



September 4, 2026

E. Michael Silvas, Governor
Ysleta del Sur Pueblo
P.O. Box 17579
117 S. Old Pueblo Rd.
El Paso, TX 79907

Re: Ysleta del Sur Pueblo Gaming Ordinance

Dear Governor Silvas:

This letter is to inform you that the Ysleta del Sur Pueblo's amended gaming ordinance, enacted by Tribal Council Resolution TC-006-26, received by the National Indian Gaming Commission (NIGC) on June 5, 2026, is deemed approved by operation of law.

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.¹ Any gaming ordinance not acted upon at the end of the 90-day period is considered to be approved by the operation of law to the extent it is consistent with IGRA and the NIGC regulations. Because the position of the NIGC Chair is currently vacant, no action was taken within the 90-day period. Therefore, the Ysleta del Sur Pueblo's gaming ordinance amendment is considered deemed approved as it is consistent with IGRA and NIGC regulations.

Thank you for providing the amended gaming ordinance for our review. If you have any questions, please contact NIGC Staff Attorney Mandy Cisneros at mandy.cisneros@nigc.gov or (651) 238-9141.

Sincerely,

A handwritten signature in blue ink, appearing to be 'RC', is written over a light blue circular background.

Rea Cisneros
Acting General Counsel

¹ 25 U.S.C. § 2710(e).

Ysleta del Sur Pueblo

Tribal Council Resolution

TC-006-26

Pertaining to the Amendment of YDSP Gaming Ordinance No. 00492

- WHEREAS,** The Tribal Council (the "Council") of the Ysleta del Sur Pueblo (the "Pueblo"), is the duly constituted traditional governing body of the Ysleta del Sur Pueblo exercising all inherent governmental power, fiscal authority, and tribal sovereignty as recognized in sections 101 and 104 of the Act of August 18, 1987 (the Ysleta del Sur Pueblo Restoration Act), 101 Stat. 666, Public Law No. 100-89; and,
- WHEREAS,** the Pueblo has operated from time immemorial as a Native American political sovereign without organic or written constitution, charter, or by-laws; and,
- WHEREAS,** the Pueblo governs itself by oral tradition; and,
- WHEREAS,** the civil and criminal law authority of the pueblo is vested in the Council consisting of the Cacique, Governor, Lt. Governor, Alguacil, War Captain and four (4) Council members; and,
- WHEREAS,** Council has authorized the Governor or in his absence the Lieutenant Governor to act for the Pueblo in signing of this resolution: and
- WHEREAS,** the Tribal Council desires to amend the previous Tribal Class II Gaming Ordinance to coordinate its provisions with the requirements set by the National Indian Gaming Commission ("NIGC") and the Indian Gaming Regulatory Act ("IGRA"), and,
- WHEREAS,** this amended Class II Gaming Ordinance does comply with the wishes of the NIGC and the directives of the IGRA, and,
- WHEREAS,** the Gaming Commissioner / Gaming Commission of Ysleta Del Sur Pueblo is asking Tribal Council to adopt the 2025 YDSP Class II Gaming Ordinance No.00492.

NOW, THEREFORE, BE IT RESOLVED by the Ysleta del Sur Pueblo Tribal Council exercising its sovereign power and authority does hereby approve the foregoing resolution.

ADOPTED this the ____ 10th ____ day of February 2026.

CERTIFICATION

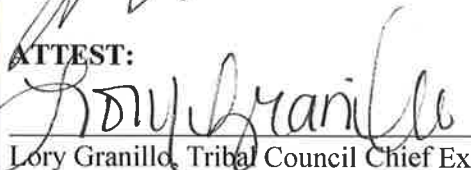
I, the undersigned Governor of the Ysleta Del Sur Pueblo hereby certify that the Ysleta Del Sur Pueblo Tribal Council approved the foregoing resolution on the ____ 10th ____ day of February 2026 and that 7 voted for, 0 opposed, and 0 abstained.

YSLETA DEL SUR PUEBLO:



E. Michael Silvas, Tribal Governor

ATTEST:



Lory Granillo, Tribal Council Chief Executive Assistant

YSLETA DEL SUR PUEBLO

CLASS II TRIBAL GAMING ORDINANCE

NO. 00492

AS AMENDED

The Tribal Council is the duly constituted traditional governing body of the Ysleta del Sur Pueblo. The Pueblo is a federally recognized Indian Tribe, exercising all inherent governmental powers, fiscal authority, and tribal sovereignty as confirmed in the Ysleta del Sur Pueblo Restoration Act, Public Law 100-89. Under its authority to provide for the health, safety, morale, welfare, tribal economic development, and self-sufficiency of the Pueblo, the Council adopted the Bingo Ordinance No. 00492 on May 6, 1992, pursuant to the requirements of the Indian Gaming Regulatory Act (Public Law 100-497, 25 USC § 2701, et. seq.). The Council adopted the 1992 Bingo Ordinance for the purpose of regulating the conduct of Class II Gaming on the Pueblo's Lands. The Council amended the Bingo Ordinance on October 16, 1992, April 15, 1993, July 22, 1993, October 5, 1993, December 10, 2013, and March 18, 2014, with the last amended Ordinance approved by the National Indian Gaming Commission on October 5, 2015. The Council again amends this Ordinance this 10th day of February, 2026, as follows.

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I. GENERAL PROVISIONS

Section 1 Title

This Ordinance shall be known as the Ysleta del Sur Pueblo Class II Tribal Gaming Ordinance, or the Gaming Ordinance.

Section 2 Findings

The Council finds that:

1. The Ysleta del Sur Pueblo has the exclusive authority to operate, license, and regulate Class II Gaming activities on its Tribal Lands under the Indian Gaming Regulatory Act; and;
2. It is essential to the health, safety and general welfare of the Ysleta del Sur Pueblo and the visitors to its Tribal Lands that standards and regulations be promulgated to govern the conduct of Class II gaming activities on Tribal Lands.

Section 3 Purpose

The purposes of this Gaming Ordinance, as amended, are to:

1. Authorize Class II gaming on tribal lands and provide standards and regulations governing the conduct of Class II gaming activities on Tribal Lands;
2. Promote tribal economic development;
3. Enhance employment opportunities for tribal members;
4. Strengthen the economy of the Ysleta del Sur Pueblo; and,
5. Generate revenue for use in improving the health, education and general welfare of members of the Ysleta del Sur Pueblo.

Section 4 Definitions

1. "Bingo" means the game of chance (whether or not electronic, computer or other technological aids are used) which is played for prizes, including monetary prizes, with cards bearing numbers or other designations; in which the holder of the card covers such numbers or designations when objects, similarly numbered or designated, are drawn or electronically determined; and in which the game is won by the first person covering a previously designated arrangement of numbers or designations on such cards. "Bingo" includes, if played at the same location, pull-tabs, lotto, punch boards, tip jars, instant bingo, and other games similar to bingo.
2. "Bingo Occasion" shall mean a single session or gathering at which a series of successive bingo games are played.
3. "Class I Gaming" means social games played solely for prizes of minimal value or traditional forms of Indian gaming engaged in by individuals as a part of, or in connection with, tribal ceremonies or celebrations.
4. "Class II Gaming" means all forms of gaming which are defined as Class II Gaming in the Indian Gaming Regulatory Act, P.L. 100-497, 25 U.S.C § 2703 (7)(A) ("IGRA") and

by the regulations promulgated by the National Indian Gaming Commission at 25 C.F.R. § 502.3.

5. "Commission" or "NIGC" means the National Indian Gaming Commission established and existing pursuant to the Indian Gaming Regulatory Act.
6. "Electronic, computer or other technological aid" shall mean any machine or device such as telephones, cables, televisions, screens, satellites, bingo blowers, electronic player stations, or electronic cards for participants in bingo games and which: 1. assist a player or the playing of a game; 2. is not an electronic or electromechanical facsimile; and, 3. is operated according to applicable Federal Communications law. Such machines or devices broaden the participation levels in a common game, facilitate communication between and among gaming sites, or allow a player to play a game with or against other players.
7. "Equipment" means the receptacle and numbered objects drawn from it, the master board upon which such objects are placed as drawn; the cards or sheets bearing numbers or their designations to be covered and the objects used to cover them; the board or sign, however operated, used to announce or display the numbers or designations as they are drawn; the public address system; and other articles essential to the operation, conduct, and playing of Bingo or other class II games.
8. "Game Card" and "Bingo Game Card" means a regular or special Bingo card.
9. "Games Similar to Bingo" means any game in the same location as bingo constituting a variant on the game of bingo, provided that the game is not house banked, and permits players to compete against each other for a common prize or prizes.
10. "Gaming Employee" means any natural person employed in the operation or management of the Pueblo Gaming Operation, whether employed by or contracted to the Pueblo or by any person or enterprise providing on or off-site services to the Pueblo within or without the Gaming Facility regarding any Class II gaming activity, including, but not limited to, Key Employees, Gaming Operation employees, Management Companies, and their Principals; and any other natural person whose employment duties require or authorize access to restricted areas, access to restricted information/data of the Pueblo Gaming Operation not otherwise opened to the public.
11. "Gaming Regulatory Act" or "IGRA" means the Indian Gaming Regulatory Act, Public Law 100-497 as codified in 25 U.S.C § 2701 et seq.
12. "Gross Revenue" means the total revenue from the conduct of the Pueblo Gaming Operation.
13. "Gaming Services" means the providing of any goods or services to the Pueblo directly in connection with the operation of Class II gaming in a Gaming Facility, including equipment, maintenance, or security services for the Gaming Facility.
14. "Indian" shall mean an individual as defined by 25 U.S.C § 2201(2) of an Indian tribe as defined by the Nation Indian Gaming Commission Regulations at 25 C.F.R. 502.13.
15. "Instant Bingo" means a game of chance whereby the player purchases a card and removes paper slips, which act as concealing flaps, revealing numbers or symbols or numbers and letters, and on the reverse side of the card are printed the winning combination such that the player need only compare the sides to determine if and what they may have won.
16. "Key Employee" means:
 - a. A person who performs one or more of the following functions:

- (1) Bingo Caller;
 - (2) Counting Room Supervisor;
 - (3) Chief of Security;
 - (4) Floor Manager;
 - (5) Pit Boss;
 - (6) Dealer;
 - (7) Croupier;
 - (8) Approver of credit; or
 - (9) Custodian of gaming systems as defined in 25 CFR 547.2 and similar class III systems, gaming cash or gaming cash equivalents, gaming supplies or gaming system records;
 - (10) Custodian of surveillance systems or surveillance system records.
- b. Any gaming operation employee authorized by the gaming operation for unescorted access to secured gaming areas designated as secured gaming areas by YDSPGC;
 - c. If not otherwise licensed as a key employee or primary management official, the four most highly compensated persons in the Gaming Operation.
 - d. Any other person designated by the Ysleta Del Sur Pueblo Gaming Commission as a Key Employee.
17. "Lotto" means a game of chance with cards bearing numbers or other designations, in rows of 9, in which the player holding the card covers such numbers or designations when objects similarly numbered or designated are drawn or otherwise randomly determined, in which the game is won by the first player to cover a predesignated arrangement on the card.
 18. "Net Revenues" means the gross gaming revenues from the Pueblo Gaming Operation, less (a) amounts paid out as, or paid for, prizes; and (b) total gaming-related Operating Expenses, excluding management fees.
 19. "Management Contract" means a management contract within the meaning of 25 U.S.C. § 2711.
 20. "Minimum Internal Control Standards" or "MICS" means minimum control standards designed to protect the assets of the Enterprise, ensure the accuracy and reliability of accounting methods, and protect the integrity of gaming on Tribal lands.
 21. "Non-Banking Card Games" means any card game in which two or more players play against each other and the players do not wager against the house.
 22. "Operating Expenses" means expenses of the Enterprise, necessary for the operation of the Enterprise and which include, but are not necessarily limited to, the following:
 - a. The payment of salaries, wages and benefit programs for employees engaged at the Enterprise;
 - b. Materials and supplies for the Enterprise;
 - c. Utilities;
 - d. Routine remodeling, repairs and maintenance of the Gaming Facility;
 - e. Interest on installment contract purchases by the Enterprise;
 - f. Insurance and bonding;
 - g. Advertising and marketing, including busing and transportation of employees to the Gaming Facility;
 - h. Professional fees;
 - i. Security costs;

- j. Reasonable and necessary travel expenses for employees of the Pueblo, the Gaming Enterprise/Gaming Facility or pursuant to a Management Contract, subject to an approved budget and/or approval process;
 - k. Equipment which costs less than capital asset threshold as set by management per item or unit;
 - l. Trash removal;
 - m. Costs of goods sold;
 - n. Depreciation as defined by Generally Accepted Accounting Principles ("GAAP");
 - o. Other expenses designated as Operating Expenses in the annual budget of the Enterprise;
 - p. Expenses specifically designated as Operating Expenses in a Management Contract and ordinarily considered as such in accordance with GAAP;
 - q. Such other expenses which are determined by an annual audit to be operating expenses; and
 - r. Any payments in lieu of taxes made to any governmental entity.
23. "Person" means any individual, receiver, administrator, executor, assignee, trustee in bankruptcy, trust, estate, firm, partnership, joint venture, club, company, joint stock company, business trust, corporation, association, society, or any group of Individuals acting as a unit, whether mutual cooperative, fraternal or nonprofit doing business within the Indian Lands. The Pueblo, Tribal Council, or the Regulatory Commission is not within the definition of person.
24. "Player" or "Patron" means any person who is a customer or guest of the Gaming Enterprise participating in Class II gaming activity.
25. "Principal" means with respect to any enterprise: 1. each of its officers and directors; 2. each of its principal management employees, including any chief executive officer, chief financial officer, chief operating officer, or general manager; 3. each of its owners or partners, if an unincorporated business; 4. each of its shareholders who own more than ten percent of the shares of the corporation, if a corporation; 5. each person other than a banking institution who has provided financing for the enterprise constituting more than ten percent of the total financing of the enterprise; and, 6. any person or entity set forth and described in 25 CFR § 537.1.
26. "Primary Management Officials" or "PMO" means:
- a. The person having management responsibility for a management contract;
 - b. Any person who has authority to:
 - (1) hire and fire employees; or
 - (2) set up working policy for the Gaming Enterprise, or
 - c. The chief financial officer ("CFO") or other person who has financial management responsibility or similar duties to a CFO.
 - d. The general manager or chief executive officer or a position with duties similar to a general manager or chief executive officer.
 - e. Any other employed management official of the gaming enterprise as documented by the Tribe as a primary management official.
27. "Prize" means any U.S. currency, cash or other property or thing of value awarded to a player or patron or received by a player or patron as a result of their participation in Class II gaming activity.

28. "Pueblo" or "Tribe" means the Ysleta del Sur Pueblo being duly recognized by the Secretary of the Department of the Interior, and other agencies of the United States of America, and having special rights of self-government, (all as set forth in the Ysleta del Sur Pueblo Restoration Act, Public Law 100-89, 25 USC 1300g-1), and its authorized officials, agents and representatives.
29. "Pueblo Gaming Facility" or "Gaming Facility" means any location in which Class II gaming as authorized by this Gaming Ordinance is conducted on the Pueblo's Tribal Lands.
30. "Pueblo Gaming Enterprise" or "Gaming Enterprise" or "Enterprise" means an economic entity authorized to conduct Class II Gaming Operations and related activities on the Pueblo's Reservation pursuant to this Gaming Ordinance. A Gaming Enterprise may be operated by the Ysleta del Sur Pueblo directly or by a Person under a Management Contract.
31. "Pueblo Lands" or "Tribal Lands" means all lands within the limits of the Ysleta del Sur Pueblo Reservation; and any lands title to which is either held in trust by the United States for the benefit of the Ysleta del Sur Pueblo or individual Ysleta del Sur Pueblo tribal member subject to restriction by the United States against alienation and over which the Pueblo exercises governmental power.
32. "Pueblo Tribal Member" means an individual who is recognized as a member of the Ysleta del Sur Pueblo as determined by the Pueblo.
33. "Pull Tabs" means factory covered tickets which are purchased and opened by players or patrons revealing a predetermined winning arrangement.
34. "Punch Board" means a small board that has many holes, each filled with a rolled up printed slip to be punched out upon payment of player fee, in an effort to obtain a slip that entitles the player to a designated prize.
35. "Regular Bingo Card" means a bingo card or bingo paper issued to a player upon payment of admission fee which affords a player the opportunity to participate in all regular bingo games played at a bingo occasion.
36. "Regulations" means Rules and Regulations promulgated from time to time by the Gaming Commission pursuant to the Gaming Regulatory Act and this Gaming Ordinance, as amended.
37. "Reservation" means Ysleta del Sur Pueblo lands:
 - a. held by the Pueblo on August 18, 1987;
 - b. held in trust by the State or by the Texas Indian Commission for the benefit of the Pueblo on such date;
 - c. held in trust for the benefit of the Pueblo by the Secretary under 25 USC 1300g-4(g)(2); and,
 - d. subsequent to such date, acquired and held in trust by the Secretary for the benefit of the Pueblo;
 - e. Or ancestral lands deemed to be reservation land by the appropriate authority.
38. "Secretary" means the Secretary of the Department of the Interior.
39. "Special Bingo Card" means a disposable, specially marked bingo card or bingo paper which affords a player the opportunity to participate in a special bingo game for special prizes.
40. "Special Bingo Game" means any bingo game which is not a regular bingo game and which is played with special bingo cards or bingo paper for special prizes.

41. "State" means the State of Texas.
42. "Tip Jars" means a game of chance, wherein a person upon payment of a fee, is permitted to reach into, or tip a jar containing printed slips, and extract one slip in an effort to obtain a slip that entitles the player to a designated prize.
43. "Tribal Building Inspector" means the person appointed as Tribal Building Inspector, his qualified agent or if none, such other person as the Council designates or appoints, to perform the duties of a building inspector, including but not limited to, enforcement of applicable building, safety and health codes.
44. "Tribal Council" or "Council" means the Pueblo's governing body as recognized by the Texas Indian Commission on August 18, 1987, and such tribal council's successors. The Tribal Council of the Pueblo possesses plenary power over the people, land and property within the exterior boundaries of the Pueblo.
45. "Tribal Court" means the Ysleta del Sur Pueblo Tribal Court.
46. "Ysleta del Sur Pueblo Gaming Commission" or "Gaming Commission" or "YDSPGC" means such agency of the Pueblo as the Pueblo may from time to time designate as the single Tribal agency responsible for regulatory oversight of entertainment and gaming activities conducted by the Gaming Enterprise.

Section 5 Class II Gaming Authorization and Regulation.

Operation of Class II gaming is authorized on Indian lands and shall be subject to the provisions of this Gaming Ordinance. All Class II gaming shall be regulated by the Pueblo through the Ysleta Del Sur Pueblo Gaming Commission and shall only be operated consistent with the provisions of this Gaming Ordinance.

Section 6 Exclusive Operation by Pueblo.

Class II gaming shall be operated exclusively by the Pueblo, which shall have the sole proprietary and ownership interest in and responsibility for the conduct of any Gaming Operation authorized by this ordinance.

Section 7 Use of Revenue from Class II Gaming Activities.

1. Net revenues from Class II Gaming activities shall be used by the Pueblo to:
 - a. donate to charitable organizations;
 - b. fund tribal government operations or programs;
 - c. provide for the general welfare of the Tribe or Tribal members;
 - d. promote tribal economic development;
 - e. fund operations of local tribal government agencies; and/or
 - f. If the Tribe elects to make per capita payments from Class II net revenues to tribal members, it shall authorize such payments only upon approval by the Secretary of the Interior under 25 U.S.C. 2710(b)(3).

Section 8 Gaming Facilities.

1. To ensure that the environment and the public safety and welfare are adequately protected, each Gaming Facility shall be constructed and maintained in compliance with the minimum standards of any applicable Building Code adopted by the Pueblo.
2. Each Gaming Facility shall be subject to inspection to ensure compliance, annually or on such basis as the Tribal Building Inspector, or if none, YDSPGC, determines necessary and appropriate.
3. The Pueblo shall construct, maintain and operate each Gaming Facility in a manner that adequately protects the environment and the public's health and safety.
4. Each Gaming Facility shall be required to have a Site License issued by the Gaming Commission pursuant to IGRA prior to opening for operation as a Gaming Facility.

Section 9 Persons Under the Age of Twenty-One (21), Employees Prohibited.

1. No person under the age of twenty-one (21) years shall be permitted to play any Class II game.
2. No person who is employed at a Gaming Facility may play any game conducted therein while on duty, except in the course of their employment.

Section 10 Prizes: Assignments and Forfeiture.

1. Non-Assignable, exception.
 - a. The right of any person to a prize shall not be assigned except that payment of any prize may be made to the estate of a deceased prize winner or to a person pursuant to an order of the Tribal Court.
2. Forfeiture.
 - a. Any unclaimed prize of the Pueblo Gaming Enterprise shall be retained for ninety (90) days after the prize is available to be claimed. Any person who fails to claim a prize during such time shall forfeit all rights to the prize, and the amount of the prize shall be awarded to the Enterprise.
 - b. Any prize won by a person under the age of twenty-one (21) shall be forfeited as a violation of Section 9 of this Gaming Ordinance. Any such prize shall be awarded to the Enterprise, and the approximate consideration paid by such person shall be refunded to such person.

II. ADMINISTRATION

Section 11. Ysleta del Sur Pueblo Gaming Commission.

1. Establishment and Composition.
 - a. Pursuant to Article 62 of the Tribal Ordinance TO-001-10 as amended by Tribal Resolution TC-023-10, the Ysleta del Sur Pueblo Gaming Commission, shall provide for the orderly development, administration and regulation of Pueblo

entertainment and gaming activities conducted by the Gaming Enterprise. For the purposes of this section, and only this section, "Commission" means the "Gaming Commission" as defined in this Ordinance.

- b. The Gaming Commission shall consist of one to three commissioners, shall be appointed in accordance with Article 62 of the Tribal Ordinance TO-001-10 as amended by Tribal Resolution TC-023-10, and may include a Chairperson, Vice-Chairperson and Secretary/Treasurer.
- c. 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. To avoid potential conflicts of interest between the operation and regulation of the gaming facility, the Tribe requires that, at a minimum:
 - (1) No member of the Tribal Council or Tribal Gaming Board of Directors may serve on the Tribal Gaming Commission;
 - (2) No member directly related to, or living with, any Tribal Council member or Tribal Gaming Board of Directors member may serve on the Tribal Gaming Commission;
 - (3) Members of the Commission are prohibited from gambling in any Ysleta Del Sur Pueblo owned or run gaming facility;
 - (4) Commissioners are prohibited from accepting complimentary items from the gaming operation.; and
 - (5) Commissioners may only be removed from office by the Tribal Council, prior to the expiration of their respective terms, for neglect of duty, misconduct, malfeasance or other acts that would render a commissioner unqualified for the position.

2. Qualifications and Appointment.

- a. Commissioners shall be appointed by the Governor subject to the approval of the Tribal Council and may be a person other than a tribal member. All Commissioners as minimum qualifications shall:
 - (1) Hold a bachelor's degree in business administration, management, marketing, accounting, law, or a related field, with at least four years of experience in a highly regulated industry within business management, compliance, or regulation.
 - (2) Be at least 21 years of age;
 - (3) Possess a basic knowledge and understanding of entertainment and gaming activities authorized on the Reservation;
 - (4) Have a work history that shows the ability to interpret regulations and conduct administrative hearings;

- (5) Have a work history that shows the ability to observe restrictions concerning conflicts of interest and confidentiality as well as exercise independence and objectivity in their day-to-day duties;
 - (6) Shall be required to have and pass a criminal history check conducted by the appropriate law enforcement agency as well as a background check.
- b. Anyone convicted of a felony, gambling-related offense, embezzlement, theft, any other offense related to money or honesty, such as fraud, bankruptcy, or a crime of moral turpitude cannot serve as a commissioner.
 - c. No member of the Tribal Council may be a member of the Commission either during a Tribal Council member's term or for a period of one year thereafter.
 - d. Generally, the following persons may not serve as Commissioners: current employees of the gaming operation, gaming contractors, persons directly related to or sharing a residence with any of the above and persons who would be ineligible to be a key employee or primary management official.
 - e. All Commissioners shall be appointed for indefinite terms, during which they must maintain eligibility.
 - f. In the event of a vacancy on the Commission, the Governor may appoint any other qualified person to fill the vacancy, provided that any proposed appointee shall be subject to the qualification requirements for Commissioners.

3. Powers and Duties.

- a. The Commission shall administer the provisions of the Gaming Ordinance and shall have, pursuant to Tribal Ordinance TO-001-10 and Tribal Resolution TC-023-10, the power to:
 - (1) Promulgate regulations governing the licensing, conduct and operation of Pueblo entertainment and gaming activities as are consistent with the purposes of the Gaming Ordinance, including establishing Tribal Internal Control Standards, "TICS," for Class II gaming activities;
 - (2) Investigate violations of this Gaming Ordinance governing the licensure, operation or conduct of Pueblo entertainment and gaming activities; the regulations promulgated by the Gaming Commission; and Tribal minimum internal control standards, and any condition, term or restriction of a license issued by the Commission;
 - (3) Conduct, or cause to be conducted, background investigations and criminal records checks on all applicants for a gaming license;
 - (4) Process all license applications, determine the suitability of all applicants, issue and deny licenses;
 - (5) Levy fines and to limit, condition, suspend, restrict or revoke any license which the Commission has issued, either upon complaint or upon its own motion, and to enforce this Gaming Ordinance and the regulations promulgated by the Commission;
 - (6) Obtain all information from applicants, licensees and other persons which the Commission deems necessary for the regulation of Pueblo entertainment and gaming activities;

- (7) Issue subpoenas for the appearance or production of persons, records and things in connection with applications before the Commission or in connection with disciplinary or contested cases under consideration by the Commission;
 - (8) Investigate and conduct hearings upon complaints charging violations of this Gaming Ordinance or the Commission regulations, or any condition, term or restriction of a license issued by the Commission, and to impose appropriate penalties and fines, including injunctive relief;
 - (9) Conduct hearings at the request of an applicant or licensee who petitions for review of an adverse ruling;
 - (10) Inspect and examine, with or without notice, all Pueblo entertainment and gaming operations and all premises wherein entertainment and gaming activity devices or equipment are located, and to seize, remove and impound, pursuant to a Commission order, from such premises any equipment, devices, supplies, books or records for the purpose of examination or inspection as necessary to enforce the provisions of this Gaming Ordinance and the Commission regulations;
 - (11) Review, inspect, examine and copy all papers, books and records of the Pueblo Gaming Enterprise related to the enforcement of any provision of this Gaming Ordinance, the Commission regulations and any condition, term or restriction of a license issued by the Commission, and to impound or remove, pursuant to a Commission order, all such papers, books and records when deemed necessary for their preservation, inspection and examination;
 - (12) Establish Tribal minimum internal controls for the Pueblo Gaming Enterprise and to require an audit of each operation's compliance with said standards;
 - (13) May establish and collect license fees and fees for performing background investigations on applicants for licenses and on other persons for whom the Commission requires a background investigation;
 - (14) Require an annual independent audit of the Pueblo's Gaming Enterprise be conducted and made available to the Tribal Council;
 - (15) Propose an annual budget for Commission operations to the Tribal Council;
 - (16) Participate on behalf of or in conjunction with the Pueblo in litigation brought in connection with tribal gaming activities; and
 - (17) Exercise such other incidental powers as may be necessary to ensure the safe and orderly regulation of the Pueblo's Gaming Enterprise.
 - (18) And to promulgate rules, regulations and procedures to ensure that the Ysleta Del Sur Pueblo Gaming Commission shall operate independently in its administration of this ordinance without outside or undue influence from any actor or entity.
- b. Before seizing, removing or impounding any devices, equipment, books, records or any other property of the Pueblo Gaming Enterprise, the Commission shall issue a pre-hearing order based upon a specific factual finding that any person has failed to comply with this Gaming Ordinance or any Commission regulation, tribal internal control standard or minimum internal control standard. The Commission

shall afford the person subject to the order, an opportunity for a hearing with the Commission no later than 30 days after issuance of the order.

- c. The Commission shall not negotiate or execute any capital equipment purchase, contract, lease, deed, mortgage or other instrument in the name of or on behalf of the Pueblo. The Commission may enter into such on its behalf only as required to execute purchase orders and similar documents necessary for day-to-day operation of the Gaming Commission. The Commission shall not enter into loans on its behalf or on behalf of the Pueblo and no evidence of indebtedness shall be issued in the name of the Commission or Pueblo.

Section 12. Licensing.

1. Authority to License.

The Gaming Commission shall have the sole and exclusive authority to grant, renew, deny, revoke, suspend, limit, or modify gaming licenses and regulate Class II gaming activities on Tribal Lands as permitted by this Gaming Ordinance and applicable law.

- a. At a minimum all primary management officials, key employees and all gaming related business vendors/suppliers/entities shall be licensed by the Gaming Commission.

2. Types of Licenses to be Issued.

The Gaming Commission may issue, where appropriate, the following licenses for gaming on Tribal Lands:

- a. Enterprise Management License
- b. Key Employment License
- c. General Employee License
- d. Vendor licenses
- e. Other Licenses necessary and appropriate.

3. License Fees: Application Fees and Continuing Yearly Fees.

- a. Any person making application for the Pueblo gaming license pursuant to this Gaming Ordinance shall submit his or her application, and required forms and information, as set forth by the Gaming Commission. An application fee, as determined by the Gaming Commission, may be assessed by the Commission should it deem it necessary and appropriate in furtherance of this ordinance. The Commission may waive fees at its discretion.
- b. A Licensee shall, at least sixty (60) days prior to the expiration of such license make application for renewal, as required by the Gaming Commission, and shall submit the application, required forms and Information together with a renewal fee as determined by the Regulatory Commission, if any.

4. License Validity: Effective Period and Place.

- a. Tribal gaming licenses shall be valid and effective for a period of three (3) years from the date of issue, unless same is sooner suspended, or revoked for cause after notice and hearing, pursuant to this Gaming Ordinance. However, all personal/business/company information that such a license is predicated on shall be updated by the person/company yearly. This updated information shall assist in informing the Gaming Commission as to whether a new background and license is warranted.
- b. If so, issued by the Gaming Commission, a tribal gaming license shall be valid for any Gaming Enterprise operation located on the Pueblo's Tribal Lands.

5. License: Qualification and Requirements.

a. General.

- (1) An application to receive a gaming license or to be found suitable to receive a gaming license shall not be granted unless the Gaming Commission is satisfied, after review of a background investigation, that such applicant is:
 - (a) A person of good character, honesty and integrity;
 - (b) A person whose prior activities, criminal record, if any, reputation, habits and association do not pose a threat to the public interest of the Pueblo, its members 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 conducting of gaming or the carrying on of the business and financial arrangements incidental thereto; and,
 - (c) In all other respects is qualified to be licensed or found suitably consistent with the declared policy of the Gaming Enterprise.
 - (d) An application to receive a license or to be found suitable constitutes a request for a determination of the applicant's general character, integrity and ability to participate or engage in, or be associated with gaming. Any written or oral statement made in the course of an official proceeding of the Gaming Commission or the NIGC by any member thereof or any witness testifying under oath which is relevant to the purpose of the proceeding is absolutely privileged and does not impose liability or defamation constituting a ground for recovery in any civil action.
- (2) No person shall be employed in a Pueblo Gaming Enterprise on Tribal Lands who:
 - (a) Has been convicted of or who has pled guilty or nolo contendere to a felony, or has ever been convicted of or has ever pled nolo contendere to any gaming offense, or other offense involving moral turpitude, filed for bankruptcy; or,
 - (b) Is under the age of eighteen (18).

(3) No person shall be employed as a Primary Management Official or Key Employee in a Class II gaming activity who:

(a) Has not first applied for a tribal gaming license, pursuant to the Gaming Ordinance, and has been made the subject of a background investigation conducted by the Pueblo, its agents, or designee pursuant to the requirements of this Gaming Ordinance.

6. Primary Management Officials, Key and Other Employees' Identification.

Every person employed at a Gaming Facility operated on Tribal Lands shall wear an Identification card issued by the Gaming Commission or Gaming Facility management which conspicuously states the place of employment, the first name of the person and their position of employment. The card shall include a photo, full name, a numerical identifier unique to the individual and any other personal or professional information deemed necessary by the Gaming Commission.

7. License Suspension and Revocation.

a. Suspension and Revocation notices for licensed persons or entities shall be as follows:

(1) The Gaming Commission reserves the right to suspend or revoke a gaming license.

(2) A gaming license may be suspended or revoked on the Gaming Commission's own volition, or a Key Employee or Primary Management Official's gaming license may be suspended, without prior notice, if the NIGC, after appropriate review, indicates that a Primary Management Official or Key Employee does not meet the standards established and set forth herein, pursuant to 25 U.S.C. § 2710.

(a) Upon receipt of such notification, the Gaming Commission shall immediately conduct its own investigation. Upon completion of its investigation, the Gaming Commission may suspend a gaming license. Whatever the outcome of its investigation, the Gaming Commission shall inform the NIGC of its decision. Should a suspension be warranted, the Gaming Commission shall provide the licensee with written notice of suspension and proposed revocation.

(3) A licensee, whose gaming license is suspended or terminated, shall be notified of the time and place for a hearing on the proposed revocation of a license.

(4) A right to a hearing under this part shall vest only upon receipt of a license granted under this Ordinance.

8. Suspension or Revocation Notice.

a. The suspension or revocation Notice shall include:

(1) The effective date of suspension or revocation;

(2) The reason(s) for the suspension or revocation;

- b. The licensee shall have a right to request a reconsideration of the suspension/revocation of the Gaming Commission within ten (10) business days of the licensee's receipt of the notice. Procedures and timeframes for such an appeal shall be memorialized in Gaming Commission procedures and/or a regulation.
- c. A copy of the suspension or revocation notice for Key Employees or Primary Management Official licenses shall be sent to the NIGC through the appropriate regional office.

9. Reconsideration Hearing.

- a. After a reconsideration hearing, the Gaming Commission shall decide to suspend, revoke or to reinstate a gaming license. Should the hearing involve a Key Employee or Primary Management Official, the Gaming Commission shall notify the NIGC of its decision within forty-five (45) calendar days of receiving notification from the Commission pursuant to Section 13(k)-(l) of this Ordinance.
- b. A licensee may appeal the suspension or revocation of his/her license to the Ysleta Del Sur Pueblo Tribal Court by sending a written notice of appeal to the Tribal Court and the Gaming Commission within ten (10) business days after the licensee receives notice that his/her license has been suspended or revoked. The notice of appeal shall clearly state the reason(s) why the licensee believes his/her license should not be suspended or revoked.
- c. Upon filing of the notice of appeal, the Tribal Court shall schedule a hearing to be conducted within a reasonable amount of time. Written notice of the time, date and place of the hearing shall be delivered to the licensee as proscribed by the Court's rules of civil procedure.
- d. The licensee, at their own cost, and the Gaming Commission may be represented by legal counsel at the hearing. The licensee and the Gaming Commission may present witnesses and evidence in accordance with established Court rules.
- e. Within a reasonable time after such a hearing, the Tribal Court shall issue its decision. The decision of the Tribal Court may be appealed to the next highest tribal judicial body.
- f. A copy of the Tribal Court's decision regarding a license shall be sent to the Gaming Commission and, if necessary, the Gaming Commission shall inform the NIGC of the outcome of said hearing.

10. Licenses for Vendors or Suppliers.

Vendor and Suppliers of gaming services or supplies must have a license to do business with the gaming venue from the Gaming Commission and each license shall be good for one year. Contracts for professional legal and accounting services are excluded from this section.

- a. To obtain a gaming vendor/supplier license, the business must complete a vendor/supplier application and submit to background checks of itself and its principals.
- b. Applications for gaming vendor licenses must include the following:
 - (1) Name of business, business address, business telephone number(s), federal tax identification number (or social security number, if a sole proprietorship), main office address (if different from business address), any other names used by the applicant in business, and type of service(s) applicant will provide;
 - (2) Whether the applicant is a partnership, corporation, limited liability company, sole proprietorship or other entity;
 - (3) If the applicant is a corporation, the state of incorporation.
 - (4) Trade name, other names ever used and names of any wholly owned subsidiaries or other businesses owned by the vendor or its principals;
 - (5) General description of the business and its activities and whether the applicant will be investing in, or loaning money to, the gaming operation, and if so, how much;
 - (6) A description of any existing and previous business relationships with the gaming industry generally, including ownership interests in those businesses;
 - (7) A list of Indian tribes with which the vendor has an existing or previous business relationship, including ownership, financial or management interests in any non-gaming activity;
 - (8) The name and address of any licensing or regulatory agency with which the business has filed an application for a license or permit related to gaming, whether or not such license or permit was granted;
 - (9) If the business has ever had a license revoked for any reason, the circumstances involved;
 - (10) A list of lawsuits to which the business has been a defendant, including the name and address of the court involved, and the date and disposition, if any;
 - (11) A list of the principals of the business, their social security numbers, addresses, telephone numbers, titles and percentage of ownership in the company; and
 - (12) Any further information the Gaming Commission deems relevant.
- c. The following notice shall be placed on the application form for a vendor and its principals:

Inclusion of false or misleading information in the vendor application may be grounds for denial or revocation of the license.

- d. The Gaming Commission shall employ or otherwise engage an investigative company to complete an investigation of a gaming vendor. This investigation shall include, at a minimum, the following steps:
 - (1) Verification of the vendor's business' incorporation status and qualifications to do business on the reservation where the gaming operation is located;
 - (2) Obtaining a business credit report, if available;
 - (3) Conducting a check of the vendor's business' credit history;
 - (4) Conducting an investigation of the principals of the vendor's business, including facilitating a criminal history check, obtaining criminal history check results, obtaining a credit report, and interviewing any personal references listed.
 - (5) The investigator shall complete an investigative report covering each of the steps taken in the background investigation of the gaming vendor and its principals and present it to the Gaming Commission.
- e. Should the Gaming Commission choose, it may charge a license fee.
- f. The Gaming Commission may adopt regulations naming specific licensing authorities that it recognizes and may authorize exemptions to the vendor licensing process for vendors who have received a license from one of the named regulatory authorities.

Section 13. Background Investigation of Gaming Employees.

1. Background Investigations.

- a. As a condition of employment with any tribal gaming facility, the Gaming Commission shall obtain sufficient information and identification from the applicant to permit a thorough background investigation of the applicant. The applicant shall provide to the Pueblo a written release authorizing the Pueblo or its agents, to conduct a background investigation.
- b. Prior to providing such release, applicants shall be notified of their rights under the Privacy Act of 1974 as specified in 25 C.F.R. § 556.2 and as required by 25 C.F.R. § 522.2 (b). The application shall state the following or similar language:

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

- c. Additionally, prior to filling out the application, Key Employees and Primary Management Officials shall be notified on the application of the following:

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 (18 U.S.C. § 1001).

- d. The Gaming Commission shall be responsible for the performance of such background investigations. The information shall be provided in writing to meet the requirements of 25 CFR § 556.4 and § 537.1 as to background investigations. In conducting a background investigation, the Pueblo and its agents shall keep confidential the identity of each person interviewed in the course of the investigation. The information obtained shall include:

- (1) Full name, including any aliases or other names which the applicant has used or has ever been known whether oral or written;
- (2) Social Security number(s);
- (3) Date and place of birth;
- (4) Citizenship of the applicant;
- (5) Gender of the applicant;
- (6) All languages spoken or written by the applicant;
- (7) Currently and for the previous five (5) years an itemization or description of all:
 - (a) business and employment positions held;
 - (b) any ownership interests in those businesses listed;
 - (c) business and residence addresses; and
 - (d) current driver's license number(s);
- (8) Provide the names and current addresses of at least three (3) personal references, including one personal reference who was acquainted with the applicant during each period of residence listed under Subsection (7)(c), above;
- (9) A current business, if applicable, and residence telephone number(s);

- (10) A description of any current, as well as previous business relationships with Indian tribes, including ownership interests in those businesses;
- (11) A description of any existing and previous business relationships with the gaming industry generally, including ownership interests in those businesses;
- (12) The name and address of any licensing or regulatory agency with which the applicant has filed an application for a license or permit related to gaming, whether or not such license or permit was granted;
- (13) A description of all criminal proceedings in which the applicant was or is currently involved, including the following:
 - (a) 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 thereof;
 - (b) for each misdemeanor conviction or ongoing misdemeanor prosecution (excluding minor traffic violations) within ten (10) years as of the date of the application, the name and address of the court involved and the date and disposition thereof; and
 - (c) for each criminal charge (excluding minor traffic charges) whether or not there is a conviction, if such criminal charge is within ten (10) years of the date of application and is not otherwise listed pursuant to the provisions of Subsection (a) and (b) above, the criminal charge, the name and address of the court involved and the date and disposition thereof.
- (14) The name, address of any licensing or regulatory agency with which the applicant has filed an application for an occupational license or permit, whether or not such license or permit was granted;
- (15) A current photograph;
- (16) A set of fingerprints prepared by the Ysleta Del Sur Pueblo Gaming Commission; and,
- (17) A statement as to any civil litigation involving fraud in which the applicant has been involved, and a statement as to any other civil litigation in which the applicant has been involved within ten (10) years of the date of application.
- e. A criminal history check conducted by a law enforcement agency shall include a check of criminal history records information maintained by the Federal Bureau of Investigation.
- f. When a Key Employee or Primary Management Official is employed, the Gaming Commission shall maintain a complete application file containing the information listed under Section 13(d)(1)-(17), herein.
- g. Before issuing a license to a Key Employee or Primary Management Official, the Gaming Commission shall create and maintain an investigative report on each background investigation. An Investigative report shall include the following:
 - (1) Steps taken in conducting a background investigation;
 - (2) Results obtained;

- (3) Conclusions reached; and
- (4) The basis for those conclusions.
- h. When a Key Employee or Primary Management Official begins employment for the Gaming Enterprise, the Gaming Commission shall forward a completed application for employment to NIGC.
- i. Within sixty (60) days after a Key Employee or Primary Management Official begins work for the Gaming Enterprise, the Gaming Commission shall submit a notice of results of the applicant's background investigation conducted and a copy of the eligibility determination to the NIGC. The notice of results shall contain:
 - (1) The applicant's name, date of birth, and social security number;
 - (2) The date on which the applicant began or will begin work as a Key Employee or Primary Management Official;
 - (3) A copy of the eligibility determination made.
 - (4) 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 ten (10) years of the date of application; and,
 - (d) Every felony of which the applicant has been convicted or any ongoing prosecution.
- j. If within thirty (30) days, the NIGC provides the Gaming 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 Gaming Commission has provided an application and notice of results, the Gaming Commission shall reconsider the application, taking into account the objections itemized by the Commission. The Gaming Commission shall make the final decision whether to issue a license to such applicant pursuant to all applicable provisions contained in this Gaming Ordinance.
- k. The Gaming Commission may employ and license a gaming employee after any prospective gaming employee who represents, in writing, that he or she meets the standards set forth in this Section, until such time as the written report on the applicants' background investigation is completed. The Regulatory Commission may also employ and license a Primary Management Official or Key Employee, on a probationary basis, after the Gaming Commission has submitted a notice of results to the NIGC, but before receiving NIGC's statement of objections, provided that notice and the licensee's right to a hearing are provided to the licensee. The Gaming Commission shall notify NIGC within thirty (30) days after a license is issued to a Primary Management Official or Key Employee. Additionally, the Gaming Commission shall comply with Tribal employment preferences.
- l. If the Gaming Commission issues a Primary Management Official or Key Employee a gaming license before receiving NIGC's statement of objections,

- notice and hearing shall be provided to the licensee pursuant to applicable sections of this Gaming Ordinance after receiving such statement of objection.
- m. The Gaming Commission shall not employ as a gaming employee, Primary Management Official or Key Employee and shall terminate any probationary employee, if:
- (1) An employee does not have a license after ninety (90) days.
 - (2) The report on the applicant's background investigation finds that the applicant:
 - (a) has been convicted of or has plead nolo contendere to any felony within the previous ten (10) years or has ever been convicted of or has ever plead nolo contendere to any gaming offense;
 - (b) has knowingly and willfully provided materially important false statements or information on his employment application; or,
 - (c) has been determined to be a person whose prior activities, criminal record, if any, or reputation, habits, and association pose a threat to the public interest or to the effective regulation and control of gaming, or create or enhance the dangers of unsuitable, unfair, or illegal practices, methods, and activities in the conduct of gaming or the carrying on of the business and financial arrangements incidental thereto.
- n. If the Gaming Commission does not license a Primary Management Official or Key Employee applicant, the Gaming Commission shall notify the NIGC and shall forward copies of its eligibility determination and notice of results to the NIGC for inclusion in the Gaming Individuals Record System.
- o. The Gaming Commission shall retain for inspection by the NIGC Chair or his or her designee all applications for licensing, investigative reports and eligibility determination for Primary Management Official or Key Employee applicants for no less than three (3) years from the date of termination of employment.
- p. In the event of any dispute as to Subsection (d) above, the parties shall meet and in good faith attempt to resolve the differences. Until the matter is resolved the applicant shall not be employed as a gaming employee.

2. Background Investigation of Gaming Employee During Employment.

- a. The Gaming Commission shall retain the right to conduct such additional background investigations of any Primary Management Official, Key Employees, or other gaming employee at any time during the term of that person's employment. Any gaming employee found failing to comply with all the requirements for employment with a gaming facility as enumerated in this gaming ordinance shall be immediately suspended and shall be dismissed, after notice to the employee and hearing pursuant to Section 12 (7)-(9) of this Gaming Ordinance.

3. Background Investigation of any Principal.

- a. The Pueblo shall retain the right to conduct background investigations of any Principal of an entity which provides management services to the Gaming Enterprise.

4. License Locations.

- a. Each place, facility, or location on Tribal Lands where Class II gaming is conducted under this Gaming Ordinance shall be issued a separate facility license.

Section 14. Management Contracts.

The Pueblo may enter into a management contract for the management of Class II gaming activities. Each contract must comply with the provisions of this Gaming Ordinance, other applicable provisions of tribal law (including, but not limited to any tribal employment preferences), and provisions of federal law (including, but not limited to, 25 U.S.C. §§ 2710, 2711).

Section 15. Agent for Service of Process.

The Pueblo designates the present Governor and the Chairperson of the Gaming Commission as the agent for service of process, or for any official determination, order, or notice of violation.

III. CLASS II GAMES GENERALLY

Section 16. Class II Games Permitted.

1. The Pueblo may conduct Bingo, other games similar to Bingo, Class II non-banking card games, a combination of Bingo and Class II non-banking card games or games of chance commonly known as bingo, whether electronic, computer, or other technologic aids are used, which are played for prizes, including monetary prizes, with cards bearing numbers or other designations, in which the holder of the card covers such numbers or designations when objects, similarly numbered or designated, are drawn or electronically determined, and in which the game is won by the first person covering a previously designated arrangement of numbers or designations on such cards, including (if played in the same location) pull-tabs, lotto, punch boards, tip jars, instant bingo, and other games similar to bingo, card games and any Class II games as currently defined and as may be invented as well as their electronic adoptions of the same that are explicitly authorized by the laws of the State, or are not explicitly prohibited by the laws of the State and are played at any location in the State
2. A Gaming Facility shall conduct regular Bingo games, special Bingo games and such other Class II games as are permitted by the Gaming Commission pursuant to the requirements of applicable law.

Section 17. Bingo Game Cards.

The Gaming Commission shall approve the game cards to be used for each Bingo game conducted.

Section 18. Player Limitation.

The number of persons permitted to play any Class II game shall be determined by the Gaming Commission, except that:

1. The number of people permitted in the Gaming Facility or in any room in the Facility shall not exceed the limitation of the number permissible under the applicable fire, building, or other safety codes or standards.

Section 19. Entry Prohibited.

No person may enter any room in which a Class II game is being played unless the person is a player, Gaming Facility employee or person(s) present by authority of the Gaming Commission for purposes of inspection or regulatory duties.

Section 20. Hours of Operation; Approval by Regulatory Commission.

Class II gaming may be conducted twenty-four (24) hours a day, seven days a week, subject to approval by the Gaming Commission.

Section 21. Patron Disputes

The Gaming Commission shall promulgate regulations and procedures governing all patron disputes (See attachments for dispute resolution procedures).

IV. RECORDS AND AUDITS

Section 22. Records Maintenance.

1. Each Gaming Facility shall maintain accurate and up to date records for each gaming activity conducted. Records shall include:
 - a. all financial transactions;
 - b. all gaming machine testing, malfunctions, maintenance and repairs;
 - c. personnel;
 - d. complaints of patrons;
 - e. facility in house investigations of any kind;
 - f. incidents and accidents;
 - g. actions by the Gaming Commission against players or Gaming Facility visitors; and,
 - h. actions by Gaming Commission against or in reprimand of employees,
 - i. any other records deemed necessary and proper by the Gaming Commission.

Section 23. Independent Audits.

1. Gaming Activities Conducted by the Pueblo.

The Gaming Commission shall require an audit to be conducted each year of all Class II Gaming Operations conducted on Tribal Lands. Such audit(s) shall be conducted by

an independent auditing firm, selected at the sole discretion of the Audit Committee with Gaming Commission input.

2. Contracts for Supplies, Services or Concessions.

Gaming related contract for supplies, services, or concessions with a contract amount more than \$25,000 annually, except contracts for professional legal or accounting services, shall be subject to the independent audit required by Subparagraph (1), above.

3. Annual Audit Report to be Provided to NIGC.

The Gaming Commission shall furnish a copy of each annual gaming audit report to the NIGC.

4. 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.

V. VIOLATIONS

Section 24. Crimes and Civil Penalties.

1. It shall be unlawful for any person to:

- a. Operate or participate in gaming on Tribal Lands in violation of the provisions of this Gaming Ordinance and any rules and/or regulations promulgated by the Gaming Commission pursuant to the authority of this Gaming Ordinance;
- b. Knowingly make a false statement in an application for employment with a Pueblo Gaming Enterprise on Pueblo Tribal Lands;
- c. Bribe or attempt to bribe, or unduly influence or attempt to unduly influence, any person who operates, conducts, assists, or is otherwise employed by the Pueblo Gaming Enterprise.
- d. Alter or misrepresent the outcome or other event on which wagers have been made after the outcome is made sure but before it is revealed to the players.
- e. Place, increase or decrease a bet or to determine the course of play after acquiring knowledge, not available to all players of the outcome of the game or any event that affects the outcome of the game or which is the subject of the bet or to aid anyone in acquiring such knowledge for the purpose of placing, increasing, or decreasing a bet or determining the course of play contingent upon that event or outcome.
- f. Claim, collect or take or attempt to claim, collect, or take, money or anything of value in or from a gambling game, with the intent to defraud without having made a wager thereon or claim, collect, or take an amount greater than the amount won.
- g. Civil fines provided for in this Section may be imposed in addition to criminal penalties.

2. Any person or licensee who violates any provisions of this Gaming Ordinance or any rule or regulation promulgated by the Gaming Commission, shall be punished by fine in the nature of a civil penalty, not to exceed an amount applicable under federal or tribal law for each violation or for each day the violation continues or by suspension of their license

- for a period deemed reasonable for the infraction by the Gaming Commission or by revocation of their license, or by both such fine and license suspension or revocation.
3. Such fine may be assessed only after the person or entity has been given notice and an opportunity to be heard in a hearing for such as outlined previously in this Ordinance.
 4. Any person who violates any provision of this Gaming Ordinance or any rule or regulation promulgated by the Gaming Commission, shall also be guilty of a criminal offense punishable by imprisonment not to exceed an amount of time applicable under federal or tribal law.
 5. Any person who violates any provision of this Gaming Ordinance or any rule or regulation promulgated by the Gaming Commission may have their property, equipment, material and supplies used in conducting the unlawful activity seized and impounded by the Gaming Commission or their agents. The owner of the property shall be afforded an opportunity to object and be heard in accordance with the principles of due process. If no objection is raised, or the objection is not sustained, the seized property may be disposed of.
 6. The Tribal Judicial System, including administrative remedies, shall have jurisdiction over all violations of the Gaming Ordinance. Nothing, however, in this Gaming Ordinance shall be construed to authorize or require a criminal trial and punishment by the Pueblo of non-Indians except to the extent allowed or required by any applicable present or future, federal law, act of Congress or any applicable federal court decision.
 7. The Gaming Commission shall retain the right to revoke any license of any contractor who engages in conduct not authorized by this Gaming Ordinance or the contractor's agreement with a gaming facility which involves moral turpitude, dishonesty or any act which is punishable as a felony or misdemeanor involving moral turpitude under State or Federal laws.
 8. Any non-member of the Pueblo, including non-Indian, who violates a provision of this Ordinance may be excluded from the Tribal Lands within the jurisdiction of the Ysleta del Sur Pueblo.

Section 25. Enforcement.

After any person or entity fails or refuses to pay a final assessment levied pursuant to Section 23 above, the Gaming Commission may proceed to collect the assessment by initiating a civil action against the person or entity in Tribal Court or in any other court of competent jurisdiction. In such civil action, validity and amount of the assessment shall not be subject to judicial review. The Pueblo shall be entitled to all remedies in law or in equity that are available to civil litigants generally and/or specially, by law.

VI. VALIDITY OF ORDINANCE

Section 26. Severability.

If any provision or provisions in this Gaming Ordinance are held invalid by a court of competent jurisdiction, this Gaming Ordinance shall continue in effect as if the invalid provision(s) were not a part hereof.

Section 27. Amendments.

The Gaming Ordinance may be amended by action of the Tribal Council and documented by Tribal Council Resolution.

Section 28. Effective Date of Ordinance.

This Gaming Ordinance, as amended, shall take effect upon adoption of the Tribal Council and after it has been approved by the Chairman of the Commission.

NOW, THEREFORE, BE IT RESOLVED, that the foregoing amendment to Ordinance No. 00492 is hereby enacted by the Tribal Council of the Ysleta del Sur Pueblo on the 10th day of February, 2026.

By: 
Authorized Officer

Title: GOVERNOR

ATTEST:

By: 
Authorized Officer

Title: Chief Executive Assistant

VII: ATTACHMENTS

SPEAKING ROCK PROCEDURES FOR REDRESS OF ALLEGED DAMAGES

1. COMPLAINT¹ – Any person or entity wishing redress of alleged damages must submit a written² petition for review. The petition shall contain the following:

- 1.1 Name of the complainant – complainant must be the actual aggrieved and must be prominently addressed within the first paragraph of the complaint.

If the complainant is less than the age of majority³, the complaint shall contain his/her name, age **and** name of legal guardian who will be accompanying aggrieved to the review hearing.

- a. Should a person be unable to speak for themselves due to age, infirmity or other, a written reason for that inability shall be forwarded to the review board no later than 14 calendar days prior to the date of the review hearing. The review board may request additional information or documentation on such a claim. The review board shall have the final determination as to whether they shall allow a person claiming such inability to forgo any direct questioning by the members of the review board regarding the claim.

Should the review board accept the complainant's reasons for their inability to speak for themselves, the board shall notify the complainant, in writing of such, and provide suggested alternatives for the complainant to proceed with their complaint in lieu of verbal testimony at a review hearing. Should a hearing be scheduled, acceptable alternatives to testimony may include, but shall not be limited to:

1. Real time written questions and answers;
 2. Prior written questions delivered to the complainant with written answers provided to the board at a time of their choosing;
 3. Any other manner of testimonial evidence approved by the board.
- b. In the case of a minor, the review board may require proof of legal guardianship. If proof is required, the board shall notify the proffered guardian, in writing, of the need for proof. Such notice shall outline all the

¹ Complaint may also be referred to as a "Petition" by this document and shall have equal meaning unless expressly defined as having some other meaning by the subsequent or preceding text accompanying the use of either term.

² The board may opt, as internal Speaking Rock Covid protocols dictate, to accept a complaint via electronic media. This shall be determined on a case by case basis and instructions for such shall be transmitted by the board to the complainant, the complainant's guardian or the complainant's representative.

³ "Age of Majority" shall be defined by the laws of the Ysleta del Sur Pueblo.

forms of documentation the review board is willing to accept as proof of guardianship.

- c. If there is a question as to the definition of “age of majority” or the questioning of a minor, the General Manager of Speaking Rock or an appointed representative shall inquire as to the proper definition with the tribal court/tribal legal counsel. That definition shall be transmitted to the General Manager, in writing, for dissemination to the Review Board.

1.2 The complaint shall contain a mailing address, phone number and email address where the complainant may be contacted.

1.3 The complaint shall contain a detailed description of the alleged injury

- a. Should the complaint reference damages (physical, monetary or other), the complainant shall attach documentation to show proof of said damages to the complaint.⁴

1.4. The complaint shall contain a detailed explanation as to how Speaking Rock is liable for the complained of damages.

1.5. Complaint must be signed and dated by the aggrieved or, in the case of a person less than the age of majority⁵, by the legal guardian.

2. BOARD’S ACCEPTANCE OR DENIAL OF PETITION FOR REDRESS OF DAMAGES

2.1 Upon receipt of the completed complaint, the board shall convene a special meeting to determine whether the board shall accept or deny a petition for redress of damages. The board shall accept or deny the matter based on the merits of the case as enumerated in the written complaint.

- a. Should the board determine there is a redressable issue or issues contained in the complaint, the board shall accept the petition and begin the process of setting up a hearing on the matter.

- 1. Upon acceptance, the board shall immediately notify the complainant, in writing, of its decision to accept the petition.

⁴ Documentation shall be in the form of bills, receipts, medical records, written testimony of witnesses and any other documentation that complainant believes will bolster their argument. *Review board may, from time to time, request from complainant additional documentation should they believe the probative value of such will aid in making a determination on the complainant’s petition.*

⁵ See note 1 above.

- (i). If determined at the time of the initial notification, the notice of acceptance forwarded to the complainant shall contain the following information:
 - a. Date and time of the hearing.
 - b. All information that is required by the board to conduct a proper and thorough investigation/hearing and a deadline for such to be delivered to the board or whether such information may simply be brought to the hearing by the complainant.
 - c. Any other information that the board may deem relevant to conduct a proper and thorough investigation/hearing.
- 2. If the details of a hearing date are not known at the time of the initial notification of acceptance of the complaint, the board shall indicate in the initial notice of acceptance that such information shall be forthcoming along with any other requests for information in a second communique.
- (ii). Should the board determine that the complaint does not contain a redressable issue or is without merit or there is a failure to comply with any of the complaint requirements as listed in section 1 of this document, the board may deny acceptance of the complaint.
 - a. Should the board deny acceptance of a complaint due to issues the board has no authority to address or if there is no merit to the complaint(s) enumerated in the petition, the board shall:
 - 1. Notify, in writing, the complainant, complainant's guardian or complainant's representative of the denial and a detailed reason for such.
 - 2. The notification shall also contain detailed instructions as to how the complainant may resubmit the petition. Where possible, these instructions shall include detailed directives as to how the complainant may rectify the deficiencies contained in the original petition.
 - b. The notification shall contain a deadline for when the resubmitted petition must be received by the board.⁶

⁶ Any such deadline shall take into consideration all exigent circumstances regarding the complained of matter such as time of year (Holidays, tribal religious activity and the like), complainant and board member's availability, witness availability and so on and shall create reasonable deadline based on such.

- c. An address where the resubmission shall be sent by the complainant.⁷
- d. Where applicable, the notice of denial shall contain in prominent font the following:

**“FAILURE TO MEET ANY OF THE REQUIREMENTS
ENUMERATED HEREIN MAY RESULT IN THE
IMMEDIATE DISMISSAL OF THE COMPLAINANT’S
PETITION.”⁸**

- 3. REVIEW BOARD – The review board shall be made up of three (3) Speaking Rock managers/employees that have or are designated by the General Manager to have the full decision-making authority in all matters that may come before the board in a particular hearing. *A review board shall only be created and convened upon the receipt of an appeal for redress of alleged damages contained in a submitted written complaint.*

3.1 Determination of board members.

As indicated above, the board shall be made up of three (3) Speaking Rock managers/employees two (2) of which shall be appointed by the General Manager. The third member shall be determined by a lottery of all eligible managers/employees. This lottery shall be conducted by the General Manager or his designee(s).

- (i) One board member shall be designated by mutual consent of all board members as the Chief Board Member and shall act in a manner to apply and enforce this document.⁹
 - a. One board member shall be appointed by the Chief Board Member (“CBM”) as the time-keeper and shall administer to keeping the parties in strict adherence to the hearing time constraints contained herein or as determined at the time of the hearing by mutual agreement of the parties.
 - b. If required or anticipated, the CBM may request a member(s) of Speaking Rock security to act “bailiff(s)” for the duration of the hearing.

⁷ As Speaking Rock receives large amounts of written communications on a daily basis, it is advisable to inform the complainant that they may wish to send the resubmission in a manner whereby the complainant is able to track the resubmission should there be a fear of missing a deadline.

⁸ It is recommended that this notice be placed at the very beginning or at the very end of the notice of denial.

⁹ This board member shall act as the de facto “Chief Justice” of this particular “court.”

4. HEARING PROCEDURES – A hearing shall be as informal a process as possible while adhering to the following framework:

4.1 **ANY AND ALL HEARINGS SHALL FOLLOW ESTABLISHED CENTERS FOR DISEASE CONTROL GUIDELINES, TRIBAL/INDIAN HEALTH SERVICE LAWS, RULES, REGULATIONS AND GUIDELINES, SPEAKING ROCK INTERNAL POLICIES AND PROCEDURES FOR SUCH GATHERINGS AS THEY PERTAIN TO THE CONTROL, PREVENTION AND SPEARD OF THE COVID-19 VIRUS.**

4.2 After being seated, the board shall come together to review the petition for redress and determine whether the complaint shall be accepted or denied.¹⁰

4.3 Should a complaint be accepted, the board shall formulate a plan to conduct a formal hearing to contain, at a minimum, the following criteria:

- (i) Allow exactly 15 minutes for the presentation of the complainant's case.
 - a. Allow for additional time, if needed, for the presentation of witnesses or evidence or questioning by the board.
 - b. As outlined previously herein, one of the board members shall be designed timekeeper and shall keep an accurate record of time utilized by all parties at the hearing and shall keep all parties' presentations within these time frames.
- (ii) The CBM shall appoint a Speaking Rock manager/employee not seated as a board member as the record keeper. This person shall take and keep safe detailed notes of the hearing as well as record the entirety the hearing via electronic media.¹¹ This record shall also be kept in a safe and secure place by the record keeper as it may be utilized in any appeals coming out of the initial hearing.
- (iii) Allow exactly 15 minutes for the Speaking Rock response to complainant's assertions. This response shall be conducted by Speaking Rock's in-house counsel. All concessions allowed to the complainant such as additional time for response to board questions, time for presentation of witnesses and the like shall also be afforded to Speaking Rock counsel.
- (iv) The complainant shall present their evidence to the board first. Following the evidence presented by the complainant, Speaking Rock shall present their evidence. The chain of evidence shall be strictly followed. See section 5.

¹⁰ Section 2 of this document provides instruction as to how this shall be accomplished.

¹¹ Though voice recordings will suffice, it is suggested that visual media be utilized to make a more accurate record.

- a. “Evidence,” may include documents, photographs, video evidence, witness testimonies, etc.
 - b. If a witness is presented, both parties have the right to cross examine that witness.
 - c. Parties may object to certain questions or evidence based on relevancy and or other grounds. The CBM will rule on objections, if any.
- 4.4 Parties shall have the opportunity to summarize their case through closing arguments to the board. 2 minutes will be allowed to present said closing argument.
 - (i) After all testimonies and arguments, the record of the hearing shall be officially completed. Once the hearing is completed, the board members shall ask all party members to leave. The board will consider the evidence and testimonies presented within 60 days. This may include findings of fact, conclusions, and any required actions or penalties.
 - a. Both parties shall be notified of the written decision via mail. The decision will be mailed after the 60-day time frame.
The record keeper shall give the video/audio recording to the Gaming Commission once the hearing is completed.
- 5. If any party disagrees with the decision made by the board, they shall have the right to appeal. A proper appeal shall contain the following:
 - (i) Grounds for Appeal
 - a. There must be a valid reason to challenge the decision. Common grounds include procedural errors or findings that are not supported by substantial evidence.
 - (ii) Time Frame
 - a. The time frame to file for an appeal is **30 days** from notice of decision.
 - (i) Once filed, the party shall have an additional 60 days to submit the actual appellate brief to Speaking Rock’s attorney.
 - (iii) Notice of Appeal
 - a. The appellant needs to file a formal Notice of Appeal with the board, indicating their intent to appeal the decision. The formal notice of

appeal should be sent to Speaking Rock Entertainment Center's attorney, then it shall be filed with the board.

(iv) Record of Proceedings

- a. The appellant may need to obtain a complete record of the original administrative hearing. This will include transcripts of testimony, exhibits, written arguments, and the decision itself.
 - 1. The appellant will request a copy of records from Speaking Rock's attorney.

(v) Appellate Brief

- a. The appellant must submit a written brief detailing the grounds for appeal, referencing specific parts of the record, and arguing why the decision should be overturned or modified.
 - 1. The appellant will submit to the Gaming Commission.
 - (i) Contact Speaking Rock's attorney for information on where to send.

(vi) Contents of Appeal

- a. Statement of Issues
 - 1. A clear listing of the specific issues or errors the party believes occurred during the administrative hearing or in the boards decision-making process.
 - 2. The appeal itself shall be considered the cover letter necessary for statement of issues. It shall include all of the following below.
- b. Statement of Facts
 - 1. This provides a clear, concise, and objective summary of the relevant facts of the case as they were presented during the hearing.
- c. Argument/Reasons for Appeal
 - 1. This section presents the main arguments or grounds for the appeal. It should explain why the appellant believes the

board's decision was incorrect or unjust. This could be due to a perceived error, a procedural error, or any other relevant reason.

d. Relief Requested

1. Clearly state what the party wants the appellate body to do: reverse the decision, modify it, remand the case back to the original hearing officer or agency for a new hearing, etc.

e. Record from the Administrative Hearing

1. This includes transcripts of the hearing, exhibits, evidence presented, the original decision, and any other relevant documentation. This record allows the appellate body to review what happened during the original hearing.
 - (i) All records are kept by the Ysleta Del Sur Gaming Commission. If records are needed, the Gaming Commission is to be contacted to release said records.

f. Additional Documents

1. Any other documents deemed necessary by the appellate party should be included.

(vii) Response to Appellate Brief

- a. The opposing party shall file a response or counter-brief arguing why the original decision should be upheld.
 - (i) 60 days shall be allowed for a response to the appellate brief.

(viii) Contents of Response to Appellate Brief

a. Preliminary Matters:

1. Caption and Title

- (i) This provides the names of the parties, the name of the agency, the case or docket number, and a title indicating that it's a response to the appeal.

2. Table of Contents

- (i) Lists the major sections or headings and subheadings, along with page numbers.

3. Table of Authorities

- (i) Enumerates the statutes, regulations, cases, and other legal authorities cited in the response.

b. Introduction:

- 1. A brief overview of the issues on appeal and a summary of the respondent's primary arguments.

c. Statement of the Case:

- 1. This section briefly recaps the procedural history of the case, such as what happened in the administrative hearing, the decision that was made, and the main arguments raised in the appeal.

d. Statement of Facts:

- 1. Provides a factual background from the respondent's perspective. It's essential for this section to be accurate and objective, presenting the facts as they were established in the original hearing.

e. Argument/Reasons for Upholding the Decision:

- 1. This is the core of the response, where the respondent addresses and counters the appellant's arguments point by point.
- 2. For each issue raised in the appeal, the respondent presents counterarguments, cites relevant authorities, and refers to evidence or testimony from the original hearing.
- 3. The aim is to persuade the appellate body that the initial decision was correct, or that any errors made were harmless and did not affect the outcome.

f. Conclusion

- 1. A summary of the response's main arguments and a clear statement asking the appellate body to uphold the original decision.

6. If a party does not comply with the decision made by the board, enforcement actions may be taken. This could include penalties, legal action, fines, court costs, or any other action deemed necessary by the board.
7. The chain of evidence is as follows:

THE EVIDENCE COLLECTION PROCESS BELOW SHALL BE COMPLETED BY THE APPOINTED SECURITY GUARD. THE SECURITY GUARD SHALL BE APPOINTED AT THE TIME OF THE ADMINISTRATIVE HEARING BY THE CBM, AS STATED ABOVE IN SECTION 3.1 B.

CHAIN OF CUSTODY LOG SHALL BE PRESENT WITH THE SECURITY GUARD BEFORE THE HEARING BEGINS. THE LOG WILL BE LOCATED IN THE GAMING COMMISSION OFFICE IN THE EVIDENCE ROOM. AN EXAMPLE OF HOW INFORMATION IS TO BE LOGGED CAN BE FOUND AT THE END OF THIS DOCUMENT. THIS INCLUDES INITIAL DOCUMENTATION AND TRANSFER OF EVIDENCE.

ALL INITIAL EVIDENCE SHALL BE GIVEN TO THE GAMING COMMISSION AT THE TIME OF THE INCIDENT. ALL EVIDENCE WILL BE KEPT FOR 3 YEARS.

- (i) Preparation:
 - a. Wear gloves to prevent contamination.
 - b. Ensure you are in a controlled environment to minimize the risk of cross-contamination or loss of evidence.
 - c. Prepare a clean, flat surface to lay out your materials.
 - d. The area used to lay out materials to be defined as “clean,” should be cleaned with Clorox wipes or spray before evidence is laid out.
- (ii) Select the Appropriate Bag:
 - a. Use a plastic evidence bag, cardboard evidence boxes, evidence tape, and evidence tags will be provided by the Ysleta Del Sur Pueblo Gaming Commission.
 - b. The evidence bags, chain of evidence log¹², etc. will be located in the Gaming Commission office. They will be located in a box in the evidence room clearly labeled EVIDENCE BAGS AND BOXES.
 - c. The security officer shall obtain the plastic evidence bags before the hearing begins.

¹² For example of the chain of evidence log see section 5 below.

- (iii) Place the Evidence in the Bag:
 - a. Carefully place the evidence into the bag or box without forcing or overcrowding it.
 - b. Use separate bags for video evidence, physical paper evidence, etc.
 - c. Use boxes and or tags for larger items only if they do not fit into evidence bags efficiently.
- (iv) Seal the Bag:
 - a. The plastic evidence bags come with a built-in adhesive strip.
 - b. Remove the protective cover from the adhesive strip.
 - c. Press down firmly to seal the bag securely.
 - d. Ensure there are no openings or gaps in the seal.
 - e. If using a box, make sure it is securely taped together with the evidence tape and labeled.
 - f. If using a tag, make sure the tag is labeled and is secure to the item.
- (v) Label the Bag, Box, and or Tag:
 - a. Using a *permanent black marker*, the security guard shall write the necessary information directly on the bag.
 - 1. Hearing number and/or identifier.
 - 2. Date and time of collection.
 - 3. Location of evidence collection.
 - 4. Description of the evidence.
 - 5. Collector's name and initials.
 - (i) The information above shall be obtained from the CGM and or the executive director of the Ysleta Del Sur Pueblo Gaming Commission.
- (vi) Attach an Evidence Tag or Label:

- a. This will provide additional space for details and will include sections for chain of custody logs.

- 1. Include the following:

- (i) Hearing identification number.
 - (ii) Brief description of evidence.
 - (iii) Date and time.
 - (iv) Any additional notes or observations about the evidence.

- 1.1 The information above shall be obtained from the CGM and or the executive director of the Ysleta Del Sur Pueblo Gaming Commission.

- (vii) Document the Process:

- a. Take notes on how the evidence was collected, any precautions taken, and any potential contaminants in the area.
 - b. Update the chain of custody log, indicating that the evidence has been packaged. Document any person who handles the evidence after collection. A witness shall also sign/ initial off on all initial and transfers of evidence.

- (viii) Transportation:

- a. The security guard shall pick up evidence bags, boxes, and or evidence tape before the hearing begins. All will be located in the Gaming Commission offices.
 - i. If more evidence bags, taps, and or boxes are needed, the security guard is to call the Gaming Commission office to have them brought to the hearing. Evidence is not to be left unsupervised.
 - b. The security guard is to take the evidence directly to the Ysleta Del Sur Pueblo Gaming Commission.
 - c. The officer shall sign in the evidence on the evidence log once at the facility.

- d. This includes signature, date, time, and description of evidence.
 - e. If evidence is to be transferred to any entity, it should be logged into the chain of custody log and signed by both parties. (Example below on page 14).
- (ix) Storage:
- a. The evidence is to be kept in a locked cabinet inside the Gaming Commission offices. The room is to be kept locked at all times.
- (x) Regular Audit and Check:
- a. The Gaming Commission shall inspect the evidence every 90 days to ensure the bag remains sealed and that no degradation occurs.
 - b. Document any checks or audits in the chain of custody log.
8. THIS CONCLUDES THE PROCESS OF SPEAKING ROCK ENTERTAINMENT CENTER ADMINISTRATIVE APPEAL PROCEDURES FOR REDRESS OF ALLEGED DAMAGES. ALL QUESTIONS AND OR CONCERNS SHOULD BE ADDRESSED TO TERRENCE PADILLA, GENERAL COUNCIL, YSLETA DEL SUR PUEBLO GAMING COMMISSION OR HIS EQUIVALENT.

FOR REFERENCE ONLY

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Chain of Custody Log - Administrative Hearing

Case Number: 123456

Matter: [Description of the administrative matter, e.g., "Licensing Dispute for XYZ Corp."]

Date Initiated: MM/DD/YYYY

Notes:

Entry #1 - Application form initially collected by J. Smith for record purposes.

Entry #2 - Form sent to L. Johnson for review by the legal team.

Entry #3 - Photos of the premises where XYZ Corp. operates were uploaded for reference.

Entry #4 - Photos were sent to M. White for a technical assessment.

Entry #5 - Statement collected from witness A. Brown by L. Johnson.

Entry #6 - Statement forwarded to K. Turner in preparation for the hearing.

Chain of Custody Log - Administrative Hearing

Entry #	Date & Time	Description of Evidence	Collected/Received By	Transferred To	Reason for Transfer	Method of Transfer	Signature/Initials of collector and witness
1	01/01/20XX 10:00 AM	Application form of XYZ Corp.	J. Smith	-	Initial collection	Hand collection	JS/LJ
2	01/02/20XX 02:30 PM	Application form of XYZ Corp.	J. Smith	L. Johnson	Review by legal team	Internal mail	LJ/JS
3	01/05/20XX 09:00 AM	Digital photos of premises	J. Smith	-	Initial collection	Digital upload	JS/LJ
4	01/06/20XX 11:15 AM	Digital photos of premises	J. Smith	M. White	Technical assessment	Secure digital transfer	MW/JS
5	01/10/20XX 03:45 PM	Witness statement from A. Brown	L. Johnson	-	Initial collection	Hand collection	LJ/MW
6	01/11/20XX 01:20 PM	Witness statement from A. Brown	L. Johnson	K. Turner	Preparation for appeal hearing	Internal mail	KT/LJ

Case Number:

Matter:

Date Initiated:

Notes:

Entry #1 -

Entry #2 -

Entry #3 -

Entry #4 -

Entry #	Date & Time	Description of Evidence	Collected/Received By	Transferred To	Reason for Transfer	Method of Transfer	Signature/Initials of collector and witness
1							
2							
3							
4							
5							
6							

Entry #5 -

Entry #6 -