



By U.S. Mail

March 21, 2011

Joanne Willis-Newton
Pauma Band of Mission Indians
13223-1 Black Mountain Lane
#284
San Diego, CA 92129

Re: Pauma Band of Mission Indians gaming regulations

Dear Ms. Willis-Newton:

This letter acknowledges receipt of your December 17, 2010 submission on behalf of the Pauma Band of Mission Indians of several amendments to the Band's gaming regulations. The submission contained General Council Resolution No. 041110-02 and No. 041110-3 adopted April 11, 2010.

Thank you for providing us with a copy. We have added the amended gaming regulations to our records. If you have any questions, please contact Senior Attorney John Hay at (202) 632-7003.

Sincerely,

A handwritten signature in cursive script, appearing to read "Tracie L. Stevens".

Tracie L. Stevens
Chairwoman



Pauma Band of Mission Indians

P.O. Box 369 • Pauma Valley, CA 92061 • (760) 742-1289 • Fax (760) 742-3422

Established 1893

Resolution No. 041110-02

DEC 21 2010

RE: Amendments to Gaming Regulation 006

WHEREAS: The Pauma Band of Mission Indians is a federally recognized American Indian Tribe recognized by the United States Secretary of the Interior as having jurisdiction over Indian Lands in California which are eligible for gaming under the Indian Gaming Regulatory Act, 25 U.S.C. 2700 *et. seq.* (IGRA); and

WHEREAS: The General Council is the governing body of the Tribe pursuant to Article 3 of the Tribe's Constitution, having all the legislative powers and responsibilities of the Tribal Government:

WHEREAS: The Tribe's gaming operation will now include class II gaming devices; and

WHEREAS: The General Council enacted and published Gaming Regulations 006, *Technical Standards for Gaming Devices and Other Electronic Devices*, which it wishes to make certain amendments to reflect the requirements of the National Indian Gaming Commission's regulation, *Technical Standards for Electronic, Computer, or other Technological Aids Used in the Play of Class II Games*, 25 C.F.R. Part 547.

NOW, THEREFORE BE IT RESOLVED: That the Tribe, acting through its General Council, hereby adopts the following amendments to Gaming Regulation 006:

- a) The third sentence of Section I is amended by inserting "class III" before both occurrences of the phrase "gaming devices".
- b) Section II is amended to include definitions of class II and class III gaming devices and will now read:

A. *This Regulation supplements the provisions of the Tribe's Gaming Ordinance, the Indian Gaming Regulatory Act (25 U.S.C. § 2701 et seq.) and its regulations (25 C.F.R. § 500 et seq.) ("IGRA"), and the Compact. In the event of a conflict or inconsistency between this Regulation and the provisions of the Gaming Ordinance, IGRA or the Compact, the provisions of the Gaming Ordinance, IGRA or the Compact prevail to the extent of the conflict or inconsistency. Unless specified otherwise, terms used herein shall have the same meaning as in the Gaming Ordinance, IGRA, or the Compact.*

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B. *In this Regulation,*

1. *"class II gaming device" shall have the same meaning as the term "class III gaming system" defined in 25 C.F.R. § 547.3 and, where so indicated in the provisions of 25 C.F.R. Part 547, includes gaming equipment used with the play of class II gaming systems;*
2. *"class III gaming device" shall have the same meaning as the term "gaming device" defined in Section 2.6 of the Compact; and*
3. *"State Gaming Agency" means the California Gambling Control Commission unless the State provides otherwise by written notice pursuant to Section 13.0 of the Compact.*

c. Section III is amended by inserting new paragraphs B and E and re lettering the paragraphs in between accordingly, which paragraphs B and E shall read:

B. *As allowable technical standards and specifications for class II gaming devices, the Tribe hereby adopts, and incorporates in this Regulation by reference, the Technical Standards for Electronic, Computer, or other Technological Aids Used in the Play of Class II Games, 25 C.F.R. Part 547.*

...
E. *Nothing herein is intended to limit the authority of the Commission to apply for a variance from the requirements of 25 C.F.R. Part 547 in accordance with section 547.17 of that Part.*

d. What was formerly paragraph B of section III but will now be paragraph C is amended by replacing "paragraph A of this Section" with "paragraphs A or B of this Section, as applicable".

e. The first line of paragraph A of section V is amended by inserting the words "class III" before the phrase "gaming device".

f. A new paragraph B is added to section V, which shall read:

B. *No class II gaming device may be offered for play unless it has been submitted to and tested by a Gaming Test Laboratory, and the test results approved by the Commission, in accordance with 25 C.F.R. § 547.4(c).*


g. Section VI is amended by lettering the first paragraph as paragraph A and inserting the words "used for class III gaming devices" after the phrase "Gaming Test Laboratory" in the first sentence.


h. A new paragraph B is added to section VI, which shall read:


- B. *The Gaming Test Laboratory used for class II gaming devices shall meet the criteria set forth in 25 C.F.R. § 547.4(f)(1). The Commission shall carry out the responsibilities set forth in 25 C.F.R. § 547.4(f)(2) relating to maintaining and disclosing records relating to its approval of the Gaming Test Laboratory and imposing notice requirements on the Gaming Test Laboratory.*
- i. Section VII is amended by inserting "the provisions of" before the phrase "Section V and VI" and inserting "applicable to class III gaming devices" after the word "Regulation".
- j. Section VIII is amended by lettering the first paragraph as paragraph A and inserting the words "class III" before the phrase "gaming devices" in the first sentence.
- k. A new paragraph B is added to section VIII, which shall read:
- B. *The Commission shall make records concerning class II gaming devices available to the National Indian Gaming Commission upon request as required by 25 C.F.R. Part 547.*

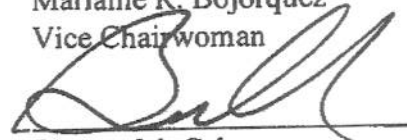
CERTIFICATION

We, the undersigned Business Committee members of the Pauma Band of Mission Indians do, hereby, certify that the foregoing Resolution was adopted by the Pauma General Council at a duly called meeting on April 11, 2010 for the purpose of conducting business by a vote of 54 in favor, 0 opposing, and 0 abstaining and such resolution has not been rescinded or amended in any way.


Chris C. Devers
Tribal Chairman


Temet A. Majel
Secretary / Treasurer


Marlaine R. Bojorquez
Vice Chairwoman


Bennae M. Calac
Committee Member



Pauma Band of Mission Indians

P.O. Box 369 • Pauma Valley, CA 92061 • (760) 742-1289 • Fax (760) 742-3422

Established 1893

Resolution No. 041110-03

RE: Amendments to Gaming Regulation 015

WHEREAS: The Pauma Band of Mission Indians is a federally recognized American Indian Tribe recognized by the United States Secretary of the Interior as having jurisdiction over Indian Lands in California which are eligible for gaming under the Indian Gaming Regulatory Act, 25 U.S.C. 2700 *et. seq.* (IGRA); and

WHEREAS: The General Council is the governing body of the Tribe pursuant to Article 3 of the Tribe's Constitution, having all the legislative powers and responsibilities of the Tribal Government;

WHEREAS: The Tribe's gaming operation will now include class II gaming devices; and

WHEREAS: The General Council enacted and published Gaming Regulations 015, *Tribal Internal Control Standards*, which it wishes to make certain amendments to reflect the requirements of the National Indian Gaming Commission's regulation, *Minimum Internal Control Standards for Class II Gaming*, 25 C.F.R. Part 543.


NOW, THEREFORE BE IT RESOLVED: That the Tribe, acting through its General Council, hereby adopts the following amendments to Gaming Regulation 015:

- a) Section III.A.1 is amended by replacing "Part 542" with "Parts 542 and 543".
- b) Section VI.A.2 is amended by inserting "and § 543.3(g)" after "§ 542.3(g)".
- c) Section VI.B is amended by inserting "and § 543.3(f)" after "§ 542.3(f)".

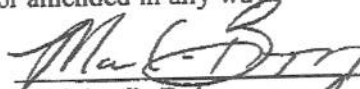
BE IT FURTHER RESOLVED: That these amendments shall take effect upon the effective date of 25 C.F.R. Part 543.

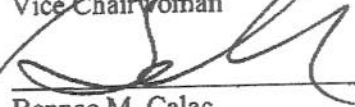
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