



October 24, 2025

VIA EMAIL

Jacob Keyes, Chairman
Iowa Tribe of Oklahoma
335588 E. 750 Rd.
Perkins, OK 74059

Re: Submission of Amended Gaming Ordinance, Resolution No. I-24-239

Dear Chairman Keyes:

This letter serves to inform you that the Iowa Tribe of Oklahoma Tribal Gaming Ordinance (Ordinance), approved for submission via Resolution No. I-24-239 by the Business Committee of the Iowa Tribe of Oklahoma, and received by the NIGC on June 17, 2025, is approved by operation of law.

Pursuant to the Indian Gaming Regulatory Act, the NIGC Chair has 90 days from the date of submission to either approve or disapprove a gaming ordinance.¹ Any ordinance not acted upon at the end of the 90-day period is considered to have been approved by the Chair, but only to the extent it is consistent with the provisions of IGRA and NIGC regulations.² The NIGC Chair did not act within the 90-day time frame. Therefore, the Tribe's ordinance is considered approved, but only to the extent that it is consistent with IGRA and NIGC regulations.

It is the opinion of the Office of General Counsel that certain sections of the Ordinance as amended are not consistent with IGRA or NIGC regulations. NIGC background and licensing regulations found at 25 C.F.R. parts 556 and 558 and relevant definitions from 25 C.F.R. part 502 were amended most recently in August 2023.³ Both part 556 and 558 require that any ordinance amendments passed after September 14, 2023, must include amendments to comply with the current background and licensing regulations.⁴ Specifically, the ordinance is deficient in the following ways:

- Section 9 of the Ordinance is inconsistent with IGRA, 25 U.S.C. § 2710(b)(1), and NIGC regulations, 25 C.F.R. § 522.5(b)(6), which both require a separate license for

¹ 25 U.S.C. § 2710(e).

² *Id.*

³ 78 FR 5279, Jan. 25, 2013, as amended at 88 FR 55371, August 15, 2023.

⁴ 25 C.F.R. §§ 556.8 and 558.6.

- each “place, facility or location.” The Ordinance requires a separate license only for each location, which overlooks the possibility that multiple facilities may have the same location and thus require separate licenses.
- The definition of Key Employee (KE) in Section 13(a)(1) of the Ordinance is inconsistent with NIGC definition of KE at 25 C.F.R. § 502.14;
 - The definition of Primary Management Official (PMO) in Section 13(a)(2) of the Ordinance is inconsistent with the NIGC definition at 25 C.F.R. § 502.19;
 - 25 C.F.R. §§ 522.5(b)(5) and 556.5(a) require an authorized Tribal official to review a person’s (a) prior activities, (b) criminal record, if any, and (c) reputation, habits, and associations in order to make an eligibility determination for granting a gaming license. Section 12(c) of the Ordinance prohibits employment of those whose prior activities, criminal record, and reputation, habits, and association pose a risk, but nowhere does it expressly state the duty to review those elements in order to make an eligibility determination at the outset.
 - 25 C.F.R. §§ 522.5(b)(5) and 556.6(b)(1) require ordinances to specify that before issuing a license to a PMO or KE, the Tribe shall create and maintain an investigative report on each background investigation that includes all of the following: (1) steps taken in conducting a background investigation, (2) results obtained, (3) conclusions reached, and (4) the basis for those conclusions. This provision does not appear in the Ordinance;
 - 25 C.F.R. §§ 522.5(b)(5) and 556.6(b)(2)(iv) require the Tribe to submit a copy of the eligibility determination to the NIGC with the Notice of Results. Section 13(g)(1)(iii) of the Ordinance details the Notice of Results that must be submitted, but does not include the eligibility determination;
 - 25 C.F.R. § 558.2(d) requires that tribes provide notice and a hearing to any licensees for whom NIGC provided a statement of objections within the 30-day review period. The ordinance is unclear as to whether a statement of no objection from NIGC is required prior to the issuance of a license. If it is not, the ordinance must contain a statement satisfying the notice and hearing requirements of 25 C.F.R. § 558.2(d).
 - Section 12(c) of the Ordinance requires prompt notification of licensure to NIGC and references IGRA, but does not include the 30-day time limit specified by 25 C.F.R. § 558.3(b);
 - Section 13(g)(2) of the Ordinance requires retention of KE and PMO’s applications for licensing and investigative reports, but lacks the eligibility determination required by 25 C.F.R. §§ 522.5(b)(5) and 558.3(e); and
 - 25 C.F.R. §§ 522.5(b)(5) and 558.4(e) provide that after receiving information from NIGC that a PMO or KE is not eligible for licensure, the Tribe has a 45-day timeframe to notify NIGC of its decision to revoke or reinstate a gaming license. The Ordinance does not include this time limit.

Also of note, but not a deficiency, *per se*, the Ordinance makes several references to employment and employment decisions, where NIGC regulations have been revised to apply to the narrower circumstance of licensing and licensing decisions. Similarly, the Tribe references

Letter to Jacob Keyes, Chairman

Re: Submission of Amended Gaming Ordinance, Resolution No. I-24-239

October 24, 2025

Page 3 of 3

applications and reports regarding submissions to NIGC. The Tribe's actual practice and NIGC regulations have been updated to require submission of a Notice of Results. The Tribe may wish to make these terminology changes. Finally, the Privacy Act and False Statement notices required by 25 C.F.R. §§ 556.2 and 556.3 are included in the ordinance only by reference to the regulations. Including the language directly in the Ordinance would eliminate the burden of having to seek out the regulatory language and prevent any confusion that may arise if the language or citations change in the future.

Because the background and licensing sections comprise a substantial portion of the Tribe's ordinance, we strongly recommend the Tribe make additional amendments to bring it into compliance and resubmit. We also recommend that the Tribe submit any draft amendments to the Office of General Counsel for an informal review before the ordinance is formally adopted by the Tribe. Please note that once a gaming ordinance amendment has been adopted by the Tribe it should be submitted to the NIGC Chair for approval within 15 days.⁵

If you have any questions, please feel free to contact me or Jennifer Lawson, NIGC Senior Attorney at 202-418-9814.

Sincerely,



Rea Cisneros
Acting General Counsel

⁵ 25 C.F.R. § 522.3(a).



Iowa Tribe of Oklahoma

335588 E. 750 Rd.
Perkins, Oklahoma 74059
(405) 547-2402
Fax: (405) 547-1032

RESOLUTION I-24-239

A RESOLUTION OF THE IOWA TRIBE OF OKLAHOMA APPROVING AMENDMENTS TO AND RESTATEMENT OF THE IOWA TRIBE OF OKLAHOMA TRIBAL GAMING ORDINANCE.

- WHEREAS,** The Iowa Tribe of Oklahoma is a federally recognized Indian Tribe, organized pursuant to the Thomas-Rogers Oklahoma Indian Welfare Act, and has a constitution approved by the Secretary of the Interior; and
- WHEREAS,** The Business Committee has the power to transact business and otherwise speak or act on behalf of the Tribe in all matters on which the Tribe is empowered to act pursuant to Article V, Section 2 of the Tribal Constitution; and
- WHEREAS,** In September 1995, the General Council of the Iowa Tribe of Oklahoma approved the adoption of Ordinance 95-04, the Iowa Tribal Gaming Ordinance, at a duly called meeting of the General Council, and the Iowa Tribal Gaming Ordinance was approved by the National Indian Gaming Commission in December 1995; and
- WHEREAS,** In July 2003, the General Council of the Iowa Tribe of Oklahoma approved the adoption of the amendments to the Iowa Tribal Gaming Ordinance 95-04 at a duly called meeting of the General Council, and the Iowa Tribal Gaming Ordinance ("Gaming Ordinance") was approved by the National Indian Gaming Commission ("NIGC"); and
- WHEREAS,** In November 2005, the Business Committee approved the adoption of the amendments to the Gaming Ordinance 95-04, at a duly called Special Business Committee meeting, and the Gaming Ordinance was approved by the NIGC; and
- WHEREAS,** Section 23 of the Gaming Ordinance granted the Business Committee the authority to amend the Gaming Ordinance as necessary; and
- WHEREAS,** It is necessary for the Gaming Ordinance to be reviewed and amended from time to time to address deficiencies or needed changes, so that the Iowa tribal gaming operation may operate efficiently and lawfully under the Indian Gaming Regulatory Act; and
- WHEREAS,** The Business Committee determined the Gaming Ordinance as adopted in September 2005 by Resolution 95-04 should be amended and restated as attached hereto; and

WHEREAS, Based on the foregoing, the Business Committee adopted Resolution I-23-237 approving an amended and restated Gaming Ordinance and submitted the amended Gaming Ordinance to the NIGC for approval; and

WHEREAS, The NIGC has made some suggested changes to the amended and restated Gaming Ordinance previously submitted; and

WHEREAS, The Business Committee has made additional revisions to the Gaming Ordinance based upon the NIGC's suggested changes and has determined that the amended and restated Gaming Ordinance should be submitted again to the NIGC for consideration and approval.

NOW THEREFORE BE IT RESOLVED that the Business Committee of the Iowa Tribe of Oklahoma does hereby amend the Gaming Ordinance as attached hereto and said amendments to the Ordinance are made a part of this Resolution.

BE IT FURTHER RESOLVED that this Resolution and attached amendments to the Gaming Ordinance shall be submitted to the NIGC for its review and approval.

BE IT FURTHER RESOLVED that any prior Resolutions enacted by the Business Committee that conflict with this Resolution are hereby repealed and superseded including, without limitation, Resolution I-23-237.

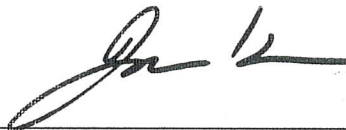
BE IT FINALLY RESOLVED that the Business Committee of the Iowa Tribe of Oklahoma authorizes the Chairman, or his designee, to take appropriate actions to carry the intent and purpose of this resolution.

CERTIFICATION

We, Jacob Keyes, Chairman of the Iowa Tribe of Oklahoma and Christie Modlin, Secretary of the Iowa Tribe of Oklahoma, do hereby certify that the above Resolution I-24-239 to be a true and exact copy as approved via email on August 27, 2024, by a vote of 4 yeas, 0 nays, 0 absent and 0 abstentions.



Christie Modlin, Secretary
Iowa Tribe of Oklahoma



Jacob Keyes, Chairman
Iowa Tribe of Oklahoma

IOWA TRIBE OF OKLAHOMA TRIBAL GAMING ORDINANCE

Index to Tribal Gaming Ordinance

SECTION 1.	Citation
SECTION 2.	Purposes
SECTION 3.	Definitions
SECTION 4.	Adoption of Compact
SECTION 5.	Authorization for Gaming Activities
SECTION 6.	Compliance with the Act, Use of Gaming Revenue, Environment & Public Health and Safety
SECTION 7.	Ownership of Gaming & Board of Directors
SECTION 8.	Gaming Commission
SECTION 9.	License for Location
SECTION 10.	Ethics & Complimentary Items
SECTION 11.	Conduct of Gaming Operations, Tribal Internal Control Standards and Minimum Internal Control Standards
SECTION 12.	Employees
SECTION 13.	Licenses for Key Employees - Application Forms - Background Investigations - Fingerprints - Eligibility Determination - Procedures for Forwarding Applications and Reports to NIGC - Report to the NIGC - Granting a Gaming License - License Suspension
SECTION 14.	Licenses for Vendors - Application Forms - Background Investigations - Fingerprints - Eligibility Determination - Procedures for Forwarding Applications and Reports to NIGC - Report to the NIGC - Granting a Vendor License - License Suspension
SECTION 15.	Gaming Account, Records and Annual Audit
SECTION 16.	Location and Schedule of Gaming
SECTION 17.	Discrimination
SECTION 18.	Report of Winners & Dispute Resolution
SECTION 19.	Tort Claims
SECTION 20.	Notice to Patrons
SECTION 21.	Criminal Penalties
SECTION 22.	Service of Process
SECTION 23.	Amendment
SECTION 24.	Repealer
SECTION 25.	Effective Date

IOWA TRIBE OF OKLAHOMA TRIBAL GAMING ORDINANCE

1. Citation

This Ordinance shall be known and may be cited as the “Amended Iowa Tribal Gaming Ordinance” and shall apply to all forms of gaming conducted within the jurisdiction of the Iowa Tribe of Oklahoma (the “Tribe”).

2. Purposes

The purposes of this Ordinance are to promote the public order, peace, safety and welfare of all persons coming within the jurisdiction of the Iowa Tribe of Oklahoma, to provide a safe and wholesome means of recreational activity in a community setting, and to provide a source of revenue for the operation of the programs and departments of the Tribal government by ensuring that any gaming activity conducted, whether Class I, II, or III is fair, responsible, and consistent with applicable federal law including the regulations and guidelines established by Public Law 100-497, known as “The Indian Gaming Regulatory Act,” and/or any Tribal State Compact to which the Tribe is a party. This Ordinance shall be liberally construed to promote these purposes.

3. Definitions

For purposes of this Ordinance:

- a. “Act” means the Indian Gaming Regulatory Act, Public. Law 100-497, 25 U.S.C. § 2701 et seq.
- b. “Business Committee” means the Iowa Tribe of Oklahoma Business Committee.
- c. “Chairman” means the Chairman of the Iowa Tribe of Oklahoma Gaming Commission established by this ordinance.
- d. “Class II gaming” means Class II gaming as defined in accordance with the Act, 25 U.S.C. § 2703 (7).
- e. “Class III gaming” means Class III gaming as defined in accordance with the Act, 25 U.S.C. § 2703 (8).
- f. “Commission” means the Iowa Tribe of Oklahoma Gaming Commission established by this ordinance.

g. “Compact” means a compact entered into by the Iowa Tribe of Oklahoma and any state which regulates Class III gaming.

h. “Gaming Enterprise” means any organization or entity established by the Tribe to conduct gaming operations of the Tribe.

i. “Gaming employee” means “gaming employee(s)” of a Gaming Enterprise and shall include primary management officials and key employees of the enterprise as defined in the Act.

j. “Gaming facilities” means any room or rooms in which Class II gaming or Class III gaming is conducted within Iowa Tribe of Oklahoma jurisdiction.

k. “Immediate family” means a spouse, parent, child, sibling, grandparent, and/or grandchild.

l. “Indian Lands” shall mean Indian Lands as defined in accordance with the Act, 25 U.S.C. § 2703(4)(A)-(B).

m. “Key License Investigator” means the person named by the Iowa Tribe of Oklahoma Gaming Commission to initiate, oversee, and review all background investigations of employees and primary management officials.

n. “National Indian Gaming Commission” or “NIGC” means the National Indian Gaming Commission established pursuant to 25 U.S.C. § 2704.

o. “Net revenues” means gross revenues of a Class II Gaming or of a Class III gaming activity less amounts paid out as, or paid for, prizes and total gaming-related operating expenses but excluding management fees paid to a management contractor within the meaning of 25 U.S.C. § 2711 (C) as defined in the Act, 25 U.S.C. §2703(9).

p. “Ordinance” means this Iowa Tribe of Oklahoma Tribal Gaming Ordinance.

q. “State” means any State wherein the Iowa Tribe of Oklahoma conducts Class II or Class III gaming.

r. “State gaming agency” means any such agency as the State may establish to carry out any regulatory responsibilities under a compact with the Iowa Tribe of Oklahoma.

s. “Tribal Council” means the General Council of the Iowa Tribe of Oklahoma as defined in the Tribal Constitution, as amended from time to time.

t. “Tribe” means the Iowa Tribe of Oklahoma.

u. “Vendor” means a sole proprietor or individual, a partnership, an association, or corporation doing business with the Tribe.

4. Adoption of Compact

Any Compact entered into between the Tribe and a State which is subsequently approved by the Secretary of the Interior and published in the Federal Register is hereby incorporated within and enacted as an integral part of this Ordinance with respect to all forms of Class III gaming; provided, however, that nothing in the adoption of the Compact herein shall be deemed to affect the operation of the Tribe of any Class II gaming, whether conducted within or without the gaming facilities, or to confer upon the State any jurisdiction over such Class II gaming conducted by the Tribe within its jurisdiction.

5. Authorization for Gaming Activities

a. Forms of Class III gaming authorized. The Tribe may conduct or operate all forms of Class III gaming authorized under any legal Compact.

b. Authority for Class II gaming. In addition to the forms of Class III gaming authorized under any compact, the Tribe shall be authorized to conduct all forms of Class II gaming within Tribal jurisdiction, including without limitation any form of bingo (whether or not electronic, computer, or other technologic aides are used in connection therewith), and (if played in the same location) pull-tabs, lotto, punch boards, tip jars, instant bingo, and other games similar to bingo.

6. Compliance with the Act

This Ordinance shall be construed in a manner which conforms to the Act in all respects, and if inconsistent with the Act in any manner, the provisions of the Act shall govern.

a. Limitation on gaming operations. In compliance with 25 U.S.C. § 2710(b)(2)(A), the Tribe shall have the sole proprietary interest and responsibility for the conduct of any gaming activity within its jurisdiction.

b. Use of gaming revenue. In compliance with 25 U.S.C. § 2710(b)(2)(B), net revenues from any gaming activity are not to be used for purposes other than:

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.

c. Limitations on Salary or Other Payments. In no event shall any commission, salary, compensation, reward or recompense paid to any gaming employee, either directly or indirectly, be based upon a percentage of receipts accruing by virtue of any Gaming Enterprise. No individual or entity with which the tribe enters into a management agreement shall be considered a gaming employee for purposes of this section.

d. Environment and Public Health and Safety. In compliance with applicable governing law, the construction and maintenance of any gaming facilities, and the operation of gaming activities, shall be conducted in a manner which adequately protects the environment and the public health and safety and for that purpose shall comply with the requirements of the Compact and all other applicable health, safety and environmental standards enacted by the Tribe.

7. Ownership of Gaming

The Tribe shall have sole proprietary interest in and be responsible for the conduct of all gaming operations. The Business Committee shall administer the Tribal gaming operations. The Business Committee shall have the authority to amend this ordinance as necessary.

8. Gaming Commission

a. Establishment of Commission. There shall be established a five member Iowa Tribe of Oklahoma Gaming Commission (the "Gaming Commission"), who shall be appointed by the Business Committee, at least two of whom shall be members of the Tribe, but none of whom shall be either a member of the Business Committee, immediate family of any Business Committee member, or an employee of a Gaming Enterprise. Each Commissioner shall serve for a term of three years commencing on the date of appointment; provided, that, as to the initial members so appointed, one of the initial members appointed shall be designated to serve for an initial term of one year, two of the initial members appointed shall be designated to serve for an initial term of two years and two of the initial members appointed shall be designated to serve for an initial term of three years. The members of the Commission shall appoint one of their members to be the Chairman of the Commission. Compensation of members of the Commission shall be established by the Business Committee. Members of the Commission may be removed by a majority vote of the members of the

Business Committee. Vacancies in the Commission must be filled by appointment by the Business Committee. No member or employee of the Commission shall participate as a player in any gaming activity conducted by the Tribe. Commissioners, its executive director and its key employees must:

1. Be at least twenty-one (21) years of age;
2. Never have been convicted of, or forfeited bond upon a charge of, or pleaded guilty to a felony including, but not limited to: a) forgery, b) larceny, c) extortion, d) conspiracy to defraud,
3. Never been convicted of, or forfeited bond upon a charge of, or pleaded guilty to willful failure to make required payment or reports to any tribal, state or United States governmental agency at any level, or filing false reports therewith, or of any similarly offense or offenses or of bribing or otherwise unlawfully influencing a public official or employee of a tribe, any state of the United States or any of any crime, whether a felony or misdemeanor, involving any Gaming Activity or physical harm to individuals or moral turpitude.
4. Pass a background check and obtain a license as required by the Indian Gaming Regulatory Act and its subsequent regulations.
5. Not have been convicted of any offense except traffic violations within two years from the date of employment.
6. Not be a member of any Business Committee's immediate family.
7. Not have had his surety bond forfeited or been criminally convicted of or found civilly liable for any breach of fiduciary duty to the Tribe or have been impeached or removed from Tribal office.
8. Be bondable in the necessary amounts.
9. Not be a member of a Gaming Enterprise's development authority or a member of a Gaming Enterprise's management team or be an employee or consultant of a Gaming Enterprise.
10. Meet any other applicable qualifications as prescribed in the Indian Gaming Regulatory Act.

b. The purpose of the Gaming Commission is regulatory, not managerial. The Commission will conduct oversight to ensure compliance with Tribal, Federal, and, if applicable, State laws and regulations.

c. Powers and duties of the Commission. The Commission shall have the following

powers and duties:

1. The Commission shall have primary responsibility for oversight of Tribal gaming operations to assure the integrity of such operations and shall, for that purpose, employ non-uniformed inspectors who may be present in all gaming facilities during all hours of operation and who shall be under the sole supervision of the Commission and not under the supervision of any management employees of the Tribal gaming operations. Such inspectors shall have unfettered access to all areas of gaming facilities at all times, and personnel employed by a Gaming Enterprise shall for such purposes provide such inspectors access to locked and secure areas of the gaming facilities in accordance with the standards of operation and management promulgated pursuant to any Compact. Such inspectors shall report to the Commission regarding any failure by a Gaming Enterprise to comply with any of the provisions of any Compact or this Ordinance and any other applicable laws and ordinances. Inspectors assigned by the Commission may also receive consumer complaints within the gaming facilities and shall assist in seeking voluntary resolution of such complaints. Inspectors appointed by the Commission shall be licensed as necessary to conform to the terms of the Compact or other applicable governing law.

2. The Commission may, on its own initiative, investigate any aspect of the operations of any Gaming Enterprise in order to protect the public interest in the integrity of such gaming activities and to prevent improper or unlawful conduct in the course of such gaming activities, and shall investigate any report of a failure of a Gaming Enterprise to comply with the provisions of any Compact or this Ordinance and may require a Gaming Enterprise to take any corrective action deemed necessary by the Commission upon such terms and conditions as the Commission may determine appropriate. The Commission may compel any person employed by or doing business with a Gaming Enterprise to appear before it and to provide such information, documents or other materials as may be in their possession to assist in any such investigation.

3. The Commission shall carry out each of the responsibilities and duties set forth for the Tribal Gaming Agency in any Compact.

4. The Commission shall enforce machine integrity and surveillance systems for each gaming facility and may confer with the State Gaming Agency or other organizations regarding the adequacy of such plans and systems.

5. The Commission shall enforce Standards of Operation and Management for any covered gaming activities or facilities in accordance with any Compact or applicable governing law..

6. The Commission may issue and revoke licenses for Class II gaming employees in accordance with this Ordinance.

7. The Commission may issue and revoke licenses for Class III gaming employees in accordance with this Ordinance.

8. The Commission shall establish a list of persons barred from the gaming facilities because their criminal history or association with career offenders or career offender organizations poses a threat to the integrity of the gaming activities of the Tribe.

9. The Commission shall enforce the rules of each game of chance operated by the Tribe pursuant to any Compact and shall, in accordance with the provisions of any Compact, notify the State Gaming Agency of such rules and of any change in such rules.

10. All Gaming Enterprises shall obtain a certificate of compliance from the Commission relating to any Class II or Class III gaming facilities. The Commission shall issue a certificate of compliance to a Gaming Enterprise upon a determination that the gaming facilities of such Gaming Enterprise comply with such standards.

11. The Commission may impose penalties for violations of this Ordinance or any Compact.

12. The Commission may, in the name of the Tribe, bring any civil action in the courts of the Tribe, or any competent Federal Court System to enforce the provisions of this Ordinance, the Act or the Compact, occurring where Iowa Tribal gaming is conducted. The bringing of any such action by the Commission shall not be deemed to be a waiver of immunity from suit by the Commission, Gaming Enterprise(s) or the Tribe.

13. The Commission shall establish a policy for receiving any complaint from an employee of a Gaming Enterprise or any member of the public who is, or claims to be, adversely affected by an act or omission of a Gaming Enterprise or of any employee thereof which is asserted to violate this Ordinance, or any Compact, and may impose such remedial action as it deems appropriate to bring a Gaming Enterprise into compliance with such provisions. The Commission may for this purpose, in its sole discretion, conduct a hearing and receive evidence with regard to such complaint if it deems an evidentiary proceeding useful in the resolution of the complaint.

14. The Commission's annual operating budget shall be approved by the Business Committee and may in accordance with said budget employ such staff from time to time as it deems necessary to fulfill its responsibilities under this Ordinance, and may retain legal counsel, consultants and other professional services including investigative services to assist the Commission with respect to any of the issues over which the Commission exercises jurisdiction. No Commissioner shall be an employee of the Gaming Commission.

15. The expenses of the Commission in accordance with such budget shall be assessed against each Gaming Enterprise based upon costs associated with the regulation of such Gaming Enterprise and each Gaming Enterprise shall pay such assessments to the Tribe.

16. The Commission may employ inspectors to conduct background investigations on key employees and primary management officials. Inspectors employed to conduct background investigations shall be licensed as required by the Act, the Compact or other applicable governing law.

d. Chairman. The Chairman of the Commission or any other member of the Commission acting in the absence of the Chairman may, whenever the Chairman deems it necessary to protect the public interest in the integrity of Tribal gaming operations, issue in the name of the Commission any order which the Commission has the power to issue, to the Gaming Enterprise(s) or to any employee or contractor of the Gaming Enterprise(s) or to any other person within the jurisdiction of the Tribe, to take any action or cease and desist from any action as may be required to protect the public interest; provided, that such order shall be subject to review by the Commission at its earliest opportunity, whereupon it may be confirmed or vacated by the Commission.

e. Executive Director. The Commission may hire an individual to serve as Executive Director of the Commission to administer its responsibilities as necessary and to oversee inspectors appointed by the Commission as well as such other staff as the Commission may from time-to-time employ. The Executive Director shall be responsible for coordination of the functions of the Commission with the National Indian Gaming Commission, any state gaming agency and other state and local agencies as necessary. The Chairman may request the Executive Director to conduct a preliminary investigation and render a recommendation to the Commission with respect to background checks of key employees and primary management officials and the grant or denial of any license, the imposition of any penalty, the investigation of any complaint, or any other action within the jurisdiction of the Commission. The Executive Director shall have the power, in the name of the Commission, to conduct any hearing, investigation or inquiry, compel the production of any information or documents.

f. Procedures of the Commission.

1. Regular meetings of the Commission may be held upon such notice and at such time and place as shall from time to time be fixed by the Commission.

2. Special meetings of the Commission may be called by the Chairman or the Executive Director. The person or persons calling the special meeting shall fix the time and place thereof. The business to be transacted and/or the purpose of any special meeting of the Commission shall be specified in the notice of the meeting. Only the business specified in the notice may be acted upon by the Commission.

3. At any meeting of the Commission, a majority of the members then in office shall constitute a quorum for the transaction of business. The vote of a majority of the members present at a meeting at which a quorum is present shall be the act of the Commission. The Chairman shall preside at all meetings of the Commission unless the Chairman designates another member to preside in his absence.

4. Any action required or permitted to be taken at a meeting of the Commission may be taken without a meeting if all of the members sign written consents setting forth the action taken or to be taken, at any time before or after the intended effective date of such action. Such consents shall

be filed with the minutes of the Commission, and shall have the same effect as a unanimous vote or resolution of the Commission at a legal meeting thereof.

5. Members of the Commission may participate in a meeting of the Commission by means of conference telephone or similar communication equipment by means of which all persons participating in the meeting can hear each other simultaneously, and participation in a meeting in such matter by any member does not object at the beginning of such meeting to the holding thereof in such manner, shall constitute presence in person at such meeting.

6. No action of the Commission to impose a penalty authorized by this Ordinance, or to revoke a license for a gaming employee previously issued by the Commission, shall be valid unless the person affected is given at least seven (7) days' notice of the proposed action and the opportunity to appear and be heard before the Commission, either in person or through a representative or legal counsel, and to submit such evidence as the Commission deems relevant to the matter at issue; provided, that if the Commission deems it necessary to protect the public interest and the integrity of the gaming activities, the Commission may take such action with immediate effect as it deems required, and shall thereupon provide notice and an opportunity to be heard to the affected person as soon as is reasonably practicable following such action. Any person who is denied an initial gaming employee license or who is barred from the gaming facilities by action of the Commission may request a hearing before the Commission by written request submitted within thirty (30) days following receipt of notice of the action of the Commission, and the Commission shall thereupon afford an opportunity to appear and be heard before the Commission, either in person or through a representative or legal counsel, and to submit such evidence as the Commission considers relevant to the hearing. After such hearing, the Commission shall either affirm or reconsider its decision. Any hearing conducted under this subsection may, at the direction of the Commission, be conducted by the Executive Director or by one or more of the Commissioners designated by the Commission for that purpose. At the discretion of the Commission, its decision may be appealable to the Iowa Tribe of Oklahoma District Court. The standard of review for such appeal is arbitrary and capricious.

7. The Commission may adopt such additional procedures and rules as it deems necessary or convenient to govern its affairs and which are consistent with this Ordinance, including, but not limited to Tribal Internal Control Standards (TICS).

9. License for Location

No Class II or Class III gaming shall be allowed at any location unless a separate license is issued by the Gaming Commission for such site.

10. Ethics and Complimentary Items

a. Ethics. The Tribe recognizes that the duties of the Commission include making important decisions on highly sensitive issues. As such, the Tribe has determined that the Commission shall be held to extremely high ethical standards. Prior to taking their positions on the Commission, the members shall agree to be bound by the following principles:

1. Members shall not hold financial interests that conflict with the conscientious performance of their duties as managers and regulators.

2. Members shall not engage in financial transactions using nonpublic information or allow the improper use of such information by others on their behalf to further any private interest.

3. Members shall not solicit or accept any gift or other item of ascertainable value , including complimentary items, from any person or entity seeking official action or inaction from, doing business with, or conducting activities regulated by the member's organization, or whose interests may be substantially affected by the performance or nonperformance of the members' duties.

4. Members shall make no unauthorized commitments or promises of any kind purporting to bind the Tribe.

5. Members shall not use their positions for private gain.

6. Members shall act impartially, in accordance with all relevant Tribal, Federal, and State laws (where applicable), and shall not give preferential treatment to any private organization or individual, including to any persons related to Members.

7. Members shall ensure that Tribal property and gaming assets shall be properly segregated and safeguarded, and that such property and assets shall not be used for unauthorized activities.

8. Members shall not engage in outside employment or activities, including seeking or negotiating for future employment, which conflict with their official duties and responsibilities.

9. Members shall disclose waste, fraud, abuse, and corruption to appropriate authorities.

10. Members shall endeavor to avoid any actions creating the appearance that they are violating the law or the ethical standards listed herein.

11. Members shall disclose any real or apparent financial or personal conflicts. If there is a real conflict or the appearance of one, the member shall not take part in any decision related to the conflict.

12. The Tribal Code of Ethics is hereby adopted and incorporated herein by reference. If there is a conflict between this Section 10 Ethics and the Iowa Tribe of Oklahoma Code of Ethics, this Section 10 shall supersede the Tribal Code of Ethics.

b. Complimentary Items.

1. Use of complimentary items shall be governed by regulations established by the Gaming Commission.

2. No key employee, primary management official, Tribal Business Committee member, Gaming Enterprise Board member, or Gaming Commission member, or any person directly related to or sharing a resident with the persons, shall be authorized to receive complimentary items.

3. Complimentary items shall be included in the annual budget for the gaming operation of each Gaming Enterprise, with maximum limits specified, and shall be subject to approval by the Business Committee.

11. Conduct of Gaming Operations, Tribal Internal Control Standards, and Minimum Internal Control Standards

a. The Tribe acknowledges its obligations to adopt and implement minimum internal controls ("MICS") for the operation of its Class II gaming activities, no less stringent than those found in the Act and its implementing regulations. The Tribe may adopt and implement, in whole or in part, such standards with respect to its Class III operations. The Gaming Commission shall develop the Tribal Internal Control Standards ("TICS") for the operation of the Gaming Enterprises, which shall be subject to the review and approval of the Business Committee.

b. The Commission shall be the governing body responsible for the enforcement of the TICS.

c. The Commission shall enforce the rules applicable to any Gaming Enterprise consistent with the following:

1. The rules of play and operation of the game shall be prescribed and approved by the Business Committee.

2. Each and every player has a fair and equal opportunity to win.

3. The method of winning and the prize or prizes for each game should be clearly outlined before each game.

4. The winner or winners of each game shall be verified in a manner that all present may witness.

5. No person who is conducting or assisting in the gaming operation shall participate directly or indirectly in the play of that game.

6. No person under the legal gaming age, as defined by the Commission, shall be permitted to play for any reason.

7. The Commission shall make sole and final determination as to the validity of a winner or winners at the conclusion of that game at which they were a winner.

8. No alcoholic beverages shall be permitted in the facility during the time that the facility is being used for the gaming operation, unless the Business Committee has authorized an Alcoholic Beverage license for on-site consumption.

9. No person under the influence of either intoxicants or drugs, or in any violation of Tribal law or ordinance, shall be permitted to engage in any form of gaming nor to remain in the building when gaming is being conducted.

10. Trash should be separated to facilitate recycling and efforts should be made to protect the environment.

12. Employees

a. All persons employed in the gaming facility shall be licensed by the Commission as prescribed by this Ordinance, the Indian Gaming Regulatory Act or any Tribal-State Compact for Class III Gaming.

b. Each employee will wear a license in a visible manner when operating or assisting in the operation of a gaming facility.

c. No person shall be employed whose prior activities, criminal record, if any, or reputation, habits and associations pose a threat to the public interest or to the effective regulation of gaming, or create or enhance the dangers of unsuitable, unfair or illegal practices and methods and activities in the conduct of gaming.

d. As necessary, the Business Committee may require the Commission, its Executive Director or any other “Key” employee to be bonded in an amount not less than \$50,000 payable to the tribe.

e. Background investigations will be conducted on the primary management officials and key employees and licenses will be issued according to requirements at least as stringent as set forth in 25 C.F.R. 556 and 558 and the results forwarded to the NIGC prior to issuance of licenses. When licenses are issued, the Commission will promptly notify the NIGC as prescribed in the Indian Gaming Regulatory Act or any Tribal/State Compact for Class III Gaming.

f. The Commission and the Board of each Gaming Enterprise shall follow tribal law with regard to tribal preference in hiring.

13. Licenses for Employees

The Commission shall ensure that the policies and procedures set out in this section are implemented with respect to key employees and primary management officials employed at any Class II or Class III gaming enterprise operated on Iowa Indian Lands:

a. Definitions. For the purposes of this section, the following definitions apply:

1. Key employee means those key employees as defined in any statute or regulation and at a minimum include:

A. A person who performs one or more of the following functions: (1) Bingo caller; (2) Counting room supervisor; (3) Chief of Security; (4) Custodian of gaming supplies or cash; (5) Floor manager; (6) Pit boss; (7) Dealer; (8) Croupier; (9) Approver of credit; or (10) Custodian of gambling devices including persons with access to cash and accounting within such devices.

B. If not otherwise included, any other person whose total cash compensation is in excess of \$50,000 per year; or

C. If not otherwise included, the four most highly-compensated persons in the gaming operation.

2. Primary management official means:

A. The person having management responsibility for a management contract;

B. Any person who has authority to hire and fire employees or to set up working policy for the gaming operation; or

C. The chief financial officer or other person who has financial management responsibility.

3. Other Employees.

The Gaming Commission shall issue licenses to other gaming employees as required by the Compact, the Act and any applicable governing law.

b. Application Forms

1. Each covered employee and vendor must review and acknowledge applicable federal disclosures regarding privacy and false statements as a condition of licensure. In accordance with 25 C.F.R. § 556.2(a) the commission shall place the Privacy Notice on the application form prior to it being filled out by an applicant.

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

2. Existing key employees and primary management officials shall be notified in writing that they shall either:

A. Complete a new application form that contains a Privacy Act notice; or

B. Sign a statement that contains the Privacy Act notice and consent to the

routine uses described in that notice.

3. In accordance with 25 C.F.R. § 556.3(a) the Commission shall place a Notice Regarding False Statements on the application form prior to it being filled out by an applicant. The Commission shall notify in writing existing key employees and primary management officials that they shall either:

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

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

c. Background Investigations.

1. The Commission through its Key License Investigator shall request from each primary management official and from each key employee all of the following information:

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

3. Currently and for the previous five years: business and employment positions held, ownership interests in those businesses, business and residence addresses, and driver's license numbers;

4. 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 (c)(3) of this section;

5. Current business and residence telephone numbers;

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

7. A description of any existing and previous business relationships with the gaming industry generally, including ownership interests in those businesses;

8. 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;

9. 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, if any;

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

11. For each criminal charge (excluding minor traffic charges), whether or not there is a conviction, if such criminal charge is within ten years of the date of the application and is not

otherwise listed pursuant to Paragraph (9) or (10) of this subsection, the criminal charge, the name and address of the court involved and the date and disposition;

12. 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;

13. A current photograph;

14. Any other information the Commission deems relevant; and

15. Fingerprints consistent with procedures adopted by the Commission according to 25 C.F.R. § 522.2(h) which shall require that the Commission take fingerprints and submit them to the Federal Bureau of Investigation for a criminal check against FBI records. In the event that the Commission is temporarily unable to take the applicant's fingerprints, then the Commission and/or the key License Investigator may cause the fingerprints to be taken by the tribal law enforcement or any other city, county, state or federal law enforcement agency.

d. The Commission shall conduct an investigation sufficient to make a determination under Subsection (e) below. In conducting a background investigation, the Commission, the Key License Investigator or any agent acting on behalf of the Commission and/or the Key License Investigator shall keep confidential the identity of each person interviewed in the course of the investigation.

e. Eligibility Determination. The Commission, in conducting the criminal background check, the Key License Investigator or any agent acting on behalf of the Key License Investigator shall, at a minimum, conduct a search of records maintained in the state of Oklahoma for the previous ten years, search criminal records maintained by Courts of the County wherein the applicant resides and cause a criminal check to be conducted with the records maintained by the Federal Bureau of Investigation. The Key License Investigator shall compile all the information obtained in the investigation and submit the information with a recommendation on the proposed action to the Commission for its review. If the Commission determines that employment of the person poses a threat to the public interest or to the effective regulation of gaming, or creates or enhances dangers of unsuitable, unfair, or illegal practices and methods and activities in the conduct of gaming, a management contractor or a tribal gaming operation shall not employ that person in a key employee or primary management official position.

f. Procedures for Forwarding Applications and Reports for Key Employees and Primary Management Officials to the Nation Indian Gaming Commission.

1. When a key employee or primary management official begins work at a gaming operation authorized by this ordinance, the Commission shall forward to the National Indian Gaming Commission a completed application for employment and conduct the background investigation and make the determination referred to in Subsection (e) of this section.

2. The Commission shall forward the report referred to in Subsection (g) of this section to the National Indian Gaming Commission within 60 days after an employee begins work or within 60 days of the approval of this ordinance by the Chairman of the National Indian Gaming Commission.

3. The gaming operation shall not employ as a key employee or primary management official a person who does not have a license after 90 days.

g. Report to the National Indian Gaming Commission.

1. The Gaming Commission shall send the eligibility report to the NIGC which shall contain the following:

(i) Applicant's name, date of birth, and social security number;

(ii) Date on which applicant began or will begin work as key employee or primary management official;

(iii) A summary of the information presented in the investigative report, which shall at a minimum include a listing of:

(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 10 years of the date of application; and

(D) Every felony of which the applicant has been convicted or any ongoing prosecution.

2. With respect to key employees and primary management officials, the Commission shall retain applications for employment and reports (if any) of background investigations for inspection by the Chairman of the National Indian Gaming Commission or his or her designee for no less than three (3) years from the date of termination of employment.

h. Granting a Gaming License.

1. If, within a thirty (30) day period after the National Indian Gaming Commission receives a report, the National Indian Gaming Commission notifies the Commission that it has no objection to the issuance of a license pursuant to a license application filed by a key employee or a primary management official for whom the Commission has provided an application and inves-

tigative report to the National Indian Gaming Commission, the Commission may issue a license to such applicant.

2. The Commission shall respond to a request for additional information from the Chairman of the National Indian Gaming Commission concerning a key employee or a primary management official who is the subject of a report. Such a request shall suspend the 30-day period under Paragraph 1 of this Section until the Chairman of the National Indian Gaming Commission receives the additional information.

3. If, within the thirty (30) day period described above, the National Indian Gaming Commission provides the Commission with a statement itemizing objections to the issuance of a license to a key employee or to a primary management official for whom the Commission has provided an application and investigative report to the National Indian Gaming Commission, the Commission shall reconsider the application, taking into account the objections itemized by the National Indian Gaming Commission. The Commission shall make the final decision whether to issue a license to such applicant.

4. A key employee or primary management office who does not have a license after ninety (90) days shall not be permitted to perform the duties, functions, and/or responsibilities of a key employee or primary management official until so licensed.

5. If the Commission does not license an applicant, it shall:

A. Notify the NIGC; and

B. Shall forward copies of its eligibility determination and notice of results under section 13 g. above, to the Commission for inclusion in the Indian Gaming Individuals Record System.

i. License Suspension.

1. If, after the issuance of a gaming license, the Commission receives from the National Indian Gaming Commission reliable information indicating that a key employee or a primary management official is not eligible for employment under Subsection (e) above, the Commission shall suspend such license and shall notify in writing the licensee of the suspension and the proposed revocation.

2. The Commission shall notify the licensee of a time and a place for a hearing on the proposed revocation of a license.

j. After a revocation hearing, the Commission shall decide to revoke or to reinstate a gaming license. Any licensing decision of the Gaming Commission may be appealable to the Iowa Tribe of Oklahoma District Court and to any Court to which appeals therefrom may be taken, within thirty (30) days of the date of the Commission's decision that is the subject of appeal. The standard of review shall be

whether the decision of the Gaming Commission was arbitrary and capricious. The filing of such an appeal shall not suspend, negate, delay or disrupt the implementation of a decision or action of the Gaming Commission during the pendency of the appeal. All decisions of the Gaming Commission for which a timely appeal has not been filed shall be final. License Revocation.

1. If the Commission revokes a gaming license for a key employee or primary management official it shall:
 - a. Notify the NIGC; and
 - b. Shall forward copies of its license revocation decision for inclusion in the Indian Gaming Individuals Record System.

14. Licenses for Vendors.

A license shall be issued and a thorough background investigation shall be conducted on all vendors doing business with the Iowa Tribe of Oklahoma's gaming operations, including the following entities:

1. Partnerships – the partnership itself, each principal including each general, and limited partner of the partnership;
2. Associations -- the association itself, each officer and director of the association;
3. Corporations – the corporation itself, each officer or director of the corporation, and each owner, directly or indirectly, of any equity security, or other ownership interest in the corporation. In the case of owners of publicly held securities for publicly traded corporations background investigations are conducted only upon those persons who are beneficial owners of 5% or more of the publicly held securities.

Provided, however, that financing provided by a federally regulated or state-regulated bank, savings and loan, or trust, or other federally or state-regulated lending institution; any agency of the federal, state, tribal or local government; or any person or entity, including, but not limited to, an institutional investor who, alone or in conjunction with others, lends money through publicly or commercially traded bonds or other commercially traded instruments, including but not limited to the holders of such bonds or instruments or their assignees or transferees, or which bonds or commercially traded instruments are underwritten by any entity whose shares are publicly traded or which underwriter, at the time of the underwriting, has assets in excess of One Hundred Million Dollars (\$100,000,000), shall be exempt from the licensing requirements of this section.

a. Application Forms

Each covered Vendor must review and acknowledge applicable federal disclosures regarding privacy and false statements as a condition of licensure. The Gaming Commission shall provide such disclosures to covered vendors. The disclosure of your Social Security Number (SSN) or Employment Identification Number (EIN) is voluntary. However, failure to supply an SSN or EIN may result in errors in processing your application.

3. The Commission shall request from each vendor all of the following information:

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

B. Evidence of authority to act and commit on behalf of the Applicant acknowledged by Notary Public.

C. Names and addresses in alphabetical order of each director, officer, partner, and shareholders owning, directly or indirectly, 5% or more of the publicly held securities of a publicly traded company. Include the following for each person:

(1) Current and complete ownership accounting as a percentage

(2) State of legal residency

D. List of all Applicant's officers, partners, limited partners, and owners of equity security or other ownership interest (5% or more interest in publicly held securities). If the Applicant is an association, list each officer and director.

E. If the Applicant is a trust, list each trustee and beneficiary. Also, include a Personal History Disclosure, Release of Information, and Release of All Claims for each person.

F. If the Applicant is a corporation, partnership, association, or sole proprietorship, include the following information for the Applicant:

(1) Type of business: Corporation, partnership, association, limited liability company, professional limited liability company, or sole proprietorship

(2) State of incorporation or formation.

(3) Date of incorporation or formation.

(4) Date of qualification to do business in any state in which the organization is incorporated.

(5) Registered agent, address, and telephone number.

(6) Certified copy of the Articles of Incorporation or, if not a corporation, a true copy of the partnership agreement or other organizational document(s).

(7) Disclosure for directors, officers, or owners, during the ten (10) years immediately preceding the application of arrest, charges, convictions or plea of guilty or no contest to a felony, a gaming-related offense, fraud, or misrepresentation in any connection, of tribal, federal or state statutes.

(8) Evidence of other licenses or permits to gaming in any jurisdiction, including Native American Nations, whether or not such license or permit was granted.

(9) All civil litigation (including bankruptcies and collection agencies) to which the Applicant has been a party as a plaintiff or defendant during the immediately preceding ten (10) years.

G. Description of the nature of Applicant's business, including types of supplies, services, and/or equipment offered by Applicant.

H. Applicant's audited financial statements and auditor's opinion for the Applicant's last three fiscal years. If the statements and opinions for the most recently completed fiscal years are not available, explain why, and submit copies of statements and opinions for the most recent three fiscal years for which they are available.

I. Authorization or release of Applicant information, as provided.

J. Disclosure of Designation of Confidential and Proprietary Information

K. Disclosure to Employment Applicant Regarding Procurement of a Consumer Report and Release Authorization for Consumer Report Form, as provided.

b. The Commission shall conduct an investigation sufficient to make a determination under Subsection (c) below. In conducting a background investigation, the Commission, the Key License Investigator or any agent acting on behalf of the Commission and/or the Key License Investigator shall promise to keep confidential the identity of each person interviewed in the course of the investigation.

c. Eligibility Determination. Background investigations and licensing shall follow the same process and apply the same criteria as for key employees, subject to any deviations as may be required or permitted by the Compact and other applicable governing law.

d. Granting a Vendor License.

1. The Commission shall not issue a license to a vendor if the Commission determines that one or more of its principals are persons who would not be qualified to receive a license if they applied as a key employee.

2. The Commission may request additional information from any vendor who is subject to a background investigation.

e. License Suspension.

1. If, after the issuance of a gaming license, the Commission receives reliable information indicating that a vendor is not eligible for a license under Subsection (d) above, the Commission shall suspend such license and shall notify in writing the licensee of the suspension and the proposed revocation.

2. The Commission shall notify the licensee of the time and a place for a hearing on the proposed revocation of a license.

After a revocation hearing, the Commission shall decide to revoke or to reinstate a gaming license. Any licensing decision of the Gaming Commission may be appealable to the Iowa Tribe of Oklahoma District Court and to any Court to which appeals therefrom may be taken, within thirty (30) days of the date of the Commission's decision that is the subject of appeal. The standard of review shall be whether the decision of the Gaming Commission was arbitrary and capricious. The filing of such an appeal shall not suspend, negate, delay or disrupt the implementation of a decision or action of the Gaming Commission during the pendency of the appeal. All decisions of the Gaming Commission for which a timely appeal has not been filed shall be final.

15. Gaming Account, Records, & Annual Audit

a. Records. The Board of each Gaming Enterprise shall keep and maintain records concerning such Gaming Enterprise's gaming operations in accordance with Part 5(C) of the Compact. These records shall be audited annually, and the audit reports shall be open for inspection by any Tribal member. Such records shall be maintained for at least three (3) years.

b. Annual Audit. In compliance with 25 U.S.C. § 2710 (b) (2) (c) and (d), all gaming activities shall be subject to an audit by independent certified public accountants, not less than annually, and copies of the annual audit shall be provided to the National Indian Gaming Commission. 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 Class II or Class III gaming shall be subject to such audits.

16. Location and Schedule of Gaming

All gaming sessions authorized herein shall be conducted at a place on Indian Lands and on such days and times as may be approved by the Gaming Enterprises. The location and time for conducting Class III Gaming shall be consistent with any Tribal-State Compact.

17. Discrimination

The Commission may bar any person from admittance to any Tribal gaming facility for any or no reason whatsoever. However, no person shall be discriminated against because of his race, color, creed, sex or national origin.

18. Report of Winners and Dispute Resolution

a. No prize shall be awarded unless the winner has fairly won without any collusion with the Commission, its Executive Director or any of his employees or agents of the gaming operation. The Commission has the authority to hold the payment of any winnings indefinitely until the final verification of authentic winning has been determined whether by inquiry or electronic means of validation upon the approval of the Commission. The Commissioner or his designee shall make accurate and timely reports to the Internal Revenue Service of any winners at any gaming facility whose prize winnings exceed the minimum limits set by the Internal Revenue Service. In which case, acceptable proof of winners' name, address and social security number must be presented to the Commission or its designee in order to be paid prizes.

b. Prize Disputes.

Prize Claim Policies of the Commission are hereby adopted and incorporated herein by reference, as the same may be amended from time to time.

19. Tort Claims

Tort Claim Policies are hereby adopted and incorporated herein by reference, as may be amended from time to time.

20. Notices to Patrons

a. **Prize Claims**. Notices explaining the procedure and time limitations with respect to making a prize claim shall be prominently posted in the facility. Such notices shall explain the method and places for making claims, that this procedure is the exclusive method of making a prize claim, and that claims that do not follow this procedure shall be forever barred. The enterprise shall make pamphlets containing the requirements in this subsection readily available to all patrons of the facility and shall provide such pamphlets to a claimant by the Gaming Commission within five (5) days of the filing date of a claim.

b. Tort Claims. Notices explaining the procedure and time limitations with respect to making a tort claim shall be prominently posted in the facility. Such notices shall explain the method and places for making a tort claim, that this procedure is the exclusive method of making a tort claim, and that claims that do not follow these procedures shall be forever barred. The Enterprise shall make pamphlets containing the requirements in this subsection readily available to all patrons of the facility and shall provide such pamphlets to a claimant within five (5) days of the filing of a tort claim.

21. Criminal Penalties

Any person or firm subject to the jurisdiction of the Iowa Tribe of Oklahoma found violating the provisions of this chapter shall be guilty of an offense and shall, upon conviction thereof, be punished as provided by law. Upon conviction, a person may be punished by confinement for a period of not less than ten (10) days and no more than six (6) months or by a fine of not less than \$500 and no more than \$5,000, or by both such fine and imprisonment.

22. Service of Process

All service of process made pursuant to this ordinance may be made by directing said notice to:

Chairman
Iowa Tribe of Oklahoma Business Committee
RR. 1 Box 721
Perkins, Oklahoma 74059

or

Chairman
Gaming Commission
P.O. Box 1160, 821 W. Freeman Ave.
Perkins, OK 74059

Amended Iowa Tribe of Oklahoma Gaming Ordinance 08/27/2024

23. Amendment

This ordinance may be repealed or amended by the Business Committee without requiring the approval of the Tribal General Council consistent with Article 5 Section 2 of the Constitution of the Iowa Tribe. Any repeal or amendment made to this Ordinance must be submitted to the National Indian Gaming Commission for approval.

24. Repealer

This Gaming Ordinance repeals the Gaming Ordinance of the Iowa Tribe, adopted as Ordinance No. ~~93-03~~ 95-04 by the Iowa General Council.

25. Effective Date

This Amended Gaming Ordinance, as amended, shall become effective on the date of approval by the Business Committee and approved by the Chairperson of the National Indian Gaming Commission.