



May 6, 2025

***VIA E-MAIL***

Robert de los Angeles, Chairman  
Snoqualmie Indian Tribe  
P.O. Box 969  
Snoqualmie, WA 98065

**Re: Snoqualmie Indian Tribe Amended Tribal Gaming Act**

Dear Chairman de los Angeles,

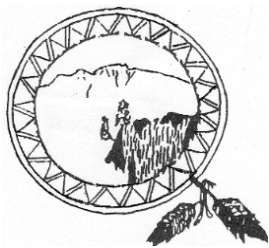
This letter responds to the Snoqualmie Indian Tribe's (Tribe) March 14, 2025, request for the National Indian Gaming Commission (NIGC) Chair to review and approve the Tribe's amended Tribal Gaming Act (Act). The Snoqualmie Tribal Council approved the Act in Resolution #55-2025 on March 6, 2025. The Act revised the definitions for Key Employee, Primary Management Official, and Gaming Enterprise, provisions related to the Tribal gaming commission, patron dispute resolution process, and background and licensing processes.

Thank you for bringing the Act to our attention and for providing us with a copy. The Act is approved as it is consistent with the Indian Gaming Regulatory Act and NIGC regulations. If you have any questions concerning this letter or the ordinance review process, please contact Staff Attorney Danielle Wu at [danielle.wu@nigc.gov](mailto:danielle.wu@nigc.gov).

Sincerely,

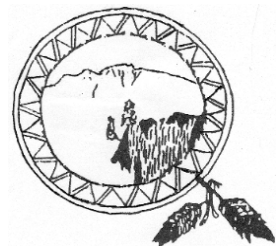
A handwritten signature in blue ink that reads "Sharon M. Avery".

Sharon M. Avery  
Acting Chairwoman



# **SNOQUALMIE INDIAN TRIBE**

## **RESOLUTION #55-2025**



### **Resolution Approving Revisions to the Snoqualmie Tribal Gaming Act**

WHEREAS, the Snoqualmie Indian Tribe is a sovereign entity recognized as a signatory Tribe to the Point Elliott Treaty of 1855; and

WHEREAS, the Snoqualmie Tribal Council is the governing body of the Snoqualmie Indian Tribe by the authority of its Constitution; and

WHEREAS, the Snoqualmie Tribal Council is the duly elected council of the General Membership and is responsible for the protection of the health, safety, and welfare of the members of the Snoqualmie Indian Tribe; and

WHEREAS, the Snoqualmie Tribal Council has the authority to regulate its own affairs per the Constitution of the Snoqualmie Tribe of Indians; and

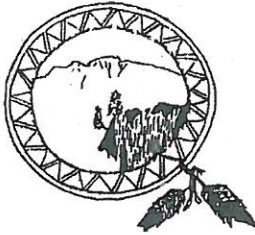
WHEREAS, the Snoqualmie Gaming Commission is requesting the authorization of the Gaming Act Revision, which captures various definitions National Indian Gaming Commission (“NIGC”) instituted in Indian Gaming Regulatory Act (“IGRA”); and

WHEREAS, the Snoqualmie Gaming Commission will regulate and monitor the gaming operation in accordance with the provisions stated in the Tribal Gaming Act; and

NOW, THEREFORE BE IT RESOLVED, the Snoqualmie Tribal Council hereby approves the revised Tribal Gaming Act; and

NOW, THEREFORE BE IT FURTHER RESOLVED, the Snoqualmie Tribal Council hereby authorizes and directs the Tribal Council Chairman, or in his absence the Vice Chairman, to adopt the revised Tribal Gaming Act as written; and

NOW, THEREFORE BE IT FINALLY RESOLVED, the Snoqualmie Tribal Council hereby approves and authorizes the Chairman, or in his absence the Vice Chairman, to sign the revised Snoqualmie Tribal Gaming Act.



# SNOQUALMIE INDIAN TRIBE

## RESOLUTION #55-2025



### Resolution Approving Revisions to the Snoqualmie Tribal Gaming Act

#### CERTIFICATION

Voted on this 6th day of March 2025, at a duly called Meeting of the Snoqualmie Tribal Council with a quorum present and voting.

Vice Chair, Steve De Los Angeles For   X  , Against       , Abstaining       ,  
PTO/Absent/Absent Excused/Approved Tribal Business/Stepped Out/Acting Chair

Tribal Treasurer, Joshua Gabel For   X  , Against       , Abstaining       ,  
PTO/Absent/Absent Excused/Approved Tribal Business/Stepped Out

Tribal Secretary, Amber Holloway For   X  , Against       , Abstaining       ,  
PTO/Absent/Absent Excused/Approved Tribal Business/Stepped Out

Deputy Secretary, McKenna Sweet Dorman For   X  , Against       , Abstaining       ,  
PTO/Absent/Absent Excused/Approved Tribal Business/Stepped Out

Council Member, Richard Sikkenga Jr. For   X  , Against       , Abstaining       ,  
PTO/Absent/Absent Excused/Approved Tribal Business/Stepped Out

Council Member, Christina Sparling For   X  , Against       , Abstaining       ,  
PTO/Absent/Absent Excused/Approved Tribal Business/Stepped Out

Council Member, Jim Sweet For   X  , Against       , Abstaining       ,  
PTO/Absent/Absent Excused/Approved Tribal Business/Stepped Out

Council Member, Jolene Williams For   X  , Against       , Abstaining       ,  
PTO/Absent/Absent Excused/Approved Tribal Business/Stepped Out

Council Member, Angela Young For       , Against       , Abstaining       ,  
PTO/Absent/Absent Excused/Approved Tribal Business/Stepped Out

For   8  , Against   0  , Abstaining   0  .

Robert M. de los Angeles  
Robert M. de los Angeles, Tribal Chairman

Amber Holloway  
Amber Holloway, Tribal Secretary

**SNOQUALMIE TRIBE  
TRIBAL GAMING ACT**

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# **SNOQUALMIE TRIBE**

## **TRIBAL GAMING ACT**

### **1. Purpose**

The Tribal Council of the Snoqualmie Tribe (the “Tribal Council”), empowered by the Tribe’s Constitution to enact laws, hereby enacts this Tribal Gaming Act (this “Act”) in order to govern and regulate the operation of Class II and Class III Gaming on the Tribe’s Indian Lands.

### **2. Gaming Authorized**

All Gaming Activities on the Tribe’s Indian Lands are prohibited, except as expressly permitted under this Act and the Regulations. All forms of Class II and Class III Gaming, as defined in the Indian Gaming Regulatory Act (“IGRA”), 25 U.S.C. § 2701 *et seq.*, are hereby authorized. Unless specifically indicated otherwise, all provisions of this Act apply to gaming on the Tribe’s Indian Lands.

### **3. Definitions**

Defined terms in this Section 3 have the same meanings and effects as their counterpart terms in IGRA and the National Indian Gaming Commission (“NIGC”) regulations, 25 C.F.R. § 500 *et seq.*, to the extent such terms are defined in IGRA and the NIGC regulations.

**3.01 Applicable Law.** “Applicable Law” means IGRA and regulations promulgated thereunder, the Compact, this Act, the Regulations, and all other applicable laws or regulations promulgated under state, federal, or tribal law.

**3.02 Applicant.** “Applicant” means an individual or entity that applies for the issuance or renewal of a Tribal gaming license.

**3.03 CEO.** “CEO” means that Person or entity designated by the Snoqualmie Entertainment Authority as the Chief Executive Officer of the Gaming Operation.

**3.04 Class I Gaming.** “Class I Gaming” means: (1) social games played solely for prizes of minimal value or (2) traditional forms of Indian gaming when played by individuals in connection with tribal ceremonies or celebrations.

**3.05 Class II Gaming.** “Class II Gaming” means:

A. Bingo or lotto (whether or not electronic, computer or other technologic aids are used) when players:

- (1) Play for prizes with cards bearing numbers or other designations;
- (2) Cover numbers or designations when objects, similarly numbered or designated, are drawn or electronically determined; and

- (3) Win the game by being the first Natural Person to cover a designated pattern on such cards;
- B. If played in the same location as bingo or lotto, pull-tabs, punch boards, tip jars, instant bingo, and other games similar to bingo;
- C. Non-banking card games that:
  - (1) State law explicitly authorizes, or does not explicitly prohibit, and are played legally anywhere in the State of Washington (the “State”); and
  - (2) Players play in conformity with State laws and regulations (if any) concerning hours, periods of operation, and limitations on wagers and pot sizes; and
- D. Card games played in the State, if:
  - (1) An Indian tribe actually operates the same card games as played on or before May 1, 1988, as determined by the NIGC Chair; and
  - (2) The pot and wager limits remain the same as on or before May 1, 1988, as determined by the NIGC Chair.

**3.06 Class III Gaming.** “Class III Gaming” means all forms of gaming that are not Class I or Class II Gaming, including, but not limited to:

- A. Any house banking game, including but not limited to:
  - (1) Card games such as baccarat, chemin de fer, blackjack (21), and pai gow (if played as house-banking games); and
  - (2) Casino games such as roulette, craps, and keno;
- B. Any slot machines, as defined in 15 U.S.C. § 1171(a)(1), and electronic or electromechanical facsimiles of any game of chance;
- C. Any sports betting and pari-mutuel wagering, including, but not limited to, wagering on horse racing, dog racing or jai alai; and
- D. Lotteries.

**3.07 Close Relative** means a spouse, parent, step-parent, sibling, step-sibling, child, step-child, grand-parent, and grand-child. The term “Close Relative” includes spouses of the foregoing and Natural Persons sharing a household with the foregoing.

- 3.08 Compact.** “Compact” means the tribal-state gaming compact for Class III Gaming between the Tribe and the State, and all approved appendices and attachments thereto, each as may be amended from time to time.
- 3.09 Commission.** “Commission” means the Snoqualmie Gaming Commission established pursuant to this Act to perform regulatory oversight and to monitor compliance with Applicable Law, and serves as the Tribal Gaming Regulatory Authority as defined herein.
- 3.10 Commissioner.** “Commissioner” means a Snoqualmie Gaming Commissioner.
- 3.11 Facility License.** “Facility License” means the separate license issued by the Commission to each place, facility or location on Indian Lands where the Tribe elects to allow Class II or Class III Gaming.
- 3.12 Gaming Activity.** “Gaming Activity” or “Gaming Activities” means any Class I, Class II, or Class III Gaming activity authorized by this Act.
- 3.13 Gaming Employee.** “Gaming Employee” means any individual employed in connection with the Gaming Enterprise, Gaming Operation or Gaming Facility, whether employed or contracted by the Tribe or by any Person or enterprise providing gaming operation and management services to the Tribe, including, but not limited to, Gaming Operation managers and assistant managers; accounting personnel; surveillance and security personnel; cashiers; dealers or croupiers; box men; floormen; pit bosses; shift bosses; cage personnel; collection personnel; gaming consultants; pari-mutuel clerks, management companies and their principals; and any other employee whose employment duties require or authorize access to restricted areas of the Gaming Facility not otherwise opened to the public, or to areas designated by the Commission and Washington State Gambling Commission.
- 3.14 Gaming Enterprise.** “Gaming Enterprise” means the entity or entities through which the Tribe conducts, regulates, and secures gaming on Indian lands within such tribe’s jurisdiction pursuant to the Indian Gaming Regulatory Act.
- 3.16 Gaming Facility.** “Gaming Facility” or “Facility” means the building or buildings or portions thereof in which Class II or Class III Gaming activities or Gaming Operations occur. The Gaming Facility will be licensed by the Commission.
- 3.17 Gaming Financier.** “Gaming Financier” means any who extends financing, directly or indirectly to the Gaming Facility or Gaming Operation.
- 3.18 Gaming Operation.** “Gaming Operation” means each economic entity that is licensed by the Tribe, operates the games, receives the revenues, issues the prizes, and pays the expenses. A Gaming Operation may be operated by the Tribe directly, a management contractor or, under certain conditions, another Person or other entity.

- 3.19 Gaming Services.** “Gaming Services” means the providing of any goods or services to the Tribe, whether on or off site, directly or indirectly, in connection with the operation of Class II or III Gaming activities in a Gaming Facility, including equipment, maintenance or security services. Gaming Services do not include professional legal and accounting services.
- 3.20 Gaming Vendor.** “Gaming Vendor” means a manufacturer or supplier of Gaming Services.
- 3.21 Indian Lands.** “Indian Lands” means land within the limits of the Tribe’s Indian reservation and land over which the Tribe exercises governmental power that is either: (a) held in trust by the United States for the benefit of any Indian tribe or individual; or (b) held by the Tribe or an individual and subject to restriction by the United States against alienation.
- 3.22 Key Employee.** “Key Employee” means an employee of a Gaming Enterprise or Gaming Operation who is (a) a Person who performs one or more of the following functions: bingo caller; counting room supervisor; chief of security; floor manager; pit boss; dealer; croupier; approver of credit; 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; or 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 the Commission; (c) the four Persons most highly compensated by the Gaming Operation; or (d) any other employee of the Gaming Enterprise as documented by the Tribe as a key employee.
- 3.23 Licensee.** “Licensee” means a tribally owned Class II or Class III Gaming Operation, a Person licensed by the Commission as a Primary Management Official or Key Employee under the provisions of this Act, and any other Person licensed as required by the Compact or otherwise pursuant to the Commission regulation.
- 3.24 Management Contract.** “Management Contract” means any contract, subcontract or collateral agreement between the Tribe and a contractor or between a contractor and a subcontractor if such contract or agreement provides for the management of all or part of the Gaming Operation.
- 3.25 Natural Person.** “Natural Person” means a human being.
- 3.26 Net Revenues.** “Net Revenues” means gross gaming revenues of the Gaming Operation less: amounts paid out as, or paid for, prizes; and, total gaming-related operating expenses, including all those expenses of the Gaming Operation commonly known as operating expenses and non-operating expenses consistent with professional accounting pronouncements, excluding management fees.
- 3.27 Patron.** “Patron” means any individual who participates as a player in a Gaming Activity within a Gaming Facility.

- 3.28 Person.** “Person” means any corporation, limited liability corporation, partnership, firm, association, society or Natural Person.
- 3.29 Primary Management Official.** “Primary Management Official” means: (1) any Person(s) having management responsibility for a Management Contract; (2) any Person who has authority: (a) to hire and fire employees of the Gaming Operation; or (b) to establish policy for the Gaming Operation; (c) the chief financial officer or a position with duties similar to a chief financial officer; (d) the general manager or a position with duties similar to a general manager; and (e) any other employed management official of the gaming enterprise as documented by the Tribe as a primary management official.
- 3.30 Regulation.** “Regulation” means a regulation of the Commission promulgated pursuant to this Act.
- 3.31 Snoqualmie Tribal Court.** “Snoqualmie Tribal Court” means the court designated by the Tribe as the Snoqualmie Tribal Court.
- 3.32 Tribal.** “Tribal” means of or pertaining to the Tribe.
- 3.31 Tribal Gaming Regulatory Authority (TGRA).** “Tribal Gaming Regulatory Authority” means the entity authorized by this Act to regulate gaming conducted pursuant to the Indian Gaming Regulatory Act.
- 3.34 Tribal Lottery System.** “Tribal Lottery System” means the lottery system operated by the Tribe pursuant to the Compact.
- 3.35 Tribe.** “Tribe” means the Snoqualmie Tribe.

#### **4. Compact**

The Compact is deemed to be incorporated herein, and in the event of any conflict between a provision of this Act and a provision of the Compact, the provision set forth in the Compact will be controlling, except in the event that the provision set forth herein or in any Regulation is more stringent. The adoption of the Compact and incorporation herein is under no circumstances to be deemed to affect the operation by the Tribe of any Class II Gaming, or to confer upon the State any jurisdiction over Class II Gaming conducted by the Tribe.

#### **5. Ownership of Gaming**

The Tribe has the sole proprietary interest in and responsibility for the conduct of any Gaming Operation or Gaming Enterprise authorized by this Act.

#### **6. Use of Net Revenues**

- 6.01 Permitted Uses.** Net Revenues from Tribal Gaming Activities must be used only for the following purposes: (i) to fund Tribal government operations and programs, (ii) to provide for general welfare of the Tribe and its members, (iii) to promote

Tribal economic development, (iv) to donate to charitable organizations, or (v) to help fund operations of local government agencies.

- 6.02 Per Capita Payments Require Federal Approval.** If the Tribe elects to make per capita payments, it will authorize such payments only pursuant to a revenue allocation plan approved by the Secretary of the Interior under § 2710(b)(3) of IGRA.

**7. Snoqualmie Gaming Commission**

- 7.01 Establishment of the Commission.** The Tribe hereby establishes the Commission as an independent governmental subdivision of the Tribe.

- 7.02 Governmental Attributes of the Commission.** The Commission, as an independent regulatory agency of the Tribe, possesses all the rights, privileges and immunities of the Tribe, including, without limitation, sovereign immunity from suit absent express consent from the Tribal Council. The Commissioners and Commission Staff are officers of the Tribal government and are immune from suit when acting within their official capacity to the fullest extent permitted by law.

- 7.03 Regulatory Authority.** The Commission has the authority and responsibility to regulate Gaming Activities within the Tribe's Indian Lands. This authority includes the power to regulate the Gaming Enterprises, Gaming Operations, Gaming Facility, and to license all Persons subject to the Commission's licensing authority under this Act and Regulations. The Commission will ensure that all Gaming Activities conducted within the Tribe's Indian Lands are conducted in accordance with Applicable Law.

- 7.04 Importance of Independence of Commission.** The Tribe recognizes the importance of an independent gaming commission in maintaining a well-regulated Gaming Operation. The Commission must be independent of the Tribal Council in all matters within the Commission's purview, including licensing eligibility, suspension, and revocation, as well as other actions and determinations taken by the Commission as a regulatory body.

- 7.05 Commission Budget.** Commission funding must be in an amount adequate for the Commission to properly fulfill all of its regulatory responsibilities under this Act.

- A. Annual Budget. Annually the Commission must prepare a requested budget for approval of the Tribal Council. Funding for all reasonable and necessary costs and expenses of the Commission must be the obligation of the Tribe.
- B. Commission Expenditures. Within the limits of an approved budget, the Commission will employ and fix the salaries of or contract for services of such employees and professional, technical and operational personnel and consultants as the execution of its duties and the operation of the Commission may require. The Commission may expend its budget for operations and acquire such furnishings, equipment, supplies, stationery,

books, motor vehicles and other things as it may deem necessary in carrying out its functions and incur such other expenses, within the limit of funds available to it, as it may deem necessary. The Commission will have the authority to expend funds within the approved budget without the requirement of further authorization, subject to generally applicable tribal accounting and procurement policies.

**7.06 Composition of Commissioners.** The Commissioners will be composed of at least three Natural Persons (each a “Commissioner,” and collectively “Commissioners”), a majority of whom must be enrolled members of the Tribe. A majority of Commissioners must not be Close Relatives. Commissioner positions must be filled by appointment by the Tribal Council. Commissioners will serve staggered terms. All subsequent appointments will be for four (4) years. Upon a new appointment, the Commission will appoint a member of the Commission to serve as Chair, and provide notification to Tribal Council of their selection. Commissioners may serve successive terms of office without limitation. Notwithstanding the foregoing, and at the discretion of the Tribal Council, a Commissioner may continue to serve as Commissioner, with full authority, after completion of a term until such time as a replacement is appointed by the Tribal Council.

**7.07 Commissioner Qualifications and Eligibility Determinations.**

- A. Experience and Training. The experience and training of a Commissioner must be of sufficient scope, depth and relevancy to enable him or her to fulfill his or her duties under this Act.
- B. Ineligible Individuals. The following individuals are not eligible to serve as a Commissioner:
  - (1) Tribal Council members,
  - (2) Employees of a Gaming Operation or Gaming Enterprise,
  - (3) Individuals sharing a household with a Primary Management Official or Key Employee,
  - (4) Any Natural Person who is employed or otherwise serves in a position with responsibilities that create a conflict of interest or appearance of a conflict of interest with the duties and responsibilities of the Commission, and
  - (5) Individuals previously convicted of any felony, gaming offense or misdemeanor offense of embezzlement, theft or any other money-related or honesty-related misdemeanor offense, such as fraud.
- C. Background Investigations of Commissioner Candidates. The Tribal Council will cause a criminal history check to be conducted as it may choose for each Commissioner candidate. All Commissioner candidates must

consent to, and fully cooperate with the background investigation. The background investigation must include a criminal history check. The Investigator will prepare a written investigative report and a recommended appointment eligibility determination as to whether a Commissioner candidate is eligible to hold office.

D. Eligibility Determination. The Tribal Council will review the report and recommendation and must make an appointment eligibility determination before appointing an individual to the position of Commissioner. A candidate is not eligible to hold office as a Commissioner if such candidate:

- (1) Is ineligible pursuant to Section 7.07(B);
- (2) Has knowingly and willfully provided materially important false statements or information or omitted materially important information on his or her background questionnaire; or
- (3) Has been determined to be a Natural Person whose prior activities, criminal record, if any, or reputation, habits, and associations 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, or activities in the conduct of gaming or the carrying on of the business and financial arrangements incidental thereto.

**7.08 Removal for Cause.** A Commissioner may only be removed from the position of Commissioner for one of the following reasons:

- A. Gross Neglect of Duty. This includes substantial or repeated failure to exercise authority or discharge responsibilities as required by Applicable Law.
- B. Misconduct. This includes (i) a conviction or a plea of guilty or no contest to any felony, or to a misdemeanor involving dishonesty, (ii) a substantial violation of a Regulation; (iii) a knowing violation of applicable Tribal law that expressly assigns duties or responsibilities to the Commission; or (iv) misconduct in office that threatens the integrity of the Commission or creates an appearance of impropriety of a Commissioner.
- C. Failure to Attend Commission Meetings. Failure to attend four (4) consecutive regularly scheduled meetings of the Commission, or failure to attend six (6) regularly scheduled meetings in a twelve (12) month period.
- D. Ineligibility. The Commissioner becomes ineligible pursuant to Section 7.07(B) or 7.07(D).

**7.09 Removal of a Commissioner.** If the Tribal Council has reason to believe that cause for removal of a Commissioner exists, the Tribal Council will cause an



investigation to be conducted. If, in the Tribal Council's determination, the investigation confirms the existence of cause for removal, the Tribal Council must notify the Commissioner of the time and place for a hearing before Tribal Council, which describes the purpose of the hearing and all claims and allegations to be addressed in the hearing. The Commissioner must be afforded reasonable notice of the hearing and given the right to be heard at the hearing. The Tribal Council may only remove a Commissioner upon a finding of clear and convincing evidence that cause for removal of the Commissioner exists.

#### **7.10 Temporary Commissioner Appointments.**

- A. Temporary Appointment Due to Recusal. The Tribal Council may provide for temporary appointments of Commissioners in the event that a majority of all appointed Commissioners are otherwise required to recuse themselves in the manner provided within the Regulations. In such event the appointment of one or more temporary Commissioners will only be for the limited purpose of participating in the matter within which a Commissioner has been recused and only for the time period necessary to act upon such matter.
- B. Temporary Appointment Due to Departure of Commissioner. The Tribal Council may appoint a temporary Commissioner in the event that a Commissioner resigns, is removed, or otherwise departs the Commission. The replacement Commissioner will serve for the remainder of the prior Commissioner's term of appointment.
- C. Requirements. A temporarily appointed Commissioner must otherwise satisfy the requirements of this Act and will be compensated at a level determined by Tribal Council.

#### **7.11 Powers and Duties of the Commission.**

- A. General. Subject to the provisions of this Act, the Commission will have the power, duty, and primary responsibility necessary and proper to: (i) carry out the Tribe's regulatory requirements under Applicable Law, (ii) enforce such requirements, (iii) protect the integrity of Gaming Activities, and (iv) prevent the appearance of impropriety.
- B. Licensing. The Commission will have the power to conduct investigations and determine the eligibility of any Applicant in accordance with this Act and the Regulations. The Commission will also have the power to limit, revoke, terminate, condition, suspend, or restrict any license and to reprimand, warn or fine a Licensee for violations of this Act or the Regulations.
- C. Rulemaking Authority. The Commission will have the power to promulgate Regulations implementing, interpreting and otherwise in furtherance of this

Act and the purposes thereof, and will have the power generally to promulgate Regulations relating to gaming on the Tribe's Indian Lands.

- (1) Standard Regulations. In promulgating, amending, or repealing Regulations, the Commission must provide notice of the proposed regulation ("Proposed Rule Notice") as set forth below.
  - (a) The Proposed Rule Notice must describe the general nature of the proposed regulation and advise how comments on the proposed action will be received by the Commission.
  - (b) The Commission will submit the Proposed Rule Notice to the Tribal Council and the CEO of the Gaming Operation or Gaming Enterprise at least twenty (20) calendar days prior to the Commission meeting at which the Commission is to consider the proposed regulation.
  - (c) Upon receipt of comments from the Tribal Council, the Gaming Operations or Gaming Enterprises, or any other Person, the Commission must consider such comments before acting to adopt a proposed regulation or amend or repeal a Regulation.
- (2) Emergency Action. In the event the Commission determines that an emergency is occurring, the Commission may summarily adopt, amend or repeal any Regulation (an "Emergency Action") in the manner provided in this section.
  - (a) To take Emergency Action, the Commission must:
    - (i) Determine the immediate adoption, amendment or repeal of a Regulation is necessary for the immediate preservation of the public peace, health, safety, morals, good order or general welfare; and
    - (ii) Explain in writing the facts and circumstances that caused the emergency.
  - (b) The Commission must inform the Tribal Council and the Gaming Operation as soon as reasonably possible about the Emergency Action and reasons for the Emergency Action.
  - (c) Regulations adopted under this subsection will be effective for a period not to exceed ninety (90) calendar days. Should the Commission desire the Emergency Action to be effective past that date, the Commission must post a Proposed Rule Notice and adopt, amend or repeal such Regulation in the manner provided in Section 7.11(C)(1) above.

D. General Powers of Commission.

- (1) Monitoring of Compliance and Inspection. The Commission will have the power and duty to monitor all Gaming Operations for compliance with Applicable Law. The Commissioners will have the power to require the Executive Director and Commission staff to undertake such investigations, audits and inspections as appropriate, review the results of inspections and take enforcement action.
- (2) Access and Records. The Commission must have access to all areas of each Gaming Enterprise, Gaming Facility and Gaming Operation and to all of their records.
- (3) Audit. The Commission must ensure that each Gaming Operation causes an independent audit of such Gaming Operation to be conducted annually.
  - (a) Annual audits will conform to generally accepted auditing standards. All gaming-related contracts that result in the purchase of supplies, services or concessions for more than \$25,000 in any year (except contracts for professional legal and accounting services) must be specifically included within the scope of the annual audit. Copies of the annual audit of each licensed Gaming Operation, and each audit for supplies, services or concessions of each Gaming Operation, must be furnished by the Commission to the NIGC within one hundred and twenty (120) calendar days after the end of each fiscal year of the Gaming Operation.
  - (b) The Commission may require additional financial or compliance audits of any Gaming Operation or Gaming Enterprise and regulatory audits of Gaming Activity. The Commission will require such audits to occur when necessary to ensure integrity, security, honesty and fairness of a Gaming Operation or Gaming Enterprise and all Gaming Activity. The Commission must take reasonable steps to coordinate the timing of any additional financial audits with the annual audit required above, provided that the Commission may require audits to occur at any other time if necessary to protect the assets of the Tribe or ensure the integrity, security, honesty and fairness of a Gaming Operation or Gaming Enterprise or any Gaming Activity.
- (4) Enforcement Authority. When information received by the Commission through investigations, audit or otherwise indicates a violation of Applicable Law or the terms and conditions of any

license, the Commission may take enforcement action as it deems necessary and appropriate.

E. Additional Powers. The powers of the Commission include the following:

- (1) System for Investigations and Licensing. Implement and administer a system for investigating, licensing (including license issuance, renewal, denial, and revocation, or exemption therefrom), and monitoring Gaming Facilities, employees, vendors, investors, and others connected with Gaming Activities, including any other Person as required under Applicable Law.
- (2) On-site Regulation, Access to Information. Conduct on-site gaming regulation and control; inspect and test internal control systems; audit, examine, and monitor each Gaming Facility; prepare reports and monitor compliance, including the authority to demand access to and inspect, examine, photocopy and audit all papers, books and records related to any Gaming Operation, Facility, or Gaming Activity.
- (3) Coordination with Other Governmental Entities. Develop necessary documentation and protocols, and establish joint cooperative working relationships with federal, state, and local jurisdictions as necessary and proper to ensure the effective regulation of the Tribe's Gaming Activities. Provide referrals and information to the appropriate law enforcement officials when such information indicates a violation of Tribal, federal or state statutes, ordinances, regulations, codes or resolutions.
- (4) Fingerprints. Obtain and process fingerprints, or designate a law enforcement agency to obtain and process fingerprints.
- (5) Patron Disputes. Resolve disputes between Patrons or players and the Gaming Operation and promulgate associated Regulations including but not limited to setting timelines and related procedural requirements.
- (6) Hearings and Appeals. Promulgate Regulations regarding hearings and appeals from Commission actions.
- (7) Hiring of Staff. Hire staff and support services as deemed necessary, subject to an approved Commission budget.
- (8) Reporting. Comply with all applicable reporting requirements established under Applicable Law.

- (9) Fees, Sanctions and Conditions. Establish and impose application fees, license fees, investigative fees, sanctions, fines, and conditions as appropriate.
  - (10) Exclusion Policy. Develop an exclusion policy that includes the right to a hearing for an excluded Person and requires maintenance of a list of Persons barred from each Gaming Facility.
  - (11) Game Rules. Approve all game rules and regulations.
  - (12) Internal Controls, Security and Surveillance, Technical Standards. Approve Gaming Operation internal controls and surveillance measures, monitor Gaming Operation security, and promulgate or approve technical standards for gaming systems as appropriate.
  - (13) Licensing and Registration Authority. In addition to the licensing requirements expressly provided in Sections 9, 10 and 11 of this Act, the Commission may require licensure or registration for any Persons, entities and facilities that the Commission determines is necessary to ensure the integrity of Gaming Activities, eliminate a threat to the public interest, or protect the gaming assets of the Tribe, including individuals and entities that provide goods and services to the Gaming Operation or Gaming Enterprise. The circumstances under which such registration or license will be required must be set forth by the Commission in one or more Regulations.
  - (14) Other Duties. Carry out such other duties with respect to the regulation of Gaming Activities on the Tribe's Indian Lands as required or permitted under Applicable Law, and otherwise as the Tribal Council shall direct. This includes all action required or permitted to be taken by the "Tribal Gaming Regulatory Authority" as defined in this Act or the "Tribal Gaming Agency" as defined in the Compact.
- F. Delegation. The Commissioners may delegate duties and powers to the Executive Director and other staff members, as the Commissioners determines necessary and appropriate.
- G. Commissioners Meetings and Commission Reports.
- (1) The Commission will meet in the manner determined by this Act and the Regulations. For purposes of conducting any business, a quorum of the Commissioners is a majority of all appointed Commissioners and must be no less than two (2) Commissioners. All decisions of the Commissioners must be made by a majority vote at a duly called meeting of the Commissioners at which a quorum is present, or a majority vote by electronic polling of the Commissioners.

- (2) The Commissioner Chairperson and Tribal Council will meet at least quarterly to discuss matters of common interest. At least quarterly the Commission will provide reports to the Tribal Council. Such reports must contain the following information:
- (a) Number and types of licenses issued in the previous quarter;
  - (b) Number and types of licenses denied, suspended, or revoked during the previous quarter and commentary helpful to explain such actions where appropriate, provided that confidential information must not be disclosed;
  - (c) Reports of any material violations of this Act and the Regulations;
  - (d) An overview of Commission expenditures for the prior quarter;
  - (e) Any other reports required by the Regulations; and
  - (f) All other information that the Commission deems relevant in order to keep Tribal Council adequately informed as to Commission regulatory matters.

## **8. Executive Director**

### **8.01 Executive Director Hiring and Eligibility.**

- A. Hiring by the Commissioners. The position of Executive Director of the Commission is hereby created. The Commissioners will hire the Executive Director, subject to confirmation by the Tribal Council. Hiring of the Executive Director will be conducted in accordance with the Commission's employment policies and procedures, and in the absence of such policies and procedures in accordance with the Tribe's employment policies and procedures.
- B. Limitations on Eligibility. No member of the Tribal Council and no other Natural Person holding any tribal elective office is eligible for the position of Executive Director.

**8.02 Powers and Duties of Executive Director.** The Executive Director will be responsible for the day-to-day operations of the Commission and will have such powers as are delegated by the Commissioners from time to time. The Executive Director may delegate specific duties to Commission staff as appropriate and necessary.

### **8.03 Files and Records of the Commission; Confidentiality of Information.**

- A. File Maintenance. The Executive Director must maintain a file of all applications for licenses under this Act and the Regulations, together with a record of all actions taken with respect to those applications. The Commission and Executive Director may maintain such other files or records as they deem desirable.
- B. Confidentiality of Records. The Executive Director is responsible for and must ensure that all records and information obtained as a result of a background investigation must remain confidential and will not be disclosed to any Persons who are not directly involved in the licensing and employment processes.
- C. Confidential Information.
  - (1) **Treatment of Confidential Information.** The confidential information and data listed in Section 8.03(C)(2) may be revealed in whole or in part only in the course of the necessary administration of this Act or the Regulations. This confidential information may only be disclosed to members of management, human resource personnel and/or others employed by the relevant Gaming Operation or Gaming Enterprise on a need-to-know basis, for actions taken in their official capacities. The confidentiality requirements of this Act do not apply to requests for such records or information from any Tribal, federal, or state law enforcement or regulatory agency, or pursuant to a lawful court order, or for the use of such records or information by the Commission and staff in the performance of their official duties.
  - (2) **Information and Data that is Confidential.** The following information and data are confidential:
    - (a) Information and data included within any application for license or supporting materials;
    - (b) Information and data required by this Act or the Regulations to be furnished to the Commission or the Executive Director, or which may otherwise be obtained in connection with the review of finances, earnings or revenue of any Applicant or Licensee;
    - (c) Information and data pertaining to any Applicant's criminal record or background which have been furnished to or obtained by the Commission or the Executive Director from any source;

- (d) Information and data provided to the Commission, Executive Director or any Commission employee by a governmental agency or an informant or otherwise provided on the assurances that the information will be held in confidence and treated as confidential;
  - (e) Information and data pertaining to the identity of any informant;
  - (f) The identity of each natural person interviewed in the course of a background investigation; and
  - (g) Information and data obtained by the Executive Director or the Commission from a supplier relating to the manufacturing of gaming devices or Gaming Services.
- D. Retention of Records. All records retained by the Executive Director or the Commission must be retained for a period of at least three (3) years, after which such records may be disposed of in the discretion of the Commission. It is a violation of this Act for a Person to falsify, destroy, erase or alter any records of any kind or other information relating to the Gaming Operation or Gaming Enterprise in a manner other than provided in this Act and the Regulations.

#### **8.04 Background Investigations of the Executive Director and Commission Staff.**

- A. Background Investigation. The Commission must ensure that a background investigation is or has been conducted on all prospective and current Commission staff, including the Executive Director. The background investigation will be conducted prior to employment at the Commission. The Commission may also conduct, or cause to be conducted on its behalf, background investigations of any Commission staff at any time during their employment. All prospective and current Commission staff must consent to, and fully cooperate with the background investigation as provided hereunder and as required by the Commission. The Commission may permit a prospective employee to start work prior to the completion of a background investigation.
- B. Applicable Standards. Individuals selected for employment as Executive Director must be subject to the same background investigation process and suitability standards that apply to Key Employees. Commission staff will be subject to such standards as the Commission may determine and promulgate by Regulation.
- C. Employment Eligibility Determination. The Commission will make the final employment eligibility determination for the Executive Director and



Commission staff. A Natural Person is not eligible for employment by the Commission if they:

- (1) Have been convicted of any felony, gaming offense, or any misdemeanor offense of embezzlement, theft or any other money-related or honesty-related misdemeanor offense, such as fraud; or
- (2) Have knowingly and willfully provided materially important false statements or information or omitted materially important information on his or her background questionnaire; or
- (3) Have been determined to be a Natural Person whose prior activities, criminal record, if any, or reputation, habits, and associations 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, and methods, and activities in the conduct of gaming or the carrying on of the business and financial arrangements incidental thereto.

**9. Additional License Categories.**

- 9.01 Gaming Employee License.** Each Gaming Employee will be subject to the licensing requirements of the Commission prior to commencement of employment. Gaming Employees must have their licenses renewed annually.
- 9.02 Gaming Vendor License.** Each Gaming Vendor will be subject to the licensing requirements of the Commission prior to the sale of Gaming Services to the Tribe. Gaming Vendor licenses must be renewed annually. The Tribe will not enter into, or continue to make payments pursuant to, any contract or agreement that would require licensing of a Gaming Vendor if the Gaming Vendor has (a) not obtained a license, (b) been denied a license by the Commission, (c) been deemed unsuitable by the Commission, or (d) allowed its license or suitability determination to expire without renewal.
- 9.03 Gaming Financiers.** Any Person or entity that extends financing, directly or indirectly, to the Gaming Enterprise, Gaming Facility or Gaming Operation will be subject to the licensing requirements of the Commission. Licensing requirements of the Commission do not apply to financing provided by a federally regulated commercial lending institution, the Tribe or the federal government. Federally regulated commercial lending institutions are those regulated by the Securities and Exchange Commission, the Office of the Comptroller of Currency, the Federal Deposit Insurance Corporation, the United States Federal Reserve System, the National Credit Union Administration, and/or the Washington State Department of Financial Institutions. Gaming Financier licenses must be renewed annually. Gaming Financier licensing requirements and exemptions therefrom may be more fully set forth in the Regulations and the Compact.

- 9.04 Nongaming Vendors.** Persons that provide only nongaming goods and related services to the Gaming Operation and are deemed by the Commission not to be Gaming Vendors may be subject to licensure, registration or exempted therefrom in the manner provided by the Regulations.
- 9.05 Vendor Licensing Exemptions.** The following categories are exempt from Commission licensing requirements: (a) Gaming Vendors supplying less than \$25,000 in goods or services annually, and (b) Persons and entities supplying only accounting or legal services.
- 9.06 Registration and Exemptions.** The Commission may develop processes for registration and exemption of Persons or entities who fall into the categories described in this section to the extent such processes are not inconsistent with Applicable Law and are in the public interest. The processes for registration and exemption will be more fully set forth in Regulations.

**10. Facility License**

- 10.01 Requirement of Licensure.** The Commission is responsible for issuing Facility Licenses to each place, facility or location on the Tribe's Indian Lands where Class II or Class III Gaming is conducted. Each Gaming Facility must hold a license. A Gaming Facility must be constructed, maintained, and operated in a manner that adequately protects the environment and the health and safety of the public. The Commission must identify the environmental, health and public safety standards with which the Gaming Facility must comply, and specify the form, conditions and content of the Facility License submission.
- 10.02 License Not Guaranteed.** The Commission will issue a Facility License only if the information provided for a Facility License includes the required information and documentation, and if the submission sufficiently satisfies any additional conditions deemed necessary by the Commission.

**11. Licenses for Key Employees and Primary Management Officials**

**11.01 Application Forms.**

- A. Application Form. Every individual seeking employment as a Key Employee or Primary Management Official must submit an application for licensure on such forms or in such manner as the Commission may require.
- B. Privacy Act Notice. The following notice must be placed on the license application form for a Key Employee or a Primary Management Official before that form is filled out by any Applicant:

In compliance with the Privacy Act of 1974, the following information is provided: Solicitation of the information on this form is authorized by 25 U.S.C. §§ 2701 *et seq.* The purpose of the requested information is to determine the

eligibility of individuals to be granted a gaming license. The information will be used by the tribal gaming regulatory authorities and by the National Indian Gaming Commission members and staff who have need for the information in the performance of their official duties. The information may be disclosed by the Tribe or the NIGC to appropriate Federal, Tribal, State, local, or foreign law enforcement and regulatory agencies when relevant to civil, criminal or regulatory investigations or prosecutions or when pursuant to a requirement by a tribe or the NIGC in connection with the issuance, denial, or revocation of a gaming license, or investigations of activities while associated with a tribe or a gaming operation. Failure to consent to the disclosures indicated in this notice will result in a tribe being unable to license you for a primary management official or key employee position.

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

- C. False Statement Notice. The following additional notice must be placed on the application form for a Key Employee or a Primary Management Official before that form is filled out by any Applicant:

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

## **11.02 Background Investigations.**

- A. Scope of Background Investigation. The Commission must conduct, or cause to be conducted, a background investigation for each Primary Management Official and Key Employee of the Gaming Enterprise that meets or exceeds the requirements of 25 C.F.R. §§ 556 and 558. The investigation must be sufficient to allow the Commission to make a license eligibility determination under this Act. At a minimum, the applications for a Tribal gaming license must contain the following information:
- (1) Full name, other names used (oral or written), social security number(s), birth date, place of birth, citizenship, gender, and all languages spoken and/or written;
  - (2) Currently and for the previous five (5) years: business and employment positions held, ownership interests in those businesses, business and residence addresses, and driver's license numbers;

- (3) 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 paragraph A(2) of this subsection;
- (4) Current business and residence telephone numbers, and all cell phone numbers;
- (5) A description of any existing and previous business relationships with Indian tribes, including ownership interests in those businesses;
- (6) A description of any existing and previous business relationships with the gaming industry generally, including ownership interests in those businesses;
- (7) The name and address of any licensing or regulatory agency with which the Applicant has filed an application for a license or permit related to gaming, whether or not such license or permit was granted;
- (8) For each felony for which there is an ongoing prosecution or a conviction, the charge, the name and address of the court involved, and the date of disposition, if any;
- (9) For each misdemeanor conviction or ongoing misdemeanor prosecution (excluding minor traffic violations) within ten (10) years of the date of the application, the name and address of the court involved and the date of disposition, if any;
- (10) For each criminal charge (excluding minor traffic charges), whether or not there is a conviction, if such criminal charge is within ten (10) years of the date of the application and is not otherwise listed pursuant to paragraphs (A)(8) and (A)(9) of this subsection, the criminal charge, the name and address of the court involved and the date of disposition, if any;
- (11) The name and address of any licensing or regulatory agency with which the Applicant has filed an application for an occupational license or permit, whether or not such license or permit was granted;
- (12) A current photograph;
- (13) Any other information the Commission deems relevant; and
- (14) Fingerprints consistent with procedures adopted by the Commission pursuant to 25 C.F.R. § 522(h).

- B. Application File Maintained. When a Primary Management Official or Key Employee is employed by the Tribe, a complete application file, containing all of the information listed in paragraph A of this subsection, must be maintained by the Commission.
- C. Fingerprinting. The Commission must request fingerprints from each Primary Management Official or Key Employee applicant to be taken in such a manner and form as the Commission may require. Fingerprints of Primary Management Official and Key Employee applicants will be submitted to be processed by any governmental agency's criminal history check system maintained by the Federal Bureau of Investigation as necessary or required under applicable provisions of the Compact, Regulations, or IGRA.
- D. Compliance with NIGC Standards. The Commission will amend the application and investigation procedure for a Gaming License in the event that the Commission receives notice that the application and investigation procedure must be modified to conform to the standards of the NIGC.
- E. Additional Procedures. The Commission may promulgate such practices, procedures and Regulations as it determines are necessary and appropriate to satisfy its background investigation obligations.

### **11.03 Eligibility Determination.**

- A. Before a license is issued to a Primary Management Official or Key Employee, the Commission will make a finding concerning the eligibility of that Applicant for receiving a gaming license by reviewing the Applicant's prior activities, criminal record, if any, and reputation, habits and associations.
- B. If the Commission, in applying the standards adopted in this Act, determines that licensing the Applicant poses a threat to the public interest or to the effective regulation of gaming, or creates or enhances the dangers of unsuitable, unfair or illegal practices, methods and/or activities in the conduct of gaming, the Commission must not license that Applicant in a Key Employee or Primary Management Official position.
- C. Copies of the eligibility determination will be included with the notice of results that must be submitted to the NIGC before a Primary Management Official or Key Employee may be licensed.

### **11.04 Temporary Licensure.** All Key Employees and Primary Management Officials of the Gaming Operation or Gaming Enterprise must have a gaming license. An Applicant who has submitted an application as a Key Employee or Primary Management Official may be given a temporary license for a period of ninety (90) calendar days by the Executive Director. The Executive Director may issue a temporary license upon a determination that the application is complete and, if true,

would allow the Applicant to receive a license. No Key Employee or Primary Management Official will continue to be employed if that Key Employee or Primary Management Official does not have a license within ninety (90) calendar days from the start of employment.

**11.05 Investigative Reports.** Pursuant to the procedures set forth herein, the Commission will create and maintain an investigative report for each background investigation of a Key Employee or Primary Management Official. An investigative report must include all of the following information:

- A. Steps taken in conducting the background investigation;
- B. The results obtained from the background investigation;
- C. The conclusions reached as a result of the background investigation; and
- D. The basis for those conclusions.

**11.06 Notice of Background Investigation Results.**

- A. Before issuing a license to a Primary Management Official or Key Employee, the Commission must prepare a notice of results of the Applicant's background investigation to submit to the NIGC. The notice of results must be submitted to the NIGC no later than sixty (60) calendar days after the Applicant begins working for the Tribe.
- B. The notice of results must include the following:
  - (1) The Applicant's name, date of birth, and social security number;
  - (2) The date on which Applicant began or will begin work as a Key Employee or Primary Management Official;
  - (3) A summary of the information presented in the investigative report, which must, at a minimum, include: (i) licenses that have previously been denied; (ii) gaming licenses that have been revoked, even if subsequently reinstated; (iii) every known criminal charge brought against the Applicant within the last ten (10) years of the date of the application; and (iv) every felony of which the Applicant has been convicted or any ongoing prosecution of Applicant for a felony; and
  - (4) A copy of the Commission's eligibility determination.

**11.07 Granting a Gaming License.**

- A. All Primary Management Officials and Key Employees of the Gaming Operation or Gaming Enterprise must have a gaming license issued by the

Commission, which is responsible for granting and issuing such gaming licenses.

- B. After the Commission has provided a notice of results of the background check to the NIGC, it may license a Primary Management Official or Key Employee.
- C. Within thirty (30) calendar days after the issuance of a Primary Management Official or Key Employee license, the Commission must notify the NIGC of its issuance.
- D. A Key Employee or Primary Management Official who does not have a license after ninety (90) calendar days must not be permitted to perform the duties, functions, and/or responsibilities of a Key Employee or Primary Management Official until so licensed.
- E. The Commission must reconsider a license application for a Primary Management Official or Key Employee if it receives a statement of itemized objections to issuing such a license from the NIGC, and those objections are received within thirty (30) days of the NIGC receiving a notice of results of the Applicant's background investigation. The Commission will take the NIGC's objections into account when reconsidering a license application.
- F. The Commission will make the final decision whether to issue a license to an Applicant for a Primary Management Official or Key Employee position.
- G. If the Commission has issued a license to a Primary Management Official or Key Employee before receiving the NIGC's statement of objections, notice and a hearing must be provided to the Licensee as provided in Section 11.09 below.

#### **11.08 Denying a Gaming License.**

- A. The Commission will not license a Primary Management Official or Key Employee if the Commission determines, in applying the standards herein for making a license eligibility determination, that licensing the Applicant:
  - (1) Poses a threat to the public interest;
  - (2) Poses a threat to the effective regulation of gaming; or
  - (3) Creates or enhances the dangers of unsuitable, unfair or illegal practices, methods and/or activities in the conduct of gaming.
- B. When the Commission does not issue a license to an Applicant for a Primary Management Official or Key Employee position, or revokes a previously issued license after reconsideration, it will:

- (1) Notify the NIGC; and
- (2) Forward copies of its eligibility determination, notice of results, and if applicable, the license revocation decision to the NIGC for inclusion in the Indian Gaming Individuals Record System.

#### **11.09 License Suspensions and Revocations.**

- A. If, after the issuance of a gaming license, the Tribe or Commission receives reliable information from any source (including but not limited to NIGC) indicating that a Licensee is not eligible for a license, including as a result of acts or omissions that take place after the issuance of such license, or that such Licensee has committed acts or omissions that are contrary to the standards set out in Section 11.12 herein, the Commission will:
  - (1) Immediately suspend such license;
  - (2) Provide the suspended licensee with written notice of the suspension and the proposed revocation; and
  - (3) Provide the suspended licensee with notice of a time and a place for a hearing on the proposed revocation of a license.
  - (4) The right to a revocation hearing will vest upon receipt of a license or at such earlier time as is determined by Applicable Law, regulation, and/or Commission policy.
- B. After a revocation hearing, the Commission will decide to revoke or to reinstate the suspended gaming license. The Commission must notify the NIGC of its decision within forty-five (45) calendar days of receiving notification from the NIGC that the Key Employee or Primary Management Official is not eligible for employment.
- C. Nothing herein prohibits the Commission from taking immediate action in emergency situations to protect the health and safety of patrons and employees or assets of the Tribe. Such actions must immediately be followed by the hearing process.

**11.10 Retention of Records.** The Commission may promulgate Regulations regarding the retention of records for Applicants and Licensees. With respect to Key Employees and Primary Management Officials, the Commission must retain the information listed under section 11.02(A)(1) through (14), investigative reports, eligibility determinations, Privacy Act notice, and False Statement notice, for no less than three (3) years from the date of termination of employment.



#### **11.11 Additional Licensee and Applicant Provisions.**

- A. Licensing Procedure. The Tribe's Gaming licensing procedure will be administered through the Commission. The program will be an investigative licensing process under which all Applicants for gaming licenses are evaluated against the standards set forth in, and subject to, Applicable Law and Regulations.
- B. Licensing Policy and Requirements. It is the policy of the Tribe that all Gaming Activities be licensed and controlled so as to protect the morals, good order and welfare of Tribal members and other Persons on the Tribe's Indian Lands, and to preserve the honesty, fairness and integrity of such Gaming Activities.
- C. Gaming License is a Privilege. Any gaming license issued by the Commission will be deemed a privilege and is subject to suspension or revocation at any time. No license or license renewal will be issued that would place the Tribe in violation of Applicable Law. A gaming license or finding of suitability is subject to renewal at least every year. Nothing herein creates a property interest in the issuance or retention of a license provided for by this Act.
- D. Burden on Applicant. The burden of proving an Applicant's qualifications to receive a license hereunder is at all times on the Applicant. Applicants must accept any risk of adverse public notice, embarrassment or other action that may result from the application process and expressly waive any claim for damages as a result thereof.
- E. Applicant Claim of Privilege. An Applicant may claim any privilege afforded by law in connection with a gaming license application or investigation, but a claim of privilege with respect to any testimony or evidence pertaining thereto may constitute sufficient grounds for denial, suspension or revocation.
- F. Release of Information. Persons applying for a license must agree to release all information necessary in order for the Commission and any applicable federal or state entity to complete their suitability determination. Applicants must update all such information promptly on an on-going basis and furnish such information as may be required by the Commission.

**11.12 Standards.** All Persons engaged by or associated with any Gaming Activity on the Tribe's Indian Lands will conduct themselves with honesty, integrity, and such decorum and manners as necessary to reflect positively on the Tribe, its members and the Gaming Operation. Any failure to abide by such standards, or any violation of a rule, regulation, law, custom or tradition of the Tribe, the Commission, the Gaming Enterprise, or the Gaming Operation, or with the terms or conditions of the

license, may be grounds for immediate suspension or revocation of any license issued hereunder.

**11.13 Effect of Compact.** Notwithstanding anything in this Act to the contrary, any licensing procedures required under the Compact will be implemented as provided therein.

## **12. Patron Disputes**

**12.01 Raising Disputes.** Any Patron who has a gaming dispute, disagreement, or other grievance regarding a Gaming Activity, including a refusal to pay any alleged winnings from Gaming Activities, may raise such dispute with the staff of the Gaming Operation.

**12.02 Patron Rights Regarding Disputes.** The Patron has the right to explain their side of the dispute and present evidence in connection with any factual allegation. The Patron must be provided with the procedures set forth in this Section 12 and informed of their right to file an appeal with the Commission as set forth in section 12.04 of this Section. A patron has no right to discovery from the Commission, Gaming Operation, Gaming Enterprise, or the Tribe.

**12.03 Resolution.** All reasonable steps will be taken by Gaming Operation staff to resolve each dispute. In the event of a dispute by a Patron that cannot be resolved by Gaming Operation staff, the Patron may submit their dispute in writing to the attention of the CEO for resolution. The Gaming Operation staff will gather information as to the outcome, prize, wager made, or any other aspect of the Patron's dispute or participation in a game being played. In addition, all relevant data including, but not limited to, meter readings, memory records, surveillance recordings, and any other reports or information regarding the dispute will be collected and maintained. The CEO or their designee shall take into consideration all relevant data and provide a written dispute resolution decision to the Patron on behalf of the Gaming Operation. A copy of the dispute resolution decision must be submitted to the Commission. When requested, the CEO will prepare and send a report of disputes to the Commission, and the Commission will maintain records of those disputes.

**12.04 Commission Decisions.** If the Patron is dissatisfied with the dispute resolution decision provided by the Gaming Operation, they may file an appeal with the Commission within thirty (30) days of the dispute resolution decision being delivered. The Commission must schedule a hearing in order to allow both parties to present evidence and testimony relevant to the dispute. At such hearing, the patron will have a right to be represented by counsel at the patron's expense, to present oral testimony, to call and question witnesses, and to present documentary or other evidence. All disputes which are submitted to the Commission must be decided by the Commissioners based on information provided by the Patron, the Gaming Operation, and any other Person who has relevant information to provide. The Commissioner's written decision will be issued within sixty (60) days of

submission of the dispute, will be based on the facts surrounding the dispute, and must set forth the reasons for the decision. The decision of the Commissioners will be final and binding upon the Patron and the Gaming Operation and is not subject to judicial review, dispute resolution, administrative or other legal action.

**13. Agent for Service of Process**

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

**14. Limitations on Gaming**

No Commissioner, Commission employee or member of Tribal Council may engage, or be permitted to engage, either directly or indirectly through another Person, in any Gaming Activities on the Tribe's Indian Lands. Such limitation will not apply in instances where, as pre-approved by the Commission, the individual engages in such activities as a part of an event designed specifically for such individuals or for training purposes.

**15. Sovereign Immunity Preserved**

Except as provided in the limited circumstance set forth in Section 12.06 of this Act, nothing in this Act will be construed as a waiver of the sovereign immunity of: the Commission; the Tribe; any governmental subdivision or economic enterprise of the Tribe; or any officers, agents, or employees of the foregoing in carrying out their duties in such capacity. Any waiver of sovereign immunity is not effective as a matter of law unless approved by resolution of the Tribal Council.

**16. Consent to Jurisdiction**

Any Person who applies for a license under this Act, applies for employment in the Gaming Operation, enters into any gaming related contract or agreement with the Tribe or its governmental subdivisions, participates in any Gaming Activity on the Tribe's lands, will be deemed to consent to the civil jurisdiction of the Tribe, the Commission, and the Tribal Court. Nothing in this Section limits the jurisdiction of the Tribe, the Commission, or the Tribal Court under any circumstances not explicitly contemplated in this Act or the Regulations.

**17. Compliance with Federal Law**

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

**18. Repeal**

To the extent that they are inconsistent with this Act, all prior tribal gaming acts of the Tribe are hereby superseded, canceled, and repealed.

**19. Effective Date**

This Act will take effect immediately upon its approval by the NIGC Chair.

## **CERTIFICATION OF ROBERT M. DE LOS ANGELES**

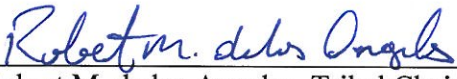
I, Robert M. de los Angeles, do hereby attest that the following statements are true:

1. My name is Robert M. de los Angeles. I currently serve as the elected Chairman of the Snoqualmie Indian Tribe. In that capacity I chair the meetings of the Snoqualmie Tribal Council.

2. I was present at and chaired the Snoqualmie Tribal Council meeting of March 6, 2025, at which the Tribal Council approved the amendments to the Snoqualmie Tribal Gaming Act pursuant to Snoqualmie Indian Tribal Resolution #55-2025. During and after that meeting I reviewed the text of the amended Snoqualmie Tribal Gaming Act.

3. I hereby certify that the copy of the Snoqualmie Tribal Gaming Act attached to this certification is an authentic copy of the Snoqualmie Tribal Gaming Act as amended by Snoqualmie Indian Tribal Resolution #55-2025.

Dated this 13th day of March 2025.

  
\_\_\_\_\_  
Robert M. de los Angeles, Tribal Chairman  
Snoqualmie Indian Tribe

Attachment (1)