



AUG - 9 2011

Interim Chairman Leo Stewart
Board of Trustees
Confederated Tribes of the Umatilla Indian Reservation
46411 Timine Way
Pendleton, OR 97801

Re: Confederated Tribes of the Umatilla Indian Reservation
Gaming Code Amendment

Dear Chairman Stewart:

This letter responds to your letter, dated June 27, 2011, and received on July 5, 2011, seeking the NIGC's review and approval of an amendment to the Gaming Code of the Confederated Tribes of the Umatilla Indian Reservation ("Tribe"). The amendment, adopted by Resolution No. 11-061, incorporates minor changes to the Tribe's Keno operations and clarifies the records retention requirements for casino personnel files.

We appreciate that the Tribe brought these amendments to our attention. The Tribe's amended ordinance is approved, as it is consistent with the requirements of the Indian Gaming Regulatory Act and the NIGC's regulations. If you have any questions or require assistance, please contact Katherine Zebell, Senior Attorney, at (202) 632-7003.

Sincerely,

A handwritten signature in blue ink, appearing to read "Stevens", is written over a faint, larger blue signature.

Tracie L. Stevens
Chairwoman

cc: Daniel Hester, Esq.
Attorney for the Tribe

C E R T I F I C A T E

The undersigned, Leo Stewart and N. Kathryn Brigham, hereby certify that they are the Interim Chairman and Secretary, respectively, of the Board of Trustees of the Confederated Tribes of the Umatilla Indian Reservation, and at a regular meeting of said Board of Trustees at the Board Chambers of the Nixyáawii Governance Center, Mission, Oregon, on the 27th day of June, 2011, a quorum of said Board was present and the following Resolution was regularly moved, seconded, and adopted by a vote of 6 for, 0 against, and 0 abstaining.

R E S O L U T I O N

WHEREAS, the Board of Trustees is the governing body of the Confederated Tribes of the Umatilla Indian Reservation (Confederated Tribes) by the authority of Article VI, Section 1 of the Constitution and Bylaws of the Confederated Tribes, adopted on November 4, 1949 and approved on December 7, 1949, as amended; **AND**

WHEREAS, pursuant to Article VI, Section 1(d) of the Constitution and Bylaws, the powers of the Board of Trustees include the authority “to promulgate and enforce statutes governing the conduct of all persons and activities within the boundaries of the Umatilla Indian Reservation...”; **AND**

WHEREAS, by Resolution No. 94-14 (February 22, 1994), the Board of Trustees enacted the Confederated Tribes’ Gaming Code, which was subsequently amended by Resolution No. 99-102(December 15, 1999), Resolution No. 01-101(October 1, 2001), Resolution No. 04-46 (July 12, 2004); and by Resolution No. 09-042 (February 23, 2009); **AND**

WHEREAS, the Gaming Code establishes the standards to govern the conduct of gaming activities on Confederated Tribes’ lands and establishes the Confederated Tribes’ Gaming Commission to implement those standards, oversee gaming activities on Tribal lands, and promulgate regulations governing such gaming; **AND**

WHEREAS, the Gaming Commission has informed the Board of Trustees that minor amendments need to be made to the Gaming Code at Section 1.09 (Prizes) to have the Keno prize collection provisions revised so that they are consistent with our current Keno operations and the capability of the system used by Wildhorse’s Keno contractor; and to Gaming Code Section 5.01 (Records Maintenance) to clarify what Wildhorse personnel records are to be maintained and for how long, **AND**

WHEREAS, the Gaming Commission adopted resolutions on April 27, 2011 and June 15, 2011 requesting that the Board of Trustees enact the attached amendments to Section 1.09 and Section 5.01 of the Tribal Gaming Code;

WHEREAS, the Board of Trustees has determined that the attached amendments to the Gaming Code are in the best interest of the Confederated Tribes and would protect the integrity of gaming operations on Tribal lands; **AND**


WHEREAS, the Board of Trustees reviewed the proposed amendments to Section 1.09 and Section 5.01 of the CTUIR Gaming Code attached to this Resolution as Exhibit 1 at a work session on May 25, 2011; **AND NOW THEREFORE BE IT**

RESOLVED, that the Board of Trustees hereby approves the amendments to Section 1.09 and Section 5.01 of the Tribal Gaming Code as set forth in Exhibit 1 to this Resolution which shows all deleted language ~~lined through~~ and all new language underlined; **AND BE IT FINALLY**

RESOLVED, that the Board of Trustees hereby directs that the amended Gaming Code be submitted to the National Indian Gaming Commission for review and approval as required by federal law;

AND, that said Resolution has not been modified amended or repealed and is still in full force and effect.

DATED this 27th day of June, 2011.


Leo Stewart, Interim Chairman
Board of Trustees

A T T E S T:

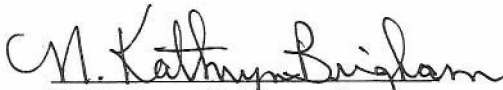

N. Kathryn Brigham, Secretary
Board of Trustees

Exhibit 1: Gaming Code Amendments

Exhibit 1 to Resolution 11-061
Topic: Gaming Code Amendments
Department: Gaming Commission
June 20, 2011

GAMING CODE AMENDMENTS

§1.09 PRIZES

- A. No Assignments. The right of any Person to a Prize is personal and may not be assigned.
- B. Unclaimed and Illegal Prizes.
1. Any unclaimed Prize of a Class II or Class III Gaming activity shall be retained by the Tribal Gaming Operation, and be available to the winner of the Prize, for ninety days after the Prize is available to be claimed except as follows:
 - a. Any Off Track Betting Prize must be collected within 90 days after the end of the race meet.
 - b. Any Keno Prize must be collected as follows:

~~A single race Prize must be collected prior to the beginning of the next race;~~

 - i. ~~A~~ Any ticket of 1 ~~2~~-to 20 race Prize must be collected within 30 days of the date the Keno ticket is issued; and
 - ii. ~~A~~ Any ticket of 21 and above race Prize must be collected within ~~360~~365 days the Keno ticket is issued.
 2. Any person who fails to claim a Prize during such time shall forfeit all rights to the Prize and the Prize shall become the property of the Tribes. The Gaming Operation shall provide patrons with adequate notice of the applicable redemption period for all Prizes.
 3. Prizes are conditioned on lawful play of games and may not be awarded to a Player when obtained in violation of this Code or any regulations promulgated thereunder. Any prize won by a Person under the age of eighteen (18), or in the case of Class III games under the age of twenty-one (21), shall not be awarded to any underage Player playing in violation of section 1.08 of this Code. Any such Prize shall be awarded to the Tribes, and the approximate consideration paid by the underage Player shall be refunded to the Player. Any dispute arising out of a decision regarding payment of a Prize pursuant to this provision must be resolved pursuant to section 6.01 of this Code and applicable regulations.

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§5.01 Records Maintenance

- A. The Tribal Gaming Operation shall maintain accurate and up-to-date records for each gaming activity conducted.
- B. Records shall include records of:
1. All financial transactions;
 2. All gaming machine testing, malfunctions, maintenance and repairs;
 3. Personnel;— matters including employee hire date, casino position(s) held, which records shall be maintained for a period of seven years after the employee's separation of employment except for employees who are members of the Tribes, whose personnel records shall be retained indefinitely.
 4. Complaints of patrons and resolution thereof;
 5. Tribal Gaming Operation in-house investigations of incidents and accidents of any kind;
 6. Actions by Tribal Gaming Operation against Players or facility visitors;
 7. Actions by Tribal Gaming Operation against or in reprimand of employees;
 8. Tax records or information provided to the State or Federal government as required by the Compact or Federal law.