



January 17, 2014

By First Class Mail

B. Cheryl Smith, Tribal Chief
Jena Band of Choctaw Indians
P.O. Box 14
Jena, LA 71342-0014

Re: *Jena Band of Choctaw Indians Class II and Class III Gaming Ordinance*
Amendment, Resolution No. 2013-0929 and Resolution No. 2013-1216

Dear Chief Smith:

This letter responds to your request on behalf of the Jena Band of Choctaw Indians ("Tribe") for the National Indian Gaming Commission Acting Chairman to review and approve the Tribe's amendments to the Tribe's gaming ordinance.

The amendments were passed on September 29, 2013 and December 16, 2013 by the Tribal Council through Resolution No. 2013-0929 and Resolution No. 2013-1216. Resolution 2013-0929 amended the Tribe's gaming ordinance to classify the costs of operating the Tribal Gaming Commission (TGC) as an operating expense of the tribal gaming facilities. Additionally, it requires the TGC to submit a proposed budget to the Tribal Council annually for approval. Resolution No. 2013-1216 provided four additional amendments to the Tribe's gaming ordinance. First, it amended the Tribe's definition of "Person Having a Direct or Indirect Financial Interest in a Management Contract." Second, it changed the Tribe's requirements for background investigations on Management Contractors, Primary Management Officials, and Key Employees. The final two amendments changed the Tribe's procedures with regard to revocation hearings for management contractors, primary management officials and key employees.

Thank you for bringing the amendments to our attention. The amendments are approved as they are consistent with the requirements of the Indian Gaming Regulatory Act and the NIGC's regulations. If you have any questions, please feel free to contact Staff Attorney Andrew Mendoza at 202-632-7003.

Sincerely,

A handwritten signature in blue ink, appearing to read "Jonodev Chaudhuri".

Jonodev Chaudhuri
Acting Chairman



Jena Band of Choctaw Indians

P. O. Box 14 • Jena, Louisiana 71342-0014 • Phone: 318-992-2717 • Fax: 318-992-8244

October 11, 2013

The Honorable Tracie Stephens
Chairwoman, National Indian Gaming Commission
1441 L Street NW, Suite 9100
Washington, D. C. 20005

Re: Amendment by Resolution to the Jena Band of Choctaw Indians Second Amended
Class II/Class III Gaming Ordinance

Dear Chairwoman Stevens:

This letter is to request that the National Indian Gaming Commission review and approve the enclosed Tribal Council Resolution JBC 2013-0929 which amends The Jena Band of Choctaw Indians Second Amended Class II/Class III Gaming Ordinance.

If you have any questions or require any additional information, please do not hesitate to call me at the above listed telephone number or our Tribal Attorney, Julie R. Wilkerson, at 318-992-0207.

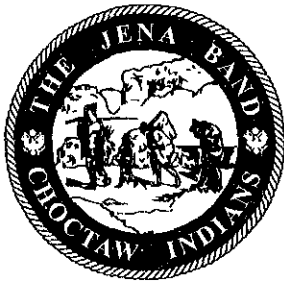
Sincerely,

JENA BAND OF CHOCTAW INDIANS

By: B. Cheryl Smith
B. Cheryl Smith, Tribal Chief

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01/10/2014



Jena Band of Choctaw Indians

P. O. Box 14 • Jena, Louisiana 71342-0014 • Phone: 318-992-2717 • Fax: 318-992-8244

TRIBAL COUNCIL RESOLUTION

JBC 2013- 0929

WHEREAS, the Jena Band of Choctaw Indians is a sovereign federally recognized Indian tribe, Acknowledged as a Sovereign Indian Nation by the United States Government; and

WHEREAS, the Tribal Council of the Jena Band of Choctaw Indians (the "Tribal Council") is the governing body of the Jena Band of Choctaw Indians (the "Tribe"); and

WHEREAS, the Tribal Council is authorized by the Tribal Constitution to act and exercise Tribal Authority on behalf of the Tribe; and

WHEREAS, the Tribal Council has the duly authorized right to promote self-government on the Jena Band of Choctaw Tribal Lands; and

WHEREAS, on April 2, 2007, pursuant to the authorities granted by the Reorganization Act, the Secretary of the Department of the Interior proclaimed all lands held in trust by the United States of America to be the reservation of the Tribe; and

WHEREAS, the Tribal Council desires to amend the Second Amended Class II/Class III Gaming Ordinance adopted and enacted on June 18, 2013 and approved by the National Indian Gaming Commission on August 22, 2013 ("Ordinance") to provide for and classify the funding required to operate the Jena Band of Choctaw Indians Gaming Commission; and

NOW, THEREFORE, BE IT RESOLVED that the Tribal Council does hereby amend Chapter 2 of the Jena Band of Choctaw Indians Second Amended Class II/Class III Gaming Ordinance dated June 18, 2013 to add Section 211 as follows:

Section 211. Tribal Gaming Commission Funding.

The funds necessary to bear the costs of operation of the Tribal Gaming Commission shall be an operating expense of the Facilities. The Tribal Gaming Commission shall submit a proposed budget to Tribal Council annually for approval. During the course of a budget term, the Tribal Council may, on request of the Tribal Gaming Commission, approve extraordinary expenses.

NOW, THEREFORE, BE IT FURTHER RESOLVED that the Tribal Council does hereby authorize the Tribal Chief, B. Cheryl Smith, to submit to the National Indian Gaming Commission within fifteen (15) days of this date, this Resolution setting forth the amendments to the Jena Band of Choctaw Indians Second Amended Class II/Class III Gaming Ordinance dated June 18, 2013 and approved by the National Indian Gaming Commission on August 22, 2013.

CERTIFICATION

The stated resolution was enacted and adopted on the 29th day of September, 2013 by the Jena Band of Choctaw Indians Tribal Council, with a quorum present; the vote was 4 (for), 0 (against) 0 (absent).

B. Cheryl Smith
B. Cheryl Smith

Christy Murphy
Christy Murphy

Ricky Jackson
Ricky Jackson

Dana Masters
Dana Masters



Jena Band of Choctaw Indians

P. O. Box 14 • Jena, Louisiana 71342-0014 • Phone: 318-992-2717 • Fax: 318-992-8244

December 18, 2013

Acting Chairman, National Indian Gaming Commission
1441 L Street NW, Suite 9100
Washington, D. C. 20005

Re: Amendment by Resolution to the Jena Band of Choctaw Indians Second Amended
Class II/Class III Gaming Ordinance

Dear Acting Chairman:

This letter is to request that the National Indian Gaming Commission review and approve the enclosed Tribal Council Resolution JBC 2013-1216 which amends The Jena Band of Choctaw Indians Second Amended Class II/Class III Gaming Ordinance, approved on August 22, 2013.

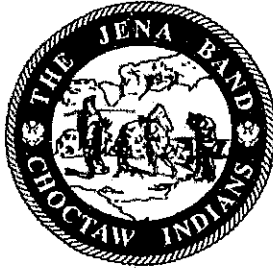
If you have any questions or require any additional information, please do not hesitate to call me at the above listed telephone number or our Tribal Attorney, Julie R. Wilkerson, at 318-992-0207.

Sincerely,

JENA BAND OF CHOCTAW INDIANS

By: B. Cheryl Smith
B. Cheryl Smith, Tribal Chief

cc: Michael Hoenig
Andrew Mendoza



Jena Band of Choctaw Indians

P. O. Box 14 • Jena, Louisiana 71342-0014 • Phone: 318-992-2717 • Fax: 318-992-8244

TRIBAL COUNCIL RESOLUTION

JBC 2013- 1216

WHEREAS, the Jena Band of Choctaw Indians is a sovereign federally recognized Indian tribe, Acknowledged as a Sovereign Indian Nation by the United States Government; and

WHEREAS, the Tribal Council of the Jena Band of Choctaw Indians (the "Tribal Council") is the governing body of the Jena Band of Choctaw Indians (the "Tribe"); and

WHEREAS, the Tribal Council is authorized by the Tribal Constitution to act and exercise Tribal Authority on behalf of the Tribe; and

WHEREAS, the Tribal Council has the duly authorized right to promote self-government on the Jena Band of Choctaw Tribal Lands; and

WHEREAS, on April 2, 2007, pursuant to the authorities granted by the Reorganization Act, the Secretary of the Department of the Interior proclaimed all lands held in trust by the United States of America to be the reservation of the Tribe; and

WHEREAS, the Tribal Council desires to amend the Second Amended Class II/Class III Gaming Ordinance adopted and enacted on June 18, 2013 and approved by the National Indian Gaming Commission on August 22, 2013 ("Ordinance") to comply with certain revisions to the regulations of the National Indian Gaming Commission; and

NOW, THEREFORE, BE IT RESOLVED that the Tribal Council does hereby amend and restate Section 103(r)(4) of the Ordinance as follows:

- "(4) When a corporation is a party to a management contract, any person who is a director or who holds at least five percent (5%) of the issued and outstanding stock alone or in combination with another stockholder who is a spouse, parent, child, or sibling when the corporation is publicly traded or the top ten (10) shareholders for a privately held corporation; or"

NOW, THEREFORE, BE IT RESOLVED that the Tribal Council does hereby amend and restate Section 406(b)(8) of the Ordinance as follows:

- "(8) For each felony for which there is an ongoing prosecution or a conviction, the charge, the name and address of the court involved, and the date and disposition if any;"

NOW, THEREFORE, BE IT FURTHER RESOLVED that the Tribal Council does hereby amend and restate Section 410 of the Ordinance as follows:

“Section 410. Notice of Information Impacting Eligibility and Licensee’s Right to a Hearing.

- (a) If, after the issuance of a gaming license, the NIGC receives reliable information indicating that a Management Contractor, Key Employee or a Primary Management Official is not eligible for employment under 25 C.F.R. § 556.5, the NIGC shall notify the Commission of the information.
- (b) Upon receipt of such notification under Subsection (a) above, the Commission shall immediately suspend such license and shall provide the licensee with written notification of the suspension and the proposed revocation.
- (c) The Commission shall notify the licensee of a time and a place for a hearing on the proposed revocation of a license.
- (d) A right to a hearing under this section shall vest only upon receipt of a license granted under an ordinance approved by the Chair of the NIGC.
- (e) After a revocation hearing, the Commission shall decide whether to revoke or to reinstate a gaming license. The Commission shall notify the NIGC of its decision within 45 days of receiving notification from the NIGC pursuant to Subsection (a) above.”

NOW, THEREFORE, BE IT FURTHER RESOLVED that the Tribal Council does hereby authorize the Tribal Chief, B. Cheryl Smith, to submit to the National Indian Gaming Commission within fifteen (15) days of this date, this Resolution setting forth the amendments to the Jena Band of Choctaw Indians Second Amended Class II/Class III Gaming Ordinance dated June 18, 2013 and approved by the National Indian Gaming Commission on August 22, 2013.

CERTIFICATION

The stated resolution was enacted and adopted on the 16th day of December, 2013, by the Jena Band of Choctaw Indians Tribal Council, with a quorum present; the vote was 3 (for), 0 (against), and 0 (absent).

B. Cheryl Smith
B. Cheryl Smith

Christy Murphy
Christy Murphy

Ricky Jackson

Dana Masters
Dana Masters

Christine Norris