideration is not requested. If reconsideration is requested, the reformation shall be effective upon the expiration of time for appeal to tribal court if no appeal is pursued. If tribal court appeal is pursued the effective date shall be ten (10) days from the date of decision by the tribal district court and provided that such reformation shall be consistent with the tribal court decision.

Section 219: Retention of Applications for Gaming Licenses.

All Applications for gaming licenses of key employees and primary management officialshall be maintained by the Gaming Commission for at least three (3) years after the key employee or primary management official is no longer employed with a gaming facility.

TITLE III. – RULES OR OPERATION AND GENERAL APPLICABILITY

Section 301: Records, Returns, and Audits.

It shall be the responsibility of the Gaming Commission to promulgate regulations establishing proper accounting procedures and methods of operations for all licensees, so that all monies or things of value received and/or paid out may be properly monitored and accounted for. All licensees under this Ordinance shall be required to keep an approved accounting system, which shall comply with, but not be limited to, all applicable provisions of this Ordinance or the regulations of the Gaming Commission. Said accounting system shall reflect all business and

financial transactions involved or connected in any manner with the operation and conducting of activities authorized by this Ordinance.

Section 302: Contracts subject to External Audit. All contracts for supplies, services, or concessions for a contract amount in excess of $ 25,000 annually (except contracts for professional legal or accounting services) relating to such gaming shall be subject to such independent audits;

Section 303: Licensee delays.

Any delay, maneuver or action of any kind, which in the opinion of the Gaming Commission, is effectuated by any licensee to unlawfully avoid paying the proceeds, fees, or fines properly owing to the Absentee Shawnee Tribe of Oklahoma shall constitute grounds for taking any disciplinary action deemed necessary by the Gaming Commission, including by not limited to, fining, revoking, suspending, limiting, or refusing to renew the license of any licensee. Further, the Gaming Commission shall have authority to make assessments of monies owed to the Absentee Shawnee Tribe of Oklahoma by contract or taxation and may levy collection of the same with or without notice.

Section 304: Requirement to produce records or information.

No applicant, licensee, or employee thereof shall neglect or refuse to produce records or evidence under his control, or to give information upon proper and lawful demand by the Gaming Commission, or shall otherwise interfere with any proper and lawful efforts by the Gaming Commission to produce such information. The Gaming Commission may summon any licensee or a licensee's agents, employees, or suppliers to appear to testify with regard to the conduct of any licensee or the agents, employees, or suppliers of any licensee. All such testimony shall be given under oath and may embrace any matters, which the Gaming Commission may deem relevant to the discharge of its official duties. Any person so summoned to appear shall have the right to be represented by counsel. Any testimony so taken may be used by the Gaming Commission as evidence in any proceeding or matter before the Gaming Commission or the tribal District Court. Failure to so appear and testify fully at the time and place designated, unless excused, shall constitute grounds for revocation or suspension of any license held by the person summoned, his principal, or employee, or the loss of the privilege to further supply any person licensed under this Ordinance.

Section 305: Facility security.

Licensees shall provide for their facility security, provided that contracts are reviewed, and security plans, or amendments thereto, are approved by the Gaming Commission prior to implementation.

Section 306: One gaming license per licensee.

Unless prior written approval is obtained from the Gaming Commission, no person employed in the conduct of gaming operating under one license shall be employed under any other license authorized to operate under this Code.

Section 307: Age limit for gaming.

No person who is under the age of eighteen (18) shall operate nor shall be allowed to participate in any manner in the operation of any game. No person(s) under the age of sixteen (16) shall be allowed on premises where games are being conducted. It shall be the responsibility of the licensee to enforce the provisions of this section.

Section 308: On duty operators shall not play.

No operator shall allow a person who manages or receives any compensation, directly or indirectly, for the operation of any games conducted by the operator to play in a game while on duty. No operator shall allow any person who assists in the operation on any game conducted by the operator to play in any game conducted by the operator within twenty-four (24) hours of the time said person did so assist.

Section 309: No free gaming for winners.

No free bingo cards, video games, table games or any other opportunity to play without charge in a game shall be awarded or given to a person as prize for or conditioned upon winning a bingo game or any other type of game. However, the Gaming Commission shall have the authority to grant exceptions upon request by the gaming facility management, and management is free to engage in industry-standard promotional and advertising incentives at all times.

Section 310: Prizes awarded.

Every prize awarded in any authorized Absentee Shawnee tribal gaming operation shall be awarded only to the person(s) actually winning the prize and/or displaying the proper admission ticket.

Section 311: Deleted. Rules and gaming procedures are found in the Tribal MICS and in gaming facility policies and procedures.

Section 312: Promotional activities.

Gaming facility management may be exempt from Section 309 and engage in promotions and activities that include prizes or awards as promotional incentives in all areas of the gaming facility. Gaming facility management must provide the Gaming Commission full details of any non industry-standard promotional activities and receive advance approval for each such non-standard promotional activity. Written approval for such non-standard promotional activities must remain on file with the Gaming Commission and with the gaming facility for a period of not less than one (1) year.

Section 313: Deleted. Rules and gaming procedures are found in the Tribal MICS and in gaming facility policies and procedures.

Section 314: Facility Control.

In all cases gaming facility management shall have and must exercise complete control over that portion of the premises being used for gaming at all times said games are being played. The gaming facility management shall ultimately be held liable for any violation of the Gaming Ordinance and/or the Absentee Shawnee Tribal Minimum Internal Control Standards (MICS), and licensed gaming facility employees will also be held liable for infractions of the MICS.

Section 315: Gaming Locations.

Games shall be operated and conducted only on the appropriate licensed premises authorized under this Gaming Ordinance. Each gaming facility shall require a separate facility license issued by the Gaming Commission.

Section 316: Price Fixing.

No manufacturer, distributor, or operator shall be agreement either express or otherwise with any other manufacturer, distributor, or operator fix the price at which any device, paraphernalia, machine, equipment, prize or any other items used in connection with any of the activities authorized under this Ordinance shall be sold or which services in connection therewith shall be rendered. The price of these items in a competitive market place shall be established by each manufacturer, distributor, or operator for the products and services offered by each and shall not be established, directly or indirectly, in concert with another.

Section 317: Gaming Supervision.

Gaming facility management must supervise and be directly responsible for all activities on their premises authorized by license under this Ordinance, except as specifically outlined in any subsequent management agreement entered into and approved by the Tribal Executive Committee and the Gaming Commission.

Section 318: Operating Standards.

It is the policy of the Gaming Commission, the Absentee Shawnee Tribe of Oklahoma, and the State of Oklahoma to require that all establishments, wherein gaming is conducted within the jurisdiction of the Absentee Shawnee Tribe of Oklahoma, be operated in a manner suitable to protect the public health, safety, morals, good order, and general welfare of the inhabitants under within the jurisdiction of the Absentee Shawnee Tribe of Oklahoma. Responsibility for the employment and maintenance of suitable methods of operation rests with the gaming facility management and willful and persistent use of toleration of unsuitable methods of operation will constitute grounds for license revocation or other disciplinary actions.

Section 319: Deleted. Rules and requirements for handling monetary transactions in all gaming activities are detailed in the Tribal MICS, the State-Tribal Gaming Compact, in gaming

commission and gaming facility policies and procedures manual, and in Title 31, Bank Secrecy Act, instructions on handling cash transactions.

Section 320: Site Certification.

All establishments, wherein gaming operations are to be conducted, must be certified as safe by the Gaming Commission prior to the issuance of a license. All alterations or modifications must be approved by the Gaming Commission.

Section 321: Open Inspections.

Any premises licensed or any premises connected physically or otherwise with a licensed business, including vehicles used in connection therewith, shall at all times be open to inspection by the Gaming Commission. At any time during which a licensed gaming or related administrative activity is being conducted on a premises, the Gaming Commission or any authorized representative of the Gaming Commission may enter upon the premises without advance notice and:

A. Make an account of all monies on the premises and all monies received during the operation of the licensed activity located on the premises, inspect all receipts for prizes which have been awarded by the licensee;

B. Inspect any other records, accounts or other related information of the licensee, or of any member who directly participates in the management, operation, or promotion of a licensed activity; or of any employee of the licensee; or of any operator of the licensed activity;

C. Inspect, including the dismantling of all pieces of equipment or parts thereof or devices of any nature, which are being used to conduct the licensed activity.

D. When the Gaming Commission finds cause to believe that there is a reasonable probability that the provisions of this Ordinance, including any amendments thereto or any of the rules passed by the Gaming Commission have been or are being violated by gaming facility management or its employees or operators, they may move to another location or locations for further inspection or investigation of any and all records and any and all equipment, part thereof, devices, or thing(s) of any nature located upon the premises related to the operation of the licensed activity or any other gaming activity. A receipt shall be issued to the employee or operator of the activity which shall list and describe each record, that piece of equipment or part thereof, device, or thing(s) which has been removed from the premises. Each such record, piece of equipment, part thereof, or thing(s) so removed shall be returned to the premises within ten (10) days, except Saturdays, Sundays, and days when tribal offices are legally closed, in as good condition as it was when it was removed unless the Gaming Commission determines that the

record, equipment, devices, or thing(s) so removed are necessary for an ongoing investigation and/or evidence of possible violations of this Ordinance or rules of the Gaming Commission by gaming facility management, by employers or by operators of the licensed activity, or for possible forfeiture under Title II hereof with the Gaming Commission so notifying the licensee of the reasons said property or thing(s) are to be so held.

Section 322: Repealed.

Section 323: Firearms Prohibition.

No firearms, air guns which are capable of discharging dangerous projectiles or gases, including but not limited to "B.B.'s" or C02 gums, rifles, shotguns, pistols, or revolvers shall be allowed on the premises, except as permitted by regulation of the Gaming Commission.

Section 324: Credit Policy.

No gaming facility management or any of its employees, or any operator conducting or in any way participating in the conducting of any of the activities, which are authorized by this Ordinance or by the Gaming Commission's Policies and Procedures, shall allow a person to play that activity on credit or shall grant a loan of any kind at any time to a person playing the activity.

Section 325: Fraud Policy.

No person involved in the operation of any activity authorized by this Ordinance or a rule of the Gaming Commission shall, directly or indirectly, in the course of such operation employ any device, scheme, or artifice to defraud; make any untrue statement of a fact, or omit to state a fact necessary in order to make a statement not misleading in consideration of the circumstances under which such statement was made; engage in any act, practice, or course of operation as would operate as a fraud of deceit upon any person.

Section 326: Rules Documentation.

Each gaming facility shall obtain, maintain, and keep current a copy of the Gaming Ordinance, the Absentee Shawnee Tribe Minimum Internal Control Standards, and all other rules of the Gaming Commission, and any amendments, which shall be located upon the premises used for the conduct of a licensed activity by a gaming facility during all times the activity is there conducted. The rules shall be produced by the gaming facility management and shown to any person upon demand. The fact that the gaming facility may not have a current copy of each of the rules of the Gaming Commission shall not in any way diminish the facility's obligation to abide these rules.

Section 327: Deleted. Rules and gaming procedures are found in the Tribal MICS and in gaming facility policies and procedures.

Section 328: Territorial Restrictions.

No manufacturer or distributor shall make or have an agreement or understanding with any gaming facility that either of them shall be restricted in the operation of carrying on of business to a specific geographic area or areas, and such a restriction shall not be a condition of any sales between manufacturer, distributor and any other Absentee Shawnee Tribe gaming facility. Provided, that this shall not prevent a distributor or manufacturer form assigning sales territories among its bona fide representatives.

Section 329: Manufacturer/Distributor Information.

Gaming facility management shall be responsible to insure that the name and address of each manufacturer and each distributor, selling or distributing equipment, or other things used, directly or indirectly, in any Absentee Shawnee Tribe gaming facility, is filed with the Gaming Commission. All said manufacturers or distributors must be listed with the Gaming Commission.

Section 330: Deleted. Rules and gaming procedures are found in the Tribal MICS and in gaming facility policies and procedures.

Section 331: Progressive Payouts.

All gaming facilities conducting games with a progressive payout feature will provide the Gaming Commission, for approval, the system for accumulation and account restrictions of funds so designated. The procedure and any amendments thereto must receive prior written approval of the Gaming Commission.

Section 332: Employees.

All employees must be listed with and licensed by the Gaming Commission. Such lists are to be kept current.

TITLE IV. – CRIMINAL PENALTIES

Section 401: Penalty for Conviction – Tribal Member.

Any Absentee Shawnee Indian person violating the provisions of this Ordinance shall be guilty of an offense and shall upon conviction thereof be punished by the confinement in the tribal jail for a period of not less than ten (10) days nor more than six (6) months and a fine of not less than fifty dollars ($50.00) nor more than five hundred dollars ($500.00) or by both such fine or imprisonment for each separate violation.

Section 402: Penalty for Conviction – Non Tribal Member.

Any non-Absentee Shawnee Indian person violating the provisions of this Code shall be guilty of an offense and excluded from all areas within the jurisdiction of the Absentee Shawnee Tribe of Oklahoma.

TITLE V. - BACKGROUND INVESTIGATIONS FOR PRIMARY MANAGEMENT OFFICIALS AND KEY EMPLOYEES

Section 501: Privacy Notices.

A. The Gaming Commission shall place the following notice on the application form for a key employee or a primary management official before that form is filled out by an applicant.

In compliance with the Privacy Act of 1974, the following information is provided: Solicitation of the information on this form is authorized by 25 U.S.C. 2701 et seq. The purpose of the requested information is to determine the eligibility of individuals to be granted a gaming license. The information will be used by the Tribal gaming regulatory authorities and by the National Indian Gaming Commission members and staff who have need for the information in the performance of their official duties. The information may be disclosed to appropriate Federal, Tribal, State, local, or foreign law enforcement and regulatory agencies when relevant to civil, criminal or regulatory investigations or prosecutions or when pursuant to a requirement by a tribe or the National Indian Gaming Commission in connection with the issuance, denial, or revocation of a gaming license, or investigations of activities while associated with a tribe or a gaming operation. Failure to consent to the disclosures indicated in this notice will result in a tribe's being unable to license you for a primary management official or key employee position. The disclosure of your Social Security Number is voluntary. However, failure to supply a SSN may result in errors in processing your application.

B. The Gaming Commission shall notify in writing existing key employees and primary management officials that shall either:

1. Complete a new application form that contains a Privacy Act Notice; or

2. Sign a statement that contains the Privacy Act notice and consent to the routine uses described in that notice.

Section 502: Notice regarding false statements.

A. The Gaming Commission shall place the following notice on the application form for a key employee or a primary management official before that form is filled out by an applicant.

A false statement on any part of your license application may be grounds for denying a license or the suspension or revocation of a license. Also, you may be punished by a fine or imprisonment (U.S. Code, title 18, Section 1001).

B. The Gaming Commission shall notify in writing existing key employees and primary management officials that they shall either:

1. Complete a new application form that contains a notice regarding false statements; or

2. Sign a statement that contains the notice regarding false statements.

Section 503: Background Investigations for Class II Gaming.

The Gaming Commission shall perform a background investigation for each primary management official and for each key employee of a class II gaming operation.

A. The Gaming Commission shall request from each primary management official and for each key employee all of the following information:

1. Full name, other names used (oral or written), social security number(s), birth date, place of birth, citizenship, gender, all languages (spoken or written);

2. For the previous 5 years: Business and employment positions held, ownership interests in those businesses, business and residence addresses, and drivers license numbers;

3. The names and current addresses of at least three personal references, including one personal reference who was acquainted with the applicant during each period of residence listed under paragraph (A)(2) of this section;

4. Current business and residence telephone numbers;

5. A description of any previous business relationships with Indian tribes, including ownership interests in those businesses;

6. A description of any previous business relationships with the gaming industry general, including. ownership interests in those businesses;

7. The name and address of any licensing or regulatory agency with which the person has filed an application for a license or permit related to gaming, whether or not such license or permit was granted;

8. For each felony for which there is an ongoing prosecution or a conviction, the charge, the name and address of the court involved, and the date and disposition;

9. For each misdemeanor conviction or ongoing misdemeanor prosecution (excluding minor traffic violations) within 10 years of the date of the application, the name and address of the court involved and the date and disposition;

10. The name and address of any licensing or regulatory agency with which the person has filed an application for an occupational license or permit, whether or not such licenses or permit was granted;

11. A photograph; and

12. Any other information the Gaming Commission deems relevant.

B. The Gaming Commission shall conduct an investigation sufficient to make a determination in accordance with the MICS. In conducting a background investigation, the Gaming Commission and its agents shall promise to keep confidential the identity of each person interviewed in the course of the investigation.

C. If the National Indian Gaming Commission and the Gaming Commission possess an investigative report for an employee, the Gaming Commission may update that report instead of performing an entirely new investigation.

Section 504: Report to National Indian Gaming Commission for Class II Gaming.

When the Gaming Commission employs a primary management official or a key employee, the Gaming Commission shall forward to the National Indian Gaming Commission any documentation required to be compliant with the MICS and NIGC regulations.

Section 505: Background Investigations for Class III Gaming.

The Gaming Commission shall conduct a background investigation for each primary management official and for each key employee using procedures as stringent as provided in the MICS.

Section 506. Report to National Indian Gaming Commission for Class III Gaming.

Before the licensing authority licenses a key employee or primary management official, the Gaming Commission shall forward to the National Indian Gaming Commission the information required under the MICS.

PROCEDURES FOR RESOLVING DISPUTES WITH CUSTOMERS OF THE GAMING OPERATION.

Rules of play for each type of gaming that is licensed by the Gaming Commission the Absentee Shawnee Tribe of Oklahoma, shall be approved by the Gaming Commissioners. Such rules shall be posted in plain view, accessible and visible to all customers of the licensed gaming operation. All games are to be conducted in a fair and equitable manner by both customer and Licensee. In the event of a dispute between the customer and the Licensee of a gaming operation, the written rules of play shall govern. The Licensee shall be initially responsible to resolve all disputes with the customers. However, if a dispute cannot be resolved by the Licensee and the customer, the Licensee shall submit a written report to the Gaming Commission for final determination to resolve the dispute. Any customer not satisfied with the decision of the Gaming Commissioner may appeal the decision to the Executive Committee of the Absentee Shawnee Tribe of Indians of Oklahoma. The decision of the Executive Committee is final.

Approved by L-AS-2010-12
March 17, 2010