



January 20, 2010

Don L. Patterson, President  
Tonkawa Tribe of Oklahoma  
1 Rush Buffalo Road  
Tonkawa, OK 74653

Re: Amended Tonkawa Tribal Gaming Ordinance, Resolution T-R-42-09

Dear President Patterson:

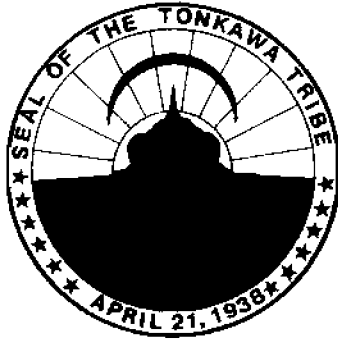
This is in response to your request for review and approval of the amendment to the Tonkawa Tribal Gaming Ordinance enacted by Resolution No. T-R-42-09 on December 7, 2009. The amendment repeals Resolution No. T-R-03-06, which created a Gaming Board of Advisors and was approved by the NIGC on March 22, 2006. It is consistent with the requirements of the Indian Gaming Regulatory Act (IGRA) and this agency's regulations and is therefore approved.

Thank you for submitting the amended ordinance for review and approval. The NIGC staff looks forward to working with you and the Tribe on future gaming issues. If you have any questions or require assistance, please contact Dorinda Strmiska, Staff Attorney, at (202) 632-7003

Sincerely,

A handwritten signature in black ink, appearing to read "George Skibine", with a long horizontal flourish extending to the right.

George Skibine  
Acting Chairman



**TONKAWA TRIBE OF OKLAHOMA**  
**TONKAWA TRIBAL COMMITTEE**  
1 RUSH BUFFALO ROAD • PHONE (580) 628-2561 • (580) 628-3375  
WEB SITE: [www.tonkawatribe.com](http://www.tonkawatribe.com)  
TONKAWA, OKLAHOMA 74653

DEC 14 2

DECEMBER 7, 2009

**RESOLUTION: T-R-42-09**

**A RESOLUTION REPEALING TONKAWA TRIBAL RESOLUTION T-R-03-06 AND AUTHORIZING SUBMISSION OF AN AMENDMENT TO THE GAMING ORDINANCE TO THE NIGC FOR IMMEDIATE APPROVAL**

**WHEREAS:** The Tonkawa Tribe of Oklahoma is a federally-recognized Indian tribe having a government-to-government relationship with the United States through the Tribe's organization under the authority of the Oklahoma Indian Welfare Act of June 26, 1936 (49 Stat. 1967); and

**WHEREAS:** The Tonkawa Tribe is organized under a Constitution and By-Laws approved by the United States Secretary of the Interior on March 16, 1938 and ratified by the citizens of the Tribe on April 21, 1938; and

**WHEREAS:** The Tonkawa Tribe has elected a full governmental Tribal Committee consisting of Don L. Patterson, Tribal President; James E. Schreen, Vice-President; and Candace Myer, Secretary-Treasurer; and

**WHEREAS:** The elected members of the Tribal Committee consistent with the powers provided by the Tonkawa Tribal Constitution and By-Laws are authorized to speak for and act on behalf of the Tonkawa Tribe of Oklahoma, and

**WHEREAS:** Pursuant to Article V, Section 1 of the Tonkawa Constitution the Tonkawa Tribal Committee has the duty and authority to act in the best interest of the Tribe to enact laws to regulate all gaming with the jurisdiction of the Tribe; and

**WHEREAS:** By its previous action, the Tribal Committee determined to become involved in Class II and Class III gaming as such terms are defined in the Indian Gaming Regulatory Act, Public Law 100-497, as codified in 25 U.S.C. § 2701 *et seq.*, and its implementing regulations promulgated by the National Indian Gaming Commission ("NIGC"); and

**WHEREAS:** The Tribal Committee adopted a Gaming Ordinance on January 28, 1997 and such Gaming Ordinance has been amended from time to time; and

**WHEREAS:** The Tribal Committee enacted Tribal Resolution T-R-03-06 on February 13, 2006 and such resolution created a Gaming Board of Advisors with various attributes and authority to run the gaming operations; and

**WHEREAS:** The Tribal Committee finds it legitimate and necessary to repeal Tribal Resolution T-R-03-06 and to amend said Gaming Ordinance as the Tribe has delegated the day-to-day operations of the gaming facilities to a management contractor; and

**WHEREAS:** The Tribal Committee has determined that this amendment to the Gaming Ordinance will not adversely impede the gaming operation or any Tonkawa gaming facilities' ability to succeed in the market, nor will the amendment affect the rights of the Tribe's Management Contractor, Gaughan Gaming, under any approved management agreement or development/construction agreement executed between the Tribe and Gaughan Gaming.

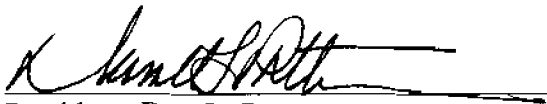
**NOW THEREFORE BE IT RESOLVED,** that effective immediately the Tonkawa Tribal Committee hereby repeals Tribal Resolution T-R-03-06.

**BE IT FURTHER RESOLVED,** that the duties and responsibilities of the Board of Advisors shall be conducted and administered consistent with applicable provisions of any duly-approved management agreements but will not include oversight of day-to-day operations.

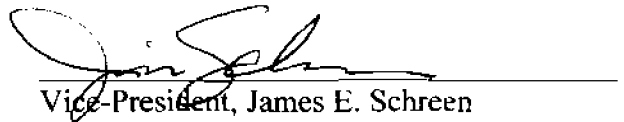
**BE IT FURTHER RESOLVED,** that the Tribal President is hereby authorized to take all necessary action required to obtaining the full Federal approval of the amendment to the Gaming Ordinance.

#### CERTIFICATION

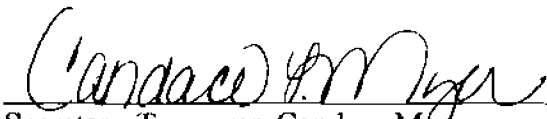
We, the undersigned officers of the Tonkawa Tribal Committee, do hereby certify that the foregoing Resolution T - R - 42 - 09 was duly adopted this 7<sup>th</sup> day of December 2009, at a duly called special meeting of the Tonkawa Tribal Committee of the Tonkawa Tribe of Oklahoma, by a vote of 3 for, 0 against, and 0 abstaining.



President, Don L. Patterson



Vice-President, James E. Schreen



Secretary-Treasurer, Candace Myer