



June 2, 2026

Deann Kamalani, Chairperson  
Picayune Rancheria of the Chukchansi Indians  
711 Lucky Lane  
Coarsegold, CA 93614

**Re: Picayune Rancheria of the Chukchansi Indians Gaming Ordinance**

Dear Chairperson Kamalani:

I am writing with respect to the March 3, 2026 request of the Picayune Rancheria of the Chukchansi Indians (Tribe) to the National Indian Gaming Commission to review and approve the Tribe's amended gaming ordinance. The amended gaming ordinance was adopted by the Tribal Council through Resolution No. 2025-123 on December 18, 2025.

Pursuant to the Indian Gaming Regulatory Act (IGRA), the NIGC Chair has 90 days from the date of submission to either approve or disapprove a gaming ordinance.<sup>1</sup> Any gaming ordinance not acted upon at the end of the 90-day period is considered to have been deemed approved by operation of law but only to the extent such ordinance is consistent with IGRA and NIGC regulations.<sup>2</sup> Because the position of the NIGC Chair is currently vacant, no action was taken by an NIGC Chair within the 90-day period and the gaming ordinance is now deemed approved. In addition, it is my opinion that the amended gaming ordinance is consistent with IGRA and NIGC regulations.

Thank you for providing the amended gaming ordinance for our review. If you have any questions concerning this letter, please contact Senior Attorney Austin Badger at (202) 632-7003.

Sincerely,

A handwritten signature in blue ink, appearing to be "Rea Cisneros".

Rea Cisneros  
General Counsel (Acting)

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<sup>1</sup> 25 U.S.C. § 2710(e).

<sup>2</sup> 25 C.F.R. § 522.10.



Picayune Rancheria  
of the  
**CHUKCHANSI INDIANS**

711 Lucky Lane, Coarsegold, CA 93614  
Mailing Address: 46575 Rd. 417, Coarsegold, CA 93614

**TRIBAL COUNCIL**

**RESOLUTION NO. 2025-153**

**APPROVAL OF AMENDMENTS TO THE REVISED TRIBAL GAMING ORDINANCE**

**WHEREAS,** the Picayune Rancheria of the Chukchansi Indians (“Tribe”) is a sovereign, self-governing federally recognized Indian tribe organized under the Constitution of the Tribe ratified on October 22, 1988; and

**WHEREAS,** pursuant to Article IV, Section 2 of the Constitution of the Picayune Rancheria, the Picayune Rancheria of the Chukchansi Indians Tribal Council (“Tribal Council”) is the governing body of the Tribe; and

**WHEREAS,** pursuant to Article V of the Constitution of the Tribe, the Tribal Council has the power and responsibility to promulgate and enforce bylaws and ordinances to carry out its powers under the Constitution, to safeguard the peace, safety, morals, and general welfare of the Tribe, to provide for the protection and preservation of Tribal property, and to exercise such further powers, consistent with the Constitution, as needed to carry out the powers listed in the Constitution; and

**WHEREAS,** the Tribal Council under authority of the Tribe’s Constitution is empowered to promulgate and enforce ordinances to carry out its powers, and to administer funds within the control of the Tribe (Constitution, Article V, Sections (a) and (p)); and

**WHEREAS,** the Tribal Council has enacted the Tribal Gaming Ordinance on October 18, 2016 by Tribal Council Resolution No. 2016-110 to promote tribal economic development, self-sufficiency, and sovereignty, shield the operation of gaming from organized crime and corrupting influences, and ensure that gaming is conducted fairly and honestly by both, which was subsequently approved by the National Indian Gaming Commission (NIGC) on December 16, 2016; and

**WHEREAS,** pursuant to Tribal Council Resolution No. 2025-84, the Tribal Council amended the Tribal Gaming Ordinance, which was subsequently approved by the NIGC on September 30, 2025; and

**WHEREAS**, pursuant to Tribal Council Resolution No. 2025-134, the Tribal Council adopted the Revised Tribal Gaming Ordinance on an emergency basis pursuant to Section 11(d) of the Tribal Council Bylaws, and directed the Tribal Administration to post the Revised Tribal Gaming Ordinance for a 30-day comment period; and

**WHEREAS**, on December 18, 2025, the Tribal Council reviewed and considered all comments received during the 30-day comment period, and no comments were received; and

**WHEREAS**, the Tribal Council finds it is in the best interest of the Tribe to adopt the Revised Tribal Gaming Ordinance, attached hereto as Exhibit A.

**NOW THEREFORE, BE IT RESOLVED**, that the Tribal Council adopts the Revised Tribal Gaming Ordinance, attached hereto as Exhibit A.


**NOW THEREFORE, BE IT FURTHER RESOLVED**, that the Tribal Council waives the reading of the Ordinance as required under Section 11(b)(vi) of the Tribal Council Bylaws.

**NOW THEREFORE, BE IT FINALLY RESOLVED**, that the Tribal Council hereby authorizes the Chairwoman, or in her absence the Vice-Chairman or Secretary to sign any documents and take any action necessary to effectuate this Resolution.

#### **CERTIFICATION**

The Tribal Council of the Picayune Rancheria of the Chukchansi Indians does hereby certify that the foregoing resolution was adopted by the Council at a duly called meeting on the 18<sup>th</sup> day of December 2025, at which a quorum was present, and was adopted by a vote of 4 Ayes, 2 Nays, 0 Abstentions, 0 Absent, and 1 Not Voting.

(SIGNATURES APPEAR ON THE FOLLOWING PAGE)



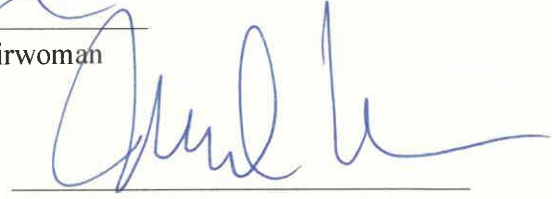
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Tracey Hopkins, Chairwoman



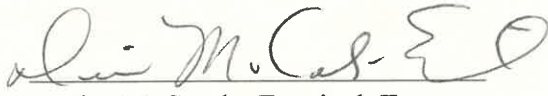
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Melvin Espe, Vice-Chairman



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Michael Wynn, Secretary




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Denise McCombs-Esquivel, Treasurer




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Marco Alcantar, Member-at-Large



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Hillary Hammond Battles, Member-at-Large



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Elena Sanders, Member-at-Large



Physical Address: 711 Lucky Lane, Coarsegold, CA 93614

Mailing: 46575 Road 417, Coarsegold, CA 93614

### Revised Tribal Gaming Ordinance

#### Section 1. Purpose

The Tribal Council of the Picayune Rancheria of the Chukchansi Indians (“Tribe”), empowered by the Tribe’s Constitution to enact ordinances, hereby enacts this Ordinance to: (1) promote tribal economic development, self-sufficiency, and sovereignty; (2) regulate and control all gaming activities within the jurisdiction of the Tribe; (3) shield the operation of gaming from organized crime and other corrupting influences; and (4) ensure that gaming is conducted fairly and honestly by both the operator and players.

#### Section 2. Ownership of Gaming

The Tribe shall have the sole proprietary interest in and responsibility for the conduct of any gaming operation authorized by this Ordinance, except as expressly provided in this Ordinance.

#### Section 3. Use of Net Gaming Revenues

A. Net revenues from Tribal gaming shall be used only for the following purposes:

1. To fund Tribal government operations or programs;
2. To provide for the general welfare of the Tribe and its members;
3. To promote Tribal economic development;
4. To donate to charitable organizations; or
5. To help fund operations of local government agencies.

#### Section 4. Per Capita Payments

A. Net revenues from any gaming activities conducted or licensed by the Tribe may be used to make per capita payments to Tribal members if:

1. The Tribe has prepared a plan to allocate revenues to one or more of the five uses authorized by Section 3(A) of this Ordinance;

2. The plan is approved by the Secretary of the Interior as adequate, particularly with respect to the uses described in Sections 3(A)(1) and 3(A)(3) of this Ordinance;
3. The interests of minors and other legally incompetent persons who are entitled to receive any of the per capita payments are protected and preserved, and the per capita payments are disbursed to the parents or legal guardian of such minors or legal incompetents in such amounts as may be necessary for the health, education, or welfare of the minor or other legally incompetent person; and
4. The per capita payments are subject to Federal taxation and the Tribe notifies its members of such tax liability when payments are made.

**Section 5. Audits**

- A. The Tribe shall cause the performance of independent audits of gaming operations annually and shall submit the results of those audits to the NIGC.
- B. Annual audits shall conform to generally accepted auditing standards.
- C. All gaming-related contracts that result in the purchase of supplies, services or concessions for more than \$25,000 in any year (except contracts for professional legal and accounting services) shall be specifically included within the scope of the audit conducted under Section 5(A) of this Ordinance.
- D. Copies of the annual audit of each licensed gaming operation, and each audit for supplies, services or concessions of each gaming operation, shall be furnished to the NIGC within 120 days after the end of each fiscal year of the gaming operation.

**Section 6. Environment and Public Health and Safety**

- A. Each gaming facility shall be constructed, maintained, and operated in a manner that adequately protects the environment and the health and safety of the public.

**Section 7. Patron Dispute Resolution**

Patrons who have personal injury or property damage complaints against a Gaming Facility or Gaming Operation (“Patron Tort Claims”) shall have the right to remedies provided in the Tribe’s Tribal Claims Ordinance and the requirements of the Tribal-State Compact, if any. Patrons who have complaints arising from their participation in Gaming Activities at a Gaming Facility (“Patron Gaming Claims”) shall have the right to remedies as provided in the Tribal Gaming Commission’s policies and procedures and the requirements of the Tribal-State Compact, if any.

**Section 8. Class II Gaming Played Using Mobile Devices and/or the Internet**

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- A. The Tribal Gaming Commission may authorize the use of mobile devices and/or the internet to play Class II games on the Tribe's Indian lands provided the Tribal Gaming Commission issues regulations or standards that meet the requirements of subsections B and C of this section, but only if such bets or wagers do not violate any provision of:
1. The Interstate Horseracing Act of 1978 (15 U.S.C. §§ 3001 et seq.);
  2. The Gambling Devices Transportation Act (15 U.S.C. §§ 1171 et seq.);
  3. The Indian Gaming Regulatory Act (25 U.S.C. §§ 2701 et seq.);
  4. The Compact or Secretarial Procedures promulgated by the Secretary of the Interior in lieu of a compact; or
  5. Any other applicable laws.
- B. Before allowing the play of a Class II game using mobile devices and/or the internet, the Tribal Gaming Commission shall adopt standards or regulations to implement the following age, location and data security requirements, which are intended to comply with the safe harbor provisions of the Unlawful Internet Gaming Enforcement Act, 31 U.S.C. §§ 5361 et seq.:
1. Only patrons who have provided their legal name, date of birth, address and contact information shall be allowed to establish an account for Class II gaming using mobile devices and/or the internet.
  2. Such information must be encrypted by the Gaming Operation and the patron must establish an account password or other authentication method approved by the Tribal Gaming Commission.
  3. The patron shall be required to authenticate his or her identity prior to accessing his/her account and/or placing a wager.
  4. The location of the patron on Indian lands must be verified by the Gaming Operation prior to the first wager in the patron session using a geolocation method that provides the latitude and longitude coordinates of the patron.
  5. The location of the patron must be verified on an ongoing basis and the patron session must be disabled any time the Gaming Operation is unable to verify the patron is present on Indian lands.
  6. The patron shall be allowed to create an account or withdraw funds from that account, other than for game play, only in person at a Gaming Facility.
- C. Class II games played using mobile devices and/or the internet must comply with the requirements of 25 C.F.R. Part 547, including any Alternative Standards adopted by the Tribal Gaming Commission and approved by the Chair of the National Indian Gaming Commission.

**Section 9. Place, Location or Facility Licenses**

- A. The Tribe shall issue a separate license to each place, facility or location on Indian lands where class II and/or class III gaming is conducted under this Ordinance.

- B. The Tribal Gaming Commission is responsible for issuing new or renewed licenses to each place, facility or location on behalf of the Tribe.
- C. The Tribal Gaming Commission shall identify the environmental, health and public safety standards with which the place, facility or location must comply and verify the gaming facility is in compliance prior to the issuance or renewal of a facility license.
- D. For any new license, the Tribal Gaming Commission shall submit to the NIGC Chair a notice that issuance of a license is under consideration by the Tribal Gaming Commission. This notice must be submitted at least one-hundred and twenty (120) days before the opening of any new place, facility, or location on Indian lands where Class II and/or Class III gaming will occur in accordance with 25 C.F.R. § 559.2(a) and shall contain the items required by 25 C.F.R. § 559.2(b).
- E. In accordance with 25 C.F.R. § 559.3, the Tribal Gaming Commission shall submit a copy of each newly issued or renewed license to the NIGC Chair within thirty (30) days of issuance, along with any other required documentation in accordance with 25 C.F.R. § 559.4.
- F. In accordance with 25 C.F.R. § 559.4, the Tribal Gaming Commission shall submit to the Chair with each license an attestation certifying that by issuing the license, the Tribe has determined that the construction and maintenance of the gaming facility, and the operation of that gaming, is conducted in a manner which adequately protects the environment and the public health and safety in accordance with all laws, resolutions, codes, policies, standards or procedures applicable to each gaming place, facility, or location that protect the environment and the public health and safety, including standards, under a Tribal-State Compact, if any.
- G. The Tribe shall notify the NIGC Chair within thirty (30) days if a license is terminated or expires, or if a gaming place, facility, or location closes or reopens, with the exception of seasonal closures or temporary closures with a duration of less than one-hundred and eighty (180) days in accordance with 25 C.F.R. § 559.5.

**Section 10. Agent for Service of Process**

The Tribe designates the Chairperson of the Tribal Council as the agent for service of any official determination, order or notice of violation.

**Section 11. Establishment of the Tribal Gaming Commission**

- A. The Tribe hereby establishes the Picayune Rancheria of the Chukchansi Indians Gaming Commission (“Tribal Gaming Commission”). The Tribal Gaming Commission shall function as an independent tribal agency responsible for the regulation of all Gaming Activities

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within the jurisdiction of the Tribe and on behalf of the Tribe in accordance with this Ordinance as adopted and amended from time to time by the Tribe. The Tribal Gaming Commission shall be governed by a Board of Commissioners that shall be comprised of Tribal Gaming Commissioners as determined from time to time by resolution of the Tribal Council.

- B. The Commission will conduct oversight to ensure compliance with applicable tribal law, federal law, and the Secretarial Procedures. It will serve as the licensing authority for individuals employed in the Gaming Operation and will administer background investigations as part of the licensing process. The Commission will also have a role in monitoring compliance with the Gaming Operation's internal controls and in tracking Net Revenues. In order to perform its regulatory duties, the Commission shall have unrestricted access to all areas of the Gaming Operation and to all of its records. The Commission shall have authority to take enforcement actions, including suspension or revocation of an individual gaming license, when appropriate.
- C. Commissioner positions shall be filled by appointment by resolution of the Tribal Council.
- D. Terms of office for Commissioners shall be for a four year term of office, in staggered terms as follows: the Chair shall serve an initial term of one (1) year, with subsequent Chairs serving terms of four (4) years; and the Commissioner(s) shall serve an initial term of two (2) years, with subsequent Commissioners serving terms of four (4) years.
- E. The following Persons are not eligible to serve as Commissioners: Tribal Council members, while serving as such; current employees of the gaming operation; gaming contractors (including any principal of a management, or other contracting company); Persons directly related to, or sharing a residence with, any of the above; and Persons ineligible to be Key Employees or Primary Management Officials. Non-Tribal Members previously convicted of any felony or misdemeanor offense of embezzlement, theft, or any other money-related or honesty-related misdemeanor offense, such as fraud, cannot serve as Commissioner. Tribal members previously convicted of any felony or misdemeanor offense of embezzlement, theft, or any other offense related to money or honesty, such as fraud, will only be allowed to serve as a Commissioner if the Tribal Council specifically finds that a significant amount of time has passed, and the Person is now of trustworthy character.
- F. The Tribal Council shall require a criminal history check with appropriate law enforcement agencies for each Commissioner candidate; shall review the candidate's criminal history check results; and shall make an appropriate eligibility determination before appointing an individual to the position of Commissioner.
- G. The Tribe recognizes the importance of an independent Tribal Gaming Commission in maintaining a well-regulated Gaming Operation. The Commission shall be independent of, and act independently and autonomously from, the Tribal Council in all matters within its purview. No prior, or subsequent, review by the Tribal Council of any actions of the Commission shall be required or permitted except as otherwise explicitly provided in this Ordinance.

H. Removal of Members or Vacancies.

1. A Commissioner may be removed by the Council for the following reasons: serious inefficiency, neglect of duty, malfeasance, misfeasance, nonfeasance, misconduct in office, or for any conduct which threatens the honesty and integrity of the Tribal Gaming Commission or otherwise violates the letter or intent of this Ordinance or other applicable Tribal or other law. Except as provided below, no Commissioner may be removed without notice and an opportunity for a hearing before the Council as provided for under Tribal Gaming Commission hearing procedures.
2. Temporary Suspension. If the Council determines that immediate suspension of a Commissioner is necessary to protect the interests of the Tribe, the Council may hold a hearing with the Commissioner to suspend the Commissioner temporarily, and the question of permanent removal shall be determined thereafter pursuant to Tribal Gaming Commission hearing procedures.
3. Vacancies. If any Commissioner shall die, resign, decline an appointment, be removed or for any reason be unable to serve as a Commissioner during the term of the Commissioner's appointment, the Council shall declare said Commissioner position vacant and shall appoint another Person to fill the vacant position as the Tribal Council determines in the best interest of the Tribe. Said appointed Commissioner shall be appointed for the balance of any unexpired term and shall meet the qualifications established by this Ordinance.
4. Temporary Appointments. If necessary, the Tribal Council may appoint one or more temporary Commissioners, if any vacancy or vacancies prohibit establishment of a quorum. Temporary appointments shall be for no longer than ninety (90) days. Temporary appointments need not complete a background check prior to serving, although the background check still must be conducted pursuant to 4.10.5 herein.

H. Nominees for the Commission must satisfy the eligibility standards set forth for Primary Management Officials and Key Employees as defined herein. All requisite background investigations shall be performed under the direction of National Indian Gaming Commission.

- I. The Tribal Gaming Commission shall have the power and duty to carry out its responsibilities under the IGRA, its Procedures, and this Ordinance, including but not limited to the following:
  1. Conduct background investigations, or cause such investigations to be conducted, for Primary Management Officials and Key Employees;
  2. Review and approve all investigative work conducted in connection with the background investigations of Primary Management Officials and Key Employees;

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3. Create and maintain investigative reports based on the background investigations of Primary Management Officials and Key Employees;
4. Designate a law enforcement agency to obtain and process fingerprints and conduct a criminal history check that shall include a check of criminal history records information maintained by the Federal Bureau of Investigation;
5. Make written licensing eligibility determinations, which shall be signed by the Chair of the Commission, and which include specific findings of fact supporting the decision;
6. Submit a “notice of results” to the NIGC of the background investigations done for each Primary Management Official and Key Employee applicant;
7. Issue Gaming licenses to Primary Management Officials and Key Employees of the Gaming Operation, if warranted by the eligibility determination;
8. Establish standards for licensing all “Gaming Facilities”;
9. Issue Gaming licenses to Gaming Facilities;
10. Inspect, examine and monitor all of the Tribe’s Gaming Activities, and have immediate access to review, inspect, examine, photocopy and audit all records of the Gaming Facilities and Gaming Operations;
11. Ensure compliance with all Tribal, federal and applicable state laws, rules and regulations regarding Indian gaming;
12. Investigate any suspicion of wrongdoing associated with any Gaming Activities;
13. Hold hearings on patron complaints, in accordance with procedures established in this Ordinance and the Tribe’s laws;
14. Comply with any reporting requirements under IGRA, the NIGC’s regulations, Secretarial Procedures, and any other applicable law;
15. Promulgate and issue regulations necessary to comply with applicable internal control standards;
16. Promulgate and issue regulations on the levying of fees and/or taxes associated with Gaming license applications;
17. Promulgate and issue regulations on the levying of fines and/or the suspension or revocation of Gaming licenses for violations of this Ordinance or any Tribal, federal or applicable state Gaming regulations;

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18. Establish a list of Persons not allowed to game in the Tribe's Gaming Facilities in order to maintain the integrity of the Gaming Operation;
  19. Establish a list of Persons who have voluntarily agreed to be excluded from the Gaming Facilities, and create regulations for enforcing the exclusions;
  20. Provide referrals and information to the appropriate law enforcement officials when such information indicates a violation of Tribal, federal or state statutes, ordinances, regulations, codes or resolutions;
  21. Create a list of regulatory authorities that conduct background investigations of, and licenses, vendors who are recognized as trustworthy;
  22. Draft regulations exempting vendors from the licensing and/or background investigation requirements if they have received a license from a recognized regulatory authority;
  23. Perform such other duties the Commission deems appropriate for the proper regulation of the Gaming Operation; and
  24. Promulgate such regulations and guidelines as deemed appropriate to implement the provisions of this Ordinance, so long as they are in furtherance of, and not in conflict with, any provisions of this Ordinance.
- J. Before adopting, amending and repealing regulations, the Commission shall give notice of any such proposed action to the Tribal Council, the Gaming Operation(s) and all other Persons whom the Commission has reason to believe have a legitimate interest in the proposed action. The notice shall invite comments and describe the general nature of the proposed action and the manner in which comments on the proposed action shall be received by the Commission.
- K. The Commission shall ensure that all records and information obtained as a result of an employee background investigation, including, but not limited to, the identity of each Person interviewed in the course of an investigation, shall remain confidential and shall not be disclosed to any Persons who are not directly involved in the licensing and employment processes. Information obtained during the course of an employee background investigation shall be disclosed to members of management, human resource personnel and/or others employed by the Gaming Operation on a need-to-know basis, for actions taken in their official capacities.
- L. The confidentiality requirements in Section 11(K), above, do not apply to requests for such records or information from any Tribal, federal or state law enforcement or regulatory agency, or for the use of such records or information by the Commission and staff in the performance of their official duties.

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- M. A majority of the Commission shall constitute a quorum. The concurrence of a majority of the Commissioners shall be required for any final determination by the Commission. The Commission may act in its official capacity, even if there are vacancies on the Commission.
- N. Commissioners shall be compensated at a level determined from time to time by resolution of the Tribal Council. In order to ensure the Commission is not improperly influenced, a Commissioner's compensation shall not be based on a percentage of gaming revenue.
- O. The Commission shall keep a written record of all its meetings.
- P. It is the policy of the Tribe that all Gaming Activities be licensed and controlled so as to protect the morals, good order and welfare of tribal citizens and other persons on Tribal Lands, and to preserve the honesty, fairness, and integrity of such Gaming Activities. Accordingly, no person or entity shall conduct any Class II or Class III Gaming Activities on Tribal Lands without a valid license issued by the Tribal Gaming Commission.
- Q. The Tribe's Gaming Licensing procedure shall be administered through the Tribal Gaming Commission. The program shall be an investigative licensing process under which all applicants for gaming license are evaluated against the standards set forth in, and subject to, the following applicable laws:
- i. This Ordinance and any gaming regulations promulgated thereunder;
  - ii. The Indian Gaming Regulatory Act and any applicable regulations published by the National Indian Gaming Commission;
  - iii. Applicable Compact or Secretarial Procedure requirements, if any; and
  - iv. Any other applicable tribal, federal, or state laws.
- R. Any gaming license or finding of suitability issued by the Tribal Gaming Commission shall be deemed a privilege, and is subject to suspension or revocation at any time. No license or license renewal shall be issued that would place the Tribe in violation of any applicable law. A gaming license or finding of suitability is subject to renewal at least every two (2) years.
- S. The burden of proving an applicant's qualifications to receive a license hereunder is at all times on the applicant. Applicants must accept any risk of adverse public notice, embarrassment or other action that may result from the application process and expressly waive any claim for damages as a result thereof.
- T. Key Employees and Primary Management Officials and related persons and entities are required to be licensed by the Tribal Gaming Commission, and as a basis for issuing a license, the Tribal Gaming Commission must conduct, or cause to be conducted, a background investigation, in accordance with the requirements of this Code.

- U. Additionally, the following persons and entities shall also be subject to licensing and background investigation by the Tribal Gaming Commission, at the level of investigation established by the Tribal Gaming Commission which may be less stringent than the background requirements of Key Employees and Primary Management Officials:
- i. All gaming employee who are not otherwise classified as Key Employees and Primary Management Officials, employed within the Tribe's Gaming Enterprise;
  - ii. All vendors of the Gaming Operation, unless otherwise exempt as determined by the Tribal Gaming Commission;
  - iii. Financial Sources, unless otherwise exempt as determined by the Tribal Gaming Commission;
  - iv. Unions or Labor Organizations, including its management and representatives, seeking to represent any Gaming Employees; and
  - v. Any other person or entity required to be licensed as determined by the Tribal Gaming Commission.

**Section 12. License Application Forms**

- A. The following notice shall be placed on the Tribe's license application form for a key employee or a primary management official before it 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 by the Tribe or the NIGC 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 NIGC 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 being unable to license you for a primary management official or key employee position.

The disclosure of your Social Security Number (SSN) is voluntary. However, failure to supply a SSN may result in errors in processing your application.

- B. Existing key employees and primary management officials shall be notified in writing that they must either complete a new application form that contains the notice above in compliance with the Privacy Act of 1974 or shall sign a statement that contains the notice and

consent to the routine uses described in the notice.

- C. The following additional notice shall be placed on the application form for a key employee or a primary management official before it 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 fine or imprisonment (U.S. Code, title 18, section 1001).

- D. Existing key employees or primary management officials shall be notified in writing that they must either complete a new application for that contains a notice regarding false statements or sign a statement that contains the notice regarding false statements.

### Section 13. Background Investigations

- A. The Tribal Gaming Commission shall perform a background investigation for each primary management official and key employee in its gaming operation. The investigation must be sufficient to allow the Tribal Gaming Commission to make an eligibility determination under Section 15 of this Ordinance.
- B. The Tribal Gaming Commission is responsible for conducting the background investigations of primary management officials and key employees. The background investigation shall include a check of criminal history records information maintained by the Federal Bureau of Investigations.
- C. The Tribe shall request fingerprints from each primary management official and key employee. The law enforcement agency designated to take fingerprints is the Gaming Commission.
- D. The Tribal Gaming Commission shall request from each primary management official and key employee all of the following information:
1. Full name, other names used (oral or written), social security number, birth date, place of birth, citizenship, gender and all languages (spoken and/or written);
  2. Currently, and for the previous five (5) years; business and employment positions held, ownership interests in those businesses, business and residential addresses, and driver's license numbers;
  3. The names and current addresses of at least three (3) personal references, including one (1) personal reference who was acquainted with the applicant during each period of residence listed under paragraph (D)(2) of this section;
  4. Current business and residential telephone numbers, and all cell phone numbers;

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5. A description of any existing and previous business relationships with other tribes, including any ownership interests in those businesses;
  6. A description of any existing and previous business relationships with the gaming industry generally, 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 of disposition, if any;
  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 of disposition, if any;
  10. For each criminal charge (excluding minor traffic charges), whether or not there is a conviction, if such criminal charge is within 10 years of the date of the application, and is not otherwise listed pursuant to paragraphs (D)(8) or (D)(9) of this Section, the criminal charge, the name and address of the court involved, and the date of disposition, if any;
  11. 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 license or permit was granted;
  12. A photograph;
  13. Any other information the Tribe deems relevant; and
  14. Fingerprints obtained in accordance with procedures adopted by the Tribe.
- E. When a primary management official or key employee is employed by the Tribe, a complete application file, containing all of the information listed in Section 13(D), shall be maintained.
- F. The Tribal Gaming Commission, and its investigators, shall keep confidential the identity of each person interviewed in the course of conducting a background investigation.

### Section 14. Investigative Reports

- A. The Tribal Gaming Commission shall create and maintain an investigative report for each background investigation of a primary management official or key employee.

B. Investigative reports shall include all of the following information:

1. Steps taken in conducting the investigation;
2. Results obtained;
3. Conclusions reached; and
4. The basis for those conclusions.

**Section 15. Eligibility Determinations**

- A. Before a license is issued to a primary management official or key employee, the Tribal Gaming Commission shall make a finding concerning the eligibility of that person for receiving a gaming license by reviewing the applicant's prior activities, criminal record, if any, and reputation, habits and associations.
- B. If the Tribal Gaming Commission, in applying the standards adopted in this Ordinance, determines that licensing the person poses a threat to the public interest or to the effective regulation of gaming, or creates or enhances the dangers of unsuitable, unfair or illegal practices, methods and/or activities in the conduct of gaming, he or she shall not license that person in a key employee or primary management official position.
- C. Copies of the eligibility determination shall be included with the notice of results that must be submitted to the NIGC before the licensing of a primary management official or key employee.

**Section 16. Notice of Results of Background Investigations**

- A. Before issuing a license to a primary management official or key employee, the Tribal Gaming Commission shall prepare a notice of results of the applicant's background investigation to submit to the NIGC.
- B. The notice of results must be submitted to the NIGC no later than sixty (60) days after the applicant begins working for the Tribe.
- C. The notice of results shall include the following information:
  1. The applicant's name, date of birth, and social security number.
  2. The date on which the applicant began, or will begin, working as a primary management official or key employee.
  3. A summary of the information presented in the investigative report, including:
    - a. licenses that have previously been denied;

- b. gaming licenses that have been revoked, even if subsequently reinstated;
  - c. every known criminal charge brought against the applicant within the last ten (10) years of the date of the application; and
  - d. every felony offense of which the applicant has been convicted or any ongoing prosecution.
4. A copy of the eligibility determination made in accordance with Section 15.

**Section 17. Granting Gaming Licenses**

- A. All primary management officials and key employees of the gaming operation must have a gaming license issued by the Tribal Gaming Commission.
- B. The Tribal Gaming Commission is responsible for granting and issuing gaming licenses to primary management officials and key employees.
- C. The Tribal Gaming Commission may license a primary management official or key employee applicant after submitting a notice of results of the applicant's background investigation to the NIGC, as required by Section 16.
- D. The Tribal Gaming Commission shall notify the NIGC of the issuance of a license to a primary management official or key employee within 30 days of issuance.
- E. The Tribe shall not employ an individual in a primary management official or key employee position who does not have a license after 90 days of beginning work at the gaming operation.
- F. The Tribal Gaming Commission must reconsider a license application for a primary management official or key employee if it receives a statement of itemized objections to issuing such a license from the NIGC, and those objections are received within thirty (30) days of the NIGC receiving a notice of results of the applicant's background investigation.
- G. The Tribal Gaming Commission shall take the NIGC's objections into account when reconsidering a license application.
- H. The Tribe will make the final decision whether to issue a license to an applicant for a primary management official or key employee position.
- I. If the Tribal Gaming Commission has issued a license to a primary management official or key employee before receiving the NIGC's statement of objections, notice and a hearing shall be provided to the licensee, as required by Section 19.

**Section 18. Denying Gaming Licenses**

- A. The Tribal Gaming Commission shall not license a primary management official or key employee if the Tribal Gaming Commission determines, in applying the standards in Section 15 for making a license eligibility determination, that licensing the person:
1. Poses a threat to the public interest;
  2. Poses a threat to the effective regulation of gaming; or
  3. Creates or enhances the dangers of unsuitable, unfair or illegal practices, methods and/or activities in the conduct of gaming.
- B. When the Tribal Gaming Commission does not issue a license to an applicant for a primary management official or key employee position, or revokes a previously issued licenses after reconsideration, it shall:
1. Notify the NIGC; and
  2. Forward copies of its eligibility determination and notice of results of the applicant's background investigation to the NIGC for inclusion in the Indian Gaming Individuals Record System.

**Section 19. Gaming License Suspensions and Revocations**

- A. If, after a license is issued to a primary management official or a key employee, the Tribe receives notice from the NIGC that the primary management official or key employee is not eligible for employment, the Tribal Gaming Commission shall do the following:
1. Immediately suspend the license;
  2. Provide the licensee with written notice of the suspension and proposed revocation; and
  3. Provide the licensee with notice of a time and place for a hearing on the proposed revocation of the license.
- B. Following a revocation hearing, the Tribe shall decide whether to revoke or reinstate the license at issue.
- C. The Tribe shall notify the NIGC of its decision to revoke or reinstate a license within forty-five (45) days of receiving notification from the NIGC that a primary management official or key employee is not eligible for employment.

**Section 20. Records Retention**

- A. The Tribal Gaming Commission shall retain, for no less than three years from the date a primary management official or key employee is terminated from employment with the

Tribe, the following documentation:

1. Application for licensing;
2. Investigative Reports; and
3. Eligibility Determinations.

**Section 21. Temporary Licenses**

- A. Upon receipt of a completed gaming license application and completion of an initial background investigation that does not indicate the applicant has a criminal history or other information in his or her background that would either automatically disqualify the applicant from obtaining a license or cause a reasonable person to investigate further before issuing a license, or is otherwise unsuitable for a license, the Gaming Commission may issue a temporary license of no more than ninety (90) days duration if, in its sole discretion, it deems such issuance appropriate. Such temporary licenses shall permit the Licensee to engage in such activities pursuant to such terms and conditions as the Tribal Gaming Commission may specify. Temporary licenses may be suspended or revoked at any time by the Tribal Gaming Commission, and shall expire ninety (90) days from date of issuance, upon issuance of a regular license, or otherwise revoked by the Gaming Commission.

**Section 22. License Renewal**

- A. All licenses shall be subject to renewal at least every two (2) years, and more frequently if so required by the Tribal Gaming Commission or other applicable law.

**Section 23. Hearings**

- A. The Tribal Gaming Commission may conduct hearings as needed to make regulatory compliance determinations within the scope of this Ordinance and shall conduct such hearings in accordance with any hearing procedures and regulations as may be promulgated by the Gaming Commission

**Section 24. National Indian Gaming Commission-Regulations**

- A. Notwithstanding any provision in this Gaming Code or any regulation promulgated thereunder, the Tribal Gaming Commission is fully empowered to comply with all applicable regulation promulgated by the National Indian Gaming Commission, including, but not limited to, all requirements to report ordinances, contracts, license applications, background checks and other information to the National Indian Gaming Commission.

**Section 25. Sovereign Immunity**

- A. **Authority.** The Tribal Gaming Commission is clothed by Federal and Tribal law with all the privileges and immunities of the Tribe, except as specifically limited by this Ordinance, including sovereign immunity from suit in the State, Federal or Tribal Court.
- B. **No Waiver.** Except as provided herein, nothing in this Gaming Ordinance shall be deemed or construed as a waiver of the sovereign immunity of the Tribe or any of its officers, employees, or entities.
- C. **No Consent to Jurisdiction.** Nothing in this Ordinance shall be deemed or construed to be a consent of the Tribal Gaming Commission to the jurisdiction of the United States or of any state or of any other tribe with regard to the business or affairs of the Tribal Gaming Commission.
- D. **Limited Waiver of Sovereign Immunity of the Tribal Gaming Commission.** The sovereign immunity of the Tribal Gaming Commission may be waived only by express resolutions of both the Board of Commissioners and the Tribal Council and after consultation by the Tribal Gaming Commission with its attorneys.
  - 1. Resolution Effecting Waiver. All waivers of sovereign immunity must be preserved with the resolutions of the Board of Commissioners and the Tribal Council.
  - 2. Policy on Waiver. Waivers of sovereign immunity are disfavored and shall be granted only when necessary to secure a substantial advantage or benefit to the Tribal Gaming Commission.
  - 3. Limited Nature of Immunity. The Tribal Gaming Commission shall have neither the authority nor the ability to enter into any waiver of sovereign immunity except as to the Tribal Gaming Commission as set forth in this Ordinance. Waivers of sovereign immunity shall not be general but shall be specific and limited as to i) duration, ii) the grantee, iii) transaction, iv) property or funds, if any, of the Tribal Gaming Commission subject thereto, v) a particular court or courts having jurisdiction over the Commission, and vi) the law that shall be applicable thereto. Any express waiver of sovereign immunity as provided under this Section 25(D) shall not be deemed a waiver of the sovereign immunity of the Tribe. The Tribal Gaming Commission shall only have the authority to grant limited waivers of immunity as provided for herein, as are necessary to enter into contracts to carry out its specific duties set forth in this Ordinance.
  - 4. Limited Effect of Waiver. No express waiver of sovereign immunity issued in accordance with this Section 25 shall be deemed a consent to the levy of any judgment, lien or attachment upon property of the Tribal Gaming Commission other than property specifically pledged or assigned, or a consent to suit in respect of any land within the exterior boundaries of the Reservation or a consent to the alienation, attachment or encumbrance of any such land.

**Section 26. Consent to Jurisdiction**

- A. Any person who applies for a gaming license under this Ordinance, applies for employment in any Gaming Establishment, enters into any contract or agreement related to gaming, or participates in any gaming on the lands of the Tribe, shall be deemed to have consented to the civil jurisdiction of the Tribe, the Tribal Gaming Commission, and the Tribal Court. Nothing in this Section shall limit the jurisdiction of the Tribe, the Tribal Gaming

Commission, or the Tribal Court under any circumstances not explicitly contemplated in this Ordinance.

**Section 27. Declaratory and Injunctive Relief for Illegal Gaming Activities.**

A. Notwithstanding any other provisions of this Ordinance to the contrary, the Attorney General shall have the authority to conduct investigations and determine whether any person, organization or entity is engaged in class II or III gaming activities on the Tribe's Indian lands in violation of this Ordinance. If the Attorney General determines that such a violation is taking place, and that the Tribe will suffer irreparable harm unless the illegal gaming is immediately enjoined, the Attorney General or the Attorney General's designee, subject to the approval of the Tribal Council, shall file suit in any court of competent jurisdiction to bring a cause of action for declaratory and injunctive relief to enjoin a class II or III gaming activity conducted on the Tribe's Indian lands in violation of this Ordinance. Nothing in this Section shall interfere with, limit, or inhibit the Tribal Gaming Commission from exercising its duties to conduct investigations as required under this Ordinance.

**Section 28. Compliance with Federal Law**

The Tribe shall comply with all applicable federal laws, including the Bank Secrecy Act, 31 U.S.C. §§ 5311 *et seq.*

**Section 29. Repeal**

To the extent that they are inconsistent with this Ordinance, all prior Tribal gaming ordinances are hereby repealed.

**Section 30. Effective Date**

This ordinance shall take effect immediately upon approval by the NIGC.

**Section 31. Historical Amendments.**

- 30.1 Tribal Gaming Ordinance Amended As of October 18, 2016 Adopted by Tribal Council Resolution No. 2016-110 and Approved by NIGC on December 16, 2016
- 30.2 Revised Tribal Gaming Ordinance Adopted by Tribal Council Resolution No. 2025-84 and Approved by NIGC on September 30, 2025
- 30.3 Revised Tribal Gaming Ordinance Emergency Approved by Tribal Council Resolution No. 2025-134

(CERTIFICATION APPEARS ON THE FOLLOWING PAGE)

PICAYUNE RANCHERIA OF THE CHUKCHANSI INDIANS

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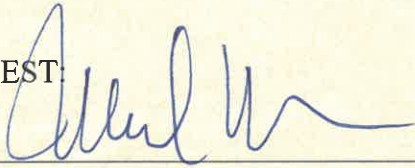
**CERTIFICATION**

The foregoing ordinance was adopted at a regular meeting of the Picayune Rancheria Tribal Council held on the 18<sup>th</sup> day of December, 2025, with a quorum present, by the following vote:

AYES: 4  
NAYES: 2  
ABSENT: 0  
ABSTAIN: 0  
NOT VOTING: 1


PICAYUNE RANCHERIA OF CHUKCHANSI INDIANS

ATTEST:



Michael Wynn, Secretary

By:

  
Tracey Hopkins, Chairwoman