

**NATIONAL
INDIAN
GAMING
COMMISSION**

APR 27 2000

Mary L. Prevost
Levine & Associates
Attorneys for Sauk-Suiattle Indian Tribe
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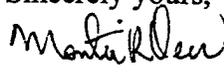
Dear Ms. Prevost:

This letter is in response to your request for the National Indian Gaming Commission (NIGC) to review and approve the revised sections of the Sauk-Suiattle Indian Tribe's (Tribe) Gaming Act of 1999 (Act) (Resolution No. 11/29a/99) and Background Investigation and Licensing Regulations (Regulations) (Resolution No. 11/30a/99). This letter constitutes approval of the Act and Regulations under the Indian Gaming Regulatory Act (IGRA).

It is important to note that the Act and Regulations are approved for gaming only on Indian lands, as defined in the IGRA, over which the Tribe has jurisdiction.

With approval of the Tribe's Act and Regulations, the Tribal Gaming Commission is required to conduct background investigations on its key employees and primary management officials. The NIGC expects to receive a completed application for each key employee and primary management official, pursuant to 25 C.F.R. § 556.5(a), and an investigative report on each background investigation, pursuant to 25 C.F.R. § 556.5(b), before the Tribal Gaming Commission issues a license to a key employee or primary management official.

Thank you for submitting Resolutions 11/29a/99 and 11/30a/99 for review and approval. The NIGC staff and I look forward to working with you and the Sauk-Suiattle Indian Tribe on future gaming issues.

Sincerely yours,

Montie R. Deer
Chairman

cc; Jason L. Joseph, Tribal Chairman

SAH-KU-MEH-HU



"The Root-Digging People"

SAUK SUIATTLE INDIAN TRIBE
5318 Chief Brown Lane
Darrington, WA 98241

360-436-0131
360-435-8366
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RESOLUTION 04/02/00
BE IT RESOLVED BY THE TRIBAL COUNCIL
OF THE SAUK-SUIATTLE INDIAN TRIBE
IN THE STATE OF WASHINGTON

WHEREAS, the Sauk-Suiattle Tribal Council is the governing body of the Sauk-Suiattle Indian Tribe of the authority of its Constitution and By-Laws as approved by the Secretary of the Interior on September 17, 1975; and in accordance with the Indian Reorganization Act of June 18, 1934; and

WHEREAS, the Sauk-Suiattle Tribal Council is the duly elected governing body of the Sauk-Suiattle Indian Tribe; and

WHEREAS, the Sauk-Suiattle Tribal Council is charged with the responsibility for the protection of the Health, Safety, and Welfare of the Members of the Sauk-Suiattle Indian Tribe; and

WHEREAS, the Sauk-Suiattle Tribal Council, at a duly constituted meeting held on April 7, 2000, considered the attached Sauk-Suiattle Gaming Act prepared in compliance with the Indian Gaming Regulatory Act of 1998; and

THEREFORE BE IT RESOLVED, the Sauk-Suiattle Tribal Council has determined that the best interest and welfare of the Tribe would be served by adopting the said Gaming Act and hereby approves its adoption

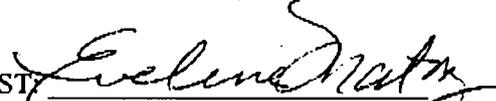
NOW THEREFORE BE IT RESOLVED, that the Sauk-Suiattle Tribal Council hereby adopts the Sauk-Suiattle Gaming Act and directs the Tribe's Gaming Commission to seek approval for such from the National Indian Gaming Commission.

BE IT FURTHER RESOLVED, that the Sauk-Suiattle Tribal Council authorizes the Tribal Council Chairman to sign all documents on behalf of the Sauk-Suiattle Indian Tribe, and in his absence, the Vice-Chairperson of the Sauk-Suiattle Tribal Council is authorized to sign all documents.

CERTIFICATION

The above resolution, was duly approved by the Sauk-Suiattle Tribal Council at a regular meeting held on the 7th day of April 2000 at which time a quorum was present.


Jason L. Joseph, Chairman

ATTEST 
Tribal Council Member

SAUK-SUIATTLE GAMING COMMISSION

BACKGROUND INVESTIGATION and LICENSING REGULATIONS

Under the Sauk-Suiattle Gaming Act of 1999

Section 1. LICENSING PROGRAM OVERVIEW

The Sauk-Suiattle Indian Tribes (Tribe) gaming licensing program is administered through the Sauk-Suiattle Gaming Commission (Gaming Commission). It is an investigative licensing process under which applicants for a class III or class II gaming license are evaluated against the standards set forth in, and subject to the following applicable laws:

- 1.1 Sauk-Suiattle Gaming Act of 1999 (Gaming Act), and gaming regulations promulgated thereunder;
- 1.2 Indian Gaming Regulatory Act (IGRA) and National Indian Gaming Commission (NIGC) regulations;
- 1.3 Tribal-state compact requirements, to the extent applicable; and
- 1.4 Other applicable tribal, federal or state laws and regulations.

All class II and class III gaming activities shall be licensed and regulated. All those engaged in gaming activities on the Reservation must have a valid license issued by the Gaming Commission. As part of the licensing program, the Gaming Commission may, at any time, require drug or alcohol testing for applicants and licensees. Applicants who meet the standards for licensing will be granted a license, which must be renewed at least every two years. A gaming license is deemed a privilege that is subject to suspension or revocation at any time.

Section 2. LICENSE APPLICATION REQUIREMENTS

All key employees, primary management officials and employees and others required under the Compact must be licensed by the Tribe. Persons and entities seeking a license may obtain the Gaming Commission application forms at the Gaming Commission office. The completed forms, with fees and other required information and attachments must be returned to the Commission office. Unless otherwise exempted by the Gaming Commission in compliance

with all requirements under the Ordinance, IGRA and regulations promulgated thereunder, an individual or entity required to be licensed must obtain the required license (regular, temporary, provisional, or conditional) prior to the commencement of their employment at any Tribal Gaming Enterprise.

2.1 Completing Applications

An application is not deemed complete until the Gaming Commission receives all information required or requested, and any applicable fees. If the application is incomplete and applicant does not respond to written notification of such, or fails to submit additional materials or fees within thirty (30) days of written notice, the Gaming Commission may deny the license, revoke any license held, and close the applicant's file.

2.2 Signatures Required

Applications must be signed by the persons indicated below, under oath, attesting that the information provided in the application and accompanying materials is true, accurate and complete.

2.2.1 For a corporation (non-profit or for profit), the highest ranking officer or official of the corporation.

2.2.2 For a sole proprietorship, the principal owner.

2.2.3 For a partnership, all partners; for a limited partnership, the general partner.

2.2.4 For employee licenses, the person seeking a license.

2.3 Additional Signatures

The Gaming Commission may also require the signature of the following persons on the application:

2.3.1 The chair or members of the board of directors or trustees.

2.3.2 The person in charge of financial records.

2.3.3 Any person with a substantial interest in the applicant's business, organization or corporation.

2.4 Class A and B License Application Information

All Class A and Class B license applicants, unless specifically exempted by the Gaming Commission in compliance with IGRA, regulations promulgated thereunder, and the Compact, shall provide licensing information including but not limited to the following:

2.4.1 Full name, current address and telephone number(s) (both business and residence), date and place of birth, social security number(s), any other names used (oral or written), citizenship, gender, and all languages spoken or written;

2.4.2 The name, address, and telephone number for businesses and organizations in which the applicant has any financial interest and the details of that financial interest;

2.4.3 Criminal, personal, and financial history information required by the Gaming Commission;

2.4.4 Currently and for at least the previous ten (10) years: business and employment positions held, ownership interests in those businesses, business and residence addresses, and drivers license numbers;

2.4.5 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 in subsection 2.4.4 above;

2.4.6 Description of any existing and previous business relationships with Indian tribes, including ownership interests in those businesses;

2.4.7 Description of any existing and previous business relationships with the gaming industry generally, including ownership interests in those businesses;

2.4.8 Name and address of any licensing or regulatory agency (federal, tribal, state, local or foreign) with which the person has ever filed either: (a) an application for a license or permit related to gaming, whether or not such license or permit was granted, or (b) an application for an occupational license or permit, whether or not such license or permit was granted;

2.4.9 For each felony for which there is currently or has been, during at least the previous ten (10) years, an on-going prosecution or a conviction: the charge, the name and address of the court involved, and the date and disposition, if any, of the case;

2.4.10 For each misdemeanor conviction or on-going prosecution (excluding minor traffic violations for which the fine is no more than twenty-five dollars (\$25.00)), within at least ten (10) years of the date of the application: the name and address of the court involved, and the date and disposition, if any, of the case;

2.4.11 For each criminal charge (excluding minor traffic charges), whether or not there is or was a conviction, if such criminal charge is within no less than ten (10) years of the date of the application and is not otherwise listed in 2.4.9 or 2.4.10 above: the criminal charge, the name and address of the court involved and the date and disposition, if any, of the case;

2.4.12 Current photographs;

2.4.13 Fingerprints consistent with procedures adopted by the Gaming Commission under 25 C.F.R. § 522.2(h) and the Ordinance;

2.4.14 Corporate applicant articles of incorporation and by laws or, for other business or organization, those documents which establish the entity's organizational structure and purposes;

2.4.15 Details and copies of franchise or other agreements, whether written or oral, between the applicant and distributors or manufacturers or suppliers of equipment, or between the applicant and any person or entity where those agreements related to gaming activities or gaming equipment; and

2.4.16 Any other information the Gaming Commission deems relevant.

2.6 Release of Information / Waiver of Privilege

Applicants must provide a general release and waiver of any privilege in connection with the release of information for the purpose of a background or other investigation so the Gaming Commission may obtain information, including that which otherwise may be privileged.

2.7 Waiver of Liability

Applicants must expressly waive liability as to the Tribe and its agencies, commissions, employees, and agents for any damages resulting from disclosure or publication of the information acquired by the Gaming Commission during licensing, or other investigation, inquiry or hearing.

2.8 Fingerprinting and Investigation

Background investigations (including fingerprinting) are required for Class A license applicants. Class A may include but is not limited to employees; persons or entities with an interest in supplies or equipment; financiers; suppliers; consultants; distributors; vendors; and manufacturers. The Gaming Commission may submit fingerprints to the Federal Bureau of Investigation (FBI), the NIGC, or another tribal, federal, local, or state agency to obtain applicant's criminal information records, and may otherwise search records of such agencies for criminal background information.

2.9 Supplemental Licensing Information

In addition to the completed application form and attachments, applicants and licensees must submit any supplemental information requested by the Gaming Commission. Information must be provided within thirty (30) days from the date of request, unless a shorter time is otherwise established by the Gaming Commission. Failure to submit requested information in a timely manner shall be grounds for denial of the license sought, or revocation of any license held.

2.10 Drug and Alcohol Testing

The Tribe intends to operate its gaming activities in a drug and alcohol free workplace. Drug or alcohol testing may be required at any time for any applicant or licensee, under provisions of a drug and alcohol policy.

2.11 Continuing Duty to Provide Information

Applicants and licensees have a continuing duty to provide any materials or other information required by the Gaming Commission, and to fully cooperate in any investigation conducted by or on behalf of the Gaming Commission. Any information relevant to the license applicant or licensee's suitability for gaming shall be provided to the Gaming Commission, with or without a formal request. If information provided on the license application changes or inaccurate, applicants and licensees must promptly notify the Gaming Commission of such changes or inaccuracies. If, subsequent to a formal request to respond or produce information, evidence, or testimony, an applicant or licensee or a person associated with the applicant or licensee, refuses or fails to comply with such request, the Gaming Commission may deny the application or revoke the license.

2.12 License in Compliance with Law

No gaming license shall be granted in violation of the Gaming Act or other applicable law, including IGRA and regulation promulgated thereunder, or a Gaming Compact.

2.13 Burden of Proof - Licensing

The burden of proof with respect to the granting of any gaming license is at all times upon the applicant or licensee. No license shall be granted unless and until the applicant has satisfied the Gaming Commission of their suitability to hold such license.

2.14 Determination of Suitability

Application for a gaming license constitutes a request for determination of the applicant's general character, honesty, integrity, and suitability to participate or engage in or to be associated with the gaming operation. Any written or oral statement made in the course of a Gaming Commission investigation, proceeding, or process by any member, employee or agent of the Tribe or by any witness, testifying under oath, which is relevant to the investigation, proceeding, or process, is privileged and shall not impose any liability for slander, libel or defamation, or constitute grounds for recovery in any legal action. Applicants must accept all risk of adverse public notice, embarrassment or other action which may result from the licensing process, and must waive any claim for damages.

2.15 Applicant Claim of Privilege

During the licensing process or subsequent investigation, the applicant or licensee may claim any privilege afforded by law in connection with the application or investigation. Applicant's claim of privilege, however, with respect to any testimony or evidence, or the applicant's failure to produce documents or information required, may be grounds for denial, suspension, or revocation of a license.

2.16 Withdrawal of Application

Gaming applicants may request withdrawal of the application by submitting a written request to the Gaming Commission. The Gaming Commission may, in its sole discretion, grant or deny a request for withdrawal. The written request to withdraw an application should be received by the Gaming Commission at least twenty-four (24) hours prior to issuance or denial of the license.

Section 3. AUTHORIZED GAMING LICENSE CLASSES

3.1 Class A

Any license issued to a person or entity for employment in, association with, or to do business with any class II or class III gaming operation in a gaming-related capacity, shall be considered a **Class A** license. Further, any person associated with the Tribe's class II or class III gaming activities as an investor or other person owning or controlling ten percent (10%) of an

interest in any management entity, closely associated independent contractors, and primary management officials and key employees must obtain a Class A license.

3.2 Class B

Persons or entities not otherwise subject to the provisions of Section 12.0 of these regulations who are associated with, or doing business with a gaming activity or enterprise in a non-gaming related capacity may apply for a **Class B** license. The Gaming Commission reserves the right to require such persons or entities to be licensed under the requirements for a Class A license.

Section 4. LICENSING PROGRAM

All persons employed in class II or III gaming or gaming related activities either within or outside of the gaming operation and, unless exempted, employees involved in the gaming operation in a non-gaming position must be licensed (temporary, provisional, conditional or regular license) prior to beginning employment or conducting business with the gaming operation. Management companies and financiers; and unless otherwise exempted, suppliers, distributors, manufacturers, and vendors shall be licensed. The Gaming Commission shall inspect and license all gaming facilities. All licensing shall be in compliance with applicable law, including tribal law and regulations, IGRA and regulations promulgated thereunder, and any applicable Gaming Compact.

4.1 Key Employees

Class II or III gaming employees including but not limited to those who perform one or more of the following functions are considered Key Employees, and must obtain a Class A license: bingo caller; counting room supervisor; chief of security; custodian of gaming supplies or cash; floor manager; pit boss; dealer; croupier; approver of credit; or custodian of gambling devices, including persons with access to cash and accounting records within such devices. If not otherwise included, all persons whose total cash compensation exceeds \$50,000 per year and the four (4) most highly compensated persons in the gaming operation must qualify for a Class A license. The Gaming Commission may, in its sole discretion, include other positions within the definition of Key Employee.

4.2 Primary Management Officials

Primary Management Officials associated with a Class II or a Class III gaming enterprise are required to qualify for a Class A license and include: any person having management responsibility for a management contract; any person who has authority to hire and fire employees or to set up working policy for the gaming operation; and the chief financial officer or other person who has financial management responsibility. The Gaming Commission

may, in its sole discretion, include other positions within the definition of Primary Management Official.

4.3 Gaming Commission Licenses

The Gaming Commission may issue the following licenses:

4.3.1 Class III Gaming Employee License

Persons employed in class III gaming activities, including banking card games, lottery-type games, roulette, craps, and other table games or activities designated as class III gaming, and including all class III key employees and primary management officials, must qualify for and hold a Class A gaming employee license.

4.3.2 Class II Gaming Employee License

Persons employed in or associated with class II gaming activities, including bingo, non-banking or other class II card games, pulltabs, punchboards, or other Class II gaming activities, as well as any class II key employee or primary management official, must qualify for and hold a Class A gaming employee license.

4.3.3 Employee License - Non-Gaming

Persons employed in a class II or class III gaming facility in a non-gaming related position including but not limited to facilities maintenance and food services employees, must qualify for and hold a Class B license.

4.3.4 Vendor Employee

Persons employed by a vendor, supplier, or other service provider who work within the gaming facility may also be required to complete an application for licensing or registration under the provisions of Section 12.0 of these regulations.

4.3.5 Management Company / Financiers

4.3.5.1 Persons or entities with which the Tribe enters into an agreement for financing, development, management or operation of any class II or III gaming operation, must qualify for a Class A license, and are subject to the requirements set forth in Section 12.0 of these regulations. The Gaming

Commission may issue a license to any such persons and entities without further investigation if they hold a valid certification or license from the NIGC. The federal government, commercial lending institutions, and tribal governments that extend financing (directly or indirectly) to the gaming operation are exempt from the licensing requirements, unless otherwise required by the Gaming Commission.

4.3.5.2 No license shall be granted to a management company if any elected official of the Tribe, or a member of the Gaming Commission serves on the board of directors or holds (directly or indirectly) ten percent (10%) or more of the issued and outstanding stock of the corporation, or ten percent (10%) or more of the beneficial interest in any partnership, trust, or other entity, in any such corporation, partnership, trust or other entity that has a financial interest in or management responsibility for such contract. No license shall be granted if an elected official of the Tribe, member of the Gaming Commission, or a member of another committee or agency of the Tribe has a financial interest in or management responsibility for any other agreement between the management company and the Tribe.

4.3.5.3 No management company shall be granted a license if the Gaming Commission determines that the company or its agents have unduly interfered with or influenced for their advantage any decision or process of tribal government relating to the gaming operation or has deliberately or substantially failed to follow the terms of the management contract or the Tribe's gaming laws.

4.3.5.4 The Gaming Commission, in its sole discretion, may require any employee, officer, or director of a management or financing company to be licensed individually if the interest of the Tribe will be served by such licensing. Upon Gaming Commission request, the management or financing company shall require such persons to apply to the Gaming Commission for a license in accordance with the laws and regulations then in effect.

4.3.6 Suppliers, Distributors and Manufacturers

Manufacturers, distributors, and suppliers of gaming services or goods are subject to the requirements set forth in Section 12.0 of these regulations.

4.3.7 Gaming Facility

4.3.7.1 The Gaming Commission shall issue a license to each facility where class II or III gaming is conducted on the Reservation. A gaming facility license is valid for two (2) years from date of issuance unless otherwise revoked, suspended or invalidated. The licensing inspection may include but is not limited to security and surveillance procedures and equipment; and compliance with all applicable law and regulations; including those relating to safety, food handling, and environmental matters.

4.3.7.1 The Gaming Commission may inspect a licensed gaming facility at any time, with or without prior notice, and may take action to:

4.3.7.1.1 Ensure the safety and welfare of employees, tribal members, patrons, and the general public;

4.3.7.1.2 Ensure the honesty and integrity of any gaming activity offered;

4.3.7.1.3 Ensure the conduct of employees and patrons is regulated and that operation and regulation of gaming activities, food and beverages, entertainment, and other matters as the Gaming Commission shall determine, complies with applicable law; and

4.3.7.1.4 Ensure compliance with all other applicable laws and regulations.

4.3.8 Renewal

The Gaming Commission shall require applicants renewing a license to submit updated information as requested on the license renewal application. Applicants for renewal will not be required to re-submit historical data already available to the Gaming Commission. Unless otherwise specifically provided in these regulations, all licenses shall be effective for two (2) years from the date of issuance, unless revoked, suspended, or otherwise invalidated prior to expiration. A licensee that has applied in a timely manner to renew a license may continue to be employed or provide goods or services under an expired license until the Gaming Commission takes action to grant or deny the license, or until the license is revoked, suspended, or otherwise invalidated.

4.3.9 Temporary, Provisional, or Conditional

The Gaming Commission may grant to any license applicant a temporary, provisional, or conditional license in lieu of a regular license pending completion of the background investigation and application review, or to address specific areas of concern. The expiration date and any applicable conditions to be satisfied prior to issuance of the regular license will be stated on the temporary, provisional, or conditional license. The Gaming Commission will not authorize the continuation of employment of a person as a Key Employee or Primary Management Official for more than ninety (90) days, unless that person or entity holds a valid Class A license issued by the Gaming Commission.

Section 5. LICENSE APPLICATION - REQUIRED NOTICES

5.1 Required Notices

Key employees and primary management officials, and other applicants unless exempted by the Gaming Commission, must acknowledge in writing the applicability of the Privacy Act of 1974 and sign a notice regarding the penalty for making false statements on the application. Employees who have not signed an application containing the required notices must either sign a statement which contains the notices or complete and sign a new application form which contains the notices.

Section 6. CONFIDENTIAL LICENSING INFORMATION

All licensing information submitted as part of the application process becomes the property of the Gaming Commission and may be subject to inspection and disclosure unless otherwise protected under provisions of tribal laws or regulations, or an applicable exception as follows:

6.1 Documents Designated as Confidential

An applicant may designate specific materials or documents the applicant reasonably believes to contain confidential information by clearly marking those materials or documents as "Confidential". Those "Confidential" materials and documents shall not be subject to public disclosure or made part of the public record of the Gaming Commission without first providing the applicant notice and an opportunity for a Gaming Commission hearing regarding whether the materials, documents, or information should be made public. The Gaming Commission will balance the applicant's claimed confidentiality concerns against the materiality of the information to the license application, the public's right to be made aware of the information, and the Gaming Commission's need to make the information part of the public record in order to remain fully accountable for the licensing decision. The Gaming Commission

shall consider all facts and circumstances relevant to making a proper ruling. The decision of the Gaming Commission shall be final when issued.

6.2 Arrest and Conviction Records

Information or statements regarding arrests or convictions of any person will not be disclosed to the public, except as relevant to the applicant or licensee's suitability in a hearing to appeal denial, revocation, or suspension of a license; in another legal proceeding, or as otherwise required by law.

6.3 Identity of Persons Interviewed

The identity of each person interviewed in the course of a licensing background investigation shall be kept confidential.

Section 7. BACKGROUND INVESTIGATIONS

The Gaming Commission is responsible for conducting background investigations prior to licensing of applicants to ensure the Tribe's gaming operation does not employ or contract with those whose prior activities, criminal record, reputation, habits, and associations pose a threat to the interest of the Tribe or gaming public, or to the effective regulation of gaming, or enhance the danger of unfair, unsuitable, or illegal practices and activities in the conduct of gaming.

7.1 Investigation Scope and Standards

Class A license applicants, and other applicants unless exempted by the Gaming Commission, shall be subject to a complete background investigation, including fingerprinting, prior to granting of a license. The Gaming Commission shall use any information available to it in conducting a background investigation. Applicants will be assessed and evaluated under standards at least as stringent as those contained in the Tribe's laws and regulations, an applicable tribal-state gaming compact, and other applicable law. The Gaming Commission reserves the right to conduct a more comprehensive investigation than required under other licensing jurisdictions or applicable laws.

7.1.1 Coordination with Enforcement Agencies

The Gaming Commission shall refer persons to the Skagit County Sheriff's Office for fingerprinting, and will coordinate with that recognized law enforcement agency, as necessary, regarding criminal history information, investigation procedures, as well as for taking applicant fingerprints. Criminal history checks for key employees, primary management officials and others

required to be licensed under the Compact will be conducted through the Washington State Gambling Commission or the NIGC.

7.1.2 Inspection of Applicant Books and Records

The books and records of applicants shall be subject to inspection at any time, on demand and with or without notice, during any application or other investigation process and the term of any license granted.

7.2 Licensing Authority and Responsibility

The Gaming Commission has the authority and responsibility to conduct background investigations, develop and transmit to the NIGC the eligibility determination and investigative reports, and to license employees and other persons and entities involved in gaming activities or doing business with the gaming enterprise. For Class A license applicants, and other applicants unless exempted by the Gaming Commission, the Gaming Commission will conduct, or cause to be conducted, a background investigation. After independent review of all background investigation materials, the Gaming Commission will issue or deny the license requested.

7.3 Investigation Resources Available

The Gaming Commission shall establish the investigation process based on requirements under applicable law, availability of staff and resources, and other considerations and requirements. In all cases, the final decision regarding the issuance or denial of any license remains with the Gaming Commission. The Gaming Commission is authorized to conduct investigations and develop eligibility and suitability determinations through:

7.3.1 Gaming Commission staff;

7.3.2 Agreement with the other jurisdictions, or as otherwise required under a gaming compact; or

7.3.3 Agreement with one or more independent investigators or investigatory entities (private or public) to perform all or any portion of the services required.

7.4 Investigation Staff - Qualifications and Hiring

Gaming Commission staff responsible for the review and investigation of gaming applicants include qualified Administrators, Reviewing Agents ("Agents") and Supervisors, with training and experience in conducting background investigations. Investigation staff will have training and experience in application review, accounting, auditing, and/or law enforcement. At

least one Agent must be qualified by experience or training to review criminal records and law enforcement matters. Candidates for Gaming Commission staff positions must apply with the Gaming Commission office. Candidates will be tested and pre-screened prior to interviewing with the Gaming Commission. The Gaming Commission may require that candidates pass a background investigation, including personal, criminal and financial background, prior to employment.

7.5 Application Investigation Process

Applications will be dated, logged in, and reviewed by the Administrator upon receipt. The Administrator will ensure all required information has been provided, and will contact applicants by telephone, facsimile, or in writing regarding any incomplete information or additional materials required prior to processing the application. The Administrator will ensure that application fees have been paid, note payment made, and forward any fees for deposit.

7.5.1 Fingerprint Cards

Fingerprint cards are processed as required by the agency transmitting the cards to the FBI for processing. Fingerprint cards sent to the NIGC for FBI processing will be sent directly from the law enforcement agency completing those cards. Fingerprint cards processed will be subject to the procedures of the authorized processing agency. As appropriate, the Administrator will forward the fingerprint cards to the authorized agency for processing.

7.5.2 Application Review

When the application is deemed complete and ready for review and investigation, the Administrator forwards the application to one or more Agent(s) or outside investigators for review. A record of each application is maintained by the Administrator, with date application was received, name of reviewing agent, action dates, and other tracking information.

7.5.3 Agent Review and Investigation

The license application will be fully reviewed by one or more Agents. An Agent with training or experience in reviewing such records will review the applicant's criminal history information prior to completion of the review process.

7.5.4 On Site Review and Investigation

For management companies and other business applicants, and others as deemed necessary, the Gaming Commission may require an on-site review of records and operations prior to completion of the review process. Such review will be conducted by one or more Agents qualified to review and assess applicant's records.

7.5.5 Application Information to NIGC

When a key employee or primary management official begins work at the gaming operation, the Administrator will forward employee application information to the NIGC.

7.5.6 Gaming Commission Licensing Responsibility

If the Gaming Commission contracts with an independent individual or entity for background investigations, a Gaming Commission Agent will review each background investigation report from the independent investigator, approve or disapprove the investigative work, and compile the eligibility determination and other materials for Gaming Commission consideration. The final determination regarding the issuance or denial of the gaming license remains, at all times, with the Gaming Commission.

Section 8. CLASS "A" LICENSE REVIEW REQUIREMENTS

8.1 Scope of Investigation

The scope of review of Class "A" license applications includes, at minimum, investigation of applicant's criminal history, personal history, and financial history in order to detect unusual relationships or criminal associations, and to assess applicant's reputation. Background investigations shall include, but are not limited to:

8.1.1 Verification (written or oral) of information submitted by applicant.

8.1.2 Law enforcement record search, as available, to ensure applicant has no outstanding warrants.

8.1.3 Request for information about the applicant, directed to enforcement authorities in jurisdictions where the applicant has worked or lived during the past ten (10) or more years. Agents inquire into applicant's prior activities, criminal record, if any, and reputation, habits and associations.

8.1.4 Personal, professional, and developed references will be interviewed to develop applicant's report, including unusual relationships, financial problems, or criminal record. Inquiries shall be of sufficient number and depth for the Gaming

Commission to make a finding concerning applicant's suitability for employment in or association with the gaming enterprise.

8.1.5 Review of criminal history information from the FBI fingerprint check and other available sources.

8.1.6 Review of applicant's credit record.

8.1.7 Document the disposition of all potential problem areas noted and any disqualifying information obtained for use in developing eligibility determination report.

8.2 Determining Eligibility

During the review and investigation of all Class "A" license applicants, the Agent will complete a checklist containing information required for the eligibility determination. Information will be verified, problem areas and discrepancies noted, and other comments provided as applicable.

8.3 Supervisor Review

When the review process is completed the applicant file, with comments and other information received by Agents, will be forwarded to the Supervisor. The Supervisor will review all materials, approve the investigative work, and note any other pertinent information. The Supervisor will finalize the eligibility (suitability) determination for Gaming Commission review and action.

8.4 Applicant Investigative Report

Applicant investigative reports will establish a record of the review process, including the steps taken in conducting the background investigation, the results obtained, conclusions reached, and the basis for reaching such conclusions and determinations.

8.5 Gaming Commission Approval

The application and investigative materials will be reviewed, and approved or disapproved by action of members of the Gaming Commission.

8.6 Licensing Information to NIGC

Unless otherwise exempted by the NIGC, the Gaming Commission will forward all approved key employee and primary management official files to the NIGC together with a copy of the completed license eligibility determination and the investigative report.

8.7 License Issuance

Upon Gaming Commission approval, a gaming license either with or without restrictions may be issued to the applicant.

8.8 Temporary or Provisional Licenses

The Gaming Commission may issue a temporary or provisional license to the applicant prior to completion of the investigative process; provided that no temporary license will remain valid for more than ninety (90) days. The Gaming Commission will not authorize the continued employment of a person as a key employee or primary management official for more than 90 days unless that person holds a valid license issued by the Gaming Commission.

Section 9. CLASS "B" LICENSE REVIEW

9.1 Gaming Commission Processing and Review

Class "B" license applicants will obtain and submit forms as provided in these regulations for such licensing. Gaming Commission Agents will review Class B applications and develop an eligibility determination report for internal use. Licenses will be granted or denied based on information obtained during the review process.

9.2 Scope of Investigation

Class B background investigations will be conducted by Gaming Commission staff in a similar manner but generally with a narrower scope than the investigation for Class "A" applicants. The Gaming Commission may, in its sole discretion, conduct a more comprehensive investigation for Class B applicants as deemed necessary. Class B license investigations shall include:

9.2.1 Review of application to ensure complete information provided;

9.2.2 Verification of information submitted by applicant;

9.2.3 Search of law enforcement records for outstanding warrants;

9.2.4 Review credit history, including applicant's credit report as deemed necessary.

9.2.5 Inquiry of sufficient depth into applicant's prior work record, personal, and criminal record, if any, to develop an understanding of applicant's reputation, habits and associations. This inquiry may include interviewing (by phone or in person) personal and professional references, former employers, and others in order to provide a basis for the development of an eligibility determination, and to assess the applicant's suitability for a gaming license; and

9.2.6 Documentation of any potential problem areas and disqualifying information obtained.

Section 10. NIGC LICENSE AND INVESTIGATION REPORTS

10.1 Investigation Reporting Process

Within sixty (60) days after a Class A license applicant or licensee begins work in the gaming operation, or within sixty (60) days after approval of the Ordinance by the NIGC, the Gaming Commission will forward to the NIGC application information, investigative report and eligibility determination used in evaluating applicant's eligibility for a license. The responsibility for transmittal (or causing the transmittal) of investigative reports to the NIGC remains with the Commission Chairman. Investigative reports shall include at least the following information:

10.1.1 Steps taken in conducting the background investigation;

10.1.2 Results obtained;

10.1.3 Conclusions reached; and

10.1.4 The basis for those conclusions.

10.2 NIGC Notification of License Denial

If the Gaming Commission determines it will not issue or renew a Class A license, the Gaming Commission will notify the NIGC of such denial and may forward copies of the eligibility determination and investigative report, if any, to the NIGC for inclusion in the Indian Gaming Individuals Records System.

10.3 Retention of Applications

10.3.1 Class A

The Gaming Commission will retain applications for Class A licenses, including reports of background investigations, for a period of no less than three (3) years from the date of license denial or termination of employment, whichever is later. Such records will be made available for inspection by the Chairperson of the NIGC or their designee.

10.3.2 Class B and other licenses

The Gaming Commission will retain Class B and other license information for such employees and to the extent necessary after termination of employment or denial, suspension or revocation of the license. No investigative report or eligibility determination will be forwarded to the NIGC for these license applicants who are not key employees or primary management officials under IGRA, unless specifically requested by the NIGC and approved by the Gaming Commission.

Section 11. NIGC REVIEW OF LICENSING

11.1 NIGC 30-Day Review Period

The NIGC has thirty (30) days after receipt of the report provided by the Gaming Commission as required in Section 10.0, to notify the Tribe of any objections to the issuance of a Class A license. If the NIGC, within the thirty (30) day period, provides to the Gaming Commission a statement itemizing objections to the issuance of a license to a Class A license applicant, the Gaming Commission will reconsider the application taking into account the objections raised. The Gaming Commission will issue a final decision after full reconsideration of the application and any additional information.

11.2 Suspension of Review Period

If, within the thirty (30) day period in section 11.1, the NIGC requests additional information concerning a Class A applicant for whom a report is provided, that request suspends the thirty (30) day period until the NIGC receives the information requested.

11.3 Notice of Disqualifying Information

If, after issuance of a Class A license, the Gaming Commission receives reliable information from the NIGC that the licensee is not eligible for employment under the provisions

herein, the Gaming Commission will take the following steps:

11.3.1 Suspend the license and notify the licensee immediately of the suspension and proposed revocation;

11.3.2 Notify the licensee of a time and a place for a hearing on the proposed revocation of the license;

11.3.3 Conduct the revocation hearing and make a determination whether to revoke or to reinstate the license; and

11.3.4 Notify the NIGC of the final decision regarding the revocation or reinstatement of the Class A license.

11.4 Applicability to Class B Licenses

The above provisions of Section 11 may, in the sole discretion of the Gaming Commission, be applicable to Class B licenses.

Section 12. VENDOR LICENSING

12.1 Individuals and business entities (including principals, officers, directors, representatives, owners, on-site representatives, and other persons working with the business entity) doing business with the Tribe's gaming enterprise, whether or not the goods or services provided are gaming related, unless otherwise exempted by the Gaming Commission in compliance with the IGRA and regulations promulgated thereunder, and the Compact with the State of Washington, are subject to the following regulations and procedures and to all other provisions of the Gaming Act and these regulations. The Gaming Commission may, in its sole discretion, issue a license without further investigation to such individuals or business entities holding a valid certification or license from the Washington State Gambling Commission.

12.2 Definitions

For the purposes of these procedures, the following definitions shall be applicable:

12.2.1 Gaming Vendor

Gaming Vendor shall mean an individual or business entity providing goods or services to the Tribe or the gaming enterprise, whether on or off site, related to the operation of the Tribe's class II or class III gaming activities, and shall include but is not limited to gaming-related equipment, maintenance, management or consulting services, financing, gaming supplies, and security or

surveillance services. Gaming vendors include manufacturers, suppliers, and distributors of such equipment, services, or supplies. For the purposes of these regulations, gaming services shall not include professional legal and accounting services nor provision of indirect goods or services such as food and beverages, laundry services, and the like.

12.2.2 Vendor

Vendor shall mean an individual or business entity providing only non-gaming related goods or services to the Tribe or the gaming enterprise, whether on or off site, in connection with the operation of the Tribe's Class II or Class III gaming activities, and shall include but is not limited to food and beverage suppliers, laundry service suppliers, non-gaming related equipment, clothing, food, or supplies for resale in the gaming facility, magazines, and publications.

12.2.3 The Gaming Commission, in its sole discretion, may waive the licensing requirements for Vendors and Gaming Vendors providing goods or services of no more than \$25,000 in value in any twelve (12) month period. All license requirements shall be applicable when the goods or services provided total \$25,000 in any twelve (12) month period.

12.2.4 The Gaming Commission, in its sole discretion, may require an employee, officer, or director of a Vendor or Gaming Vendor to be licensed individually, even if the Vendor or Gaming Vendor is otherwise exempted from licensing requirements, if the Gaming Commission determines that the interest of the Tribe will be served by such licensing. At the request of the Gaming Commission, the Vendor or Gaming Vendor shall require such persons to apply to the Gaming Commission for a license in accordance with the laws and regulations then in effect.

12.3 Vendor Contracts Subject to Licensing and Independent Audit

Under the Gaming Act, all contracts with Vendors and Gaming Vendors, including each supplier, manufacturer, distributor, or other services supplier doing business with the Tribe's gaming activities ("Vendor Contracts") are subject to licensing by the Gaming Commission. Payments to Vendors and Gaming Vendors may be delayed until the licensing process is completed. All Vendor Contracts in the amount of \$25,000 or more annually for supplies, services, or concessions related to gaming activities on the Reservation are also subject to independent audit.

12.4 Time for License Application

Each Vendor or Gaming Vendor, as defined herein, is responsible for filing a license application with the Gaming Commission within five (5) business days after execution of a contract to do business with the Tribe's gaming enterprise, and prior to receiving payment thereunder. The Gaming Commission may, in its sole discretion, require licensing or other pre-approval of the company or individuals to be completed prior to execution of the contract or prior to beginning any work with the gaming enterprise.

12.5 Vendor Licensing and License Categories

The Gaming Commission is authorized to issue three categories of Vendor Licenses. The Gaming Commission shall require Vendors and Gaming Vendors to complete the process for one of those three categories. All three categories of Vendor Licenses are considered Class A licenses, subject to the specific provisions of this Section 12.0.

12.6 Vendor License Information Required

The Gaming Commission shall require all Vendors and Gaming Vendors to submit basic licensing information to the Gaming Commission. The Gaming Commission is further authorized to require the submission of either a greater or lesser amount of information from any Vendor or Gaming Vendor based on factors including but not limited to (a) their relationship to the gaming activities; (b) size, complexity, and organizational structure of the vendor; (c) total dollar amount of contracts with the Tribe and/or the gaming enterprise; (d) licensing status in other jurisdictions; (e) total number of contracts with the Tribe and/or the gaming enterprise; (f) number of on-site employees; (g) frequency and amount of overall contacts with the Tribe and/or the gaming enterprise; (h) reputation and record of the vendor in prior dealings with the Tribe and/or the gaming enterprise; and (g) general reputation of the vendor in business dealings and in the community.

12.6.1 Category A-1 Vendor License

Individuals and entities defined herein as "Gaming Vendors", as well as those providing non-gaming services, materials, or equipment and that must access any secure or non-public area of the gaming facility (such as locksmiths, alarm contractors, surveillance equipment maintenance) shall apply for a Category A-1 Vendor License if their contracts with the Tribe are, or are estimated to be, \$25,000 or more within the twelve month period beginning with the date of the initial contract. Category A-1 Vendor Licensees must be investigated and fully licensed before the total of their contracts with the tribe's gaming activities exceeds the \$25,000 amount.

12.6.2 Category A-2 Vendor License

Individuals and entities defined herein as "Vendors", and including those providing non-gaming goods and services who must access any secure or non-public area of the gaming facility (such as locksmiths, plumbers, electrical contractors, computer support services, camera suppliers), as well as independent concessionaires who provide goods or services to the public through the gaming facility (such as, for example, catering companies, valet services, cash machine services, and the like) shall apply for a Category A-2 Vendor License, if the total of their contracts with the Tribe and its gaming enterprise are, and are reasonably estimated to be, no more than \$25,000 within the twelve month period beginning with the date of the initial contract.

12.6.3 Category A-3 Vendor License

All other providers of either gaming or non-gaming related goods or services (including distributors, manufacturers, or suppliers) to the gaming enterprise, and are not otherwise included in Categories A-1 or A-2, shall apply for a Category A-3 license. At the discretion of the Gaming Commission, any Category A-3 Vendor may be required to meet the licensing requirements of a Category A-1 or A-2 Vendor.

12.7 Vendor License Fees and Costs

Basic Vendor License fees shall be established by the Gaming Commission for category A-1, A-2, and A-3 licenses. Initial license fees shall be available on request from the Gaming Commission and may be adjusted from time to time to cover the actual cost of investigation and licensing. The Gaming Commission is further authorized to increase or decrease basic license fees for any Vendor or Gaming Vendor based on the amount of business the vendor has done or expects to do with the Tribe's gaming activities, or to waive or defer license fees as the Gaming Commission, in its sole discretion, deems appropriate. In processing Vendor applications, the Gaming Commission may, in its sole discretion, use in-house investigation services, outside investigation services, or a combination of both. The Gaming Commission may require additional fees at any time during the licensing and investigation process to cover costs and expenses of investigation, licensing, and regulation.

12.8 Basic Vendor License Information Required

The Gaming Commission shall require the following information, unless the Gaming Commission, in its sole discretion, specifically waives some or all of the information required from Vendors and Gaming Vendors as part of the licensing process:

12.8.1 Completed Vendor Application for the company and for each person required by the Gaming Commission to be licensed as part of the Vendor License process, including application attachments and license fees;

12.8.2 Copy of company Personnel Policy;

12.8.3 Copy of company Drug and/or Alcohol Program, with certification of its implementation;

12.8.4 Copy of all contractual agreements with Tribe's gaming activities; and

12.8.5 Any other materials requested by the Gaming Commission.

12.9 Gaming Commission Vendor License Investigation and Processing

12.9.1 Gaming Commission staff shall provide in-person or send a Vendor Application packet to Vendors and Gaming Vendors who request such information, are identified by the gaming enterprise, or are otherwise identified by the Gaming Commission as requiring a Vendor License.

12.9.2 Gaming Commission staff shall review incoming completed applications for the following:

12.9.2.1 All portions of the application have been completed and are legible;

12.9.2.2 Photographs and fingerprint cards (if required) have been included;

12.9.2.3 Legible copies of all required identification documents have been provided (Washington Driver's License, Alien Registration, Naturalization documents, and the like);

12.9.2.4 All required fees have been provided;

12.9.2.5 Application and all required forms have been signed and notarized as necessary;

12.9.2.6 Any other required attachments such as financial information, business organizational documents, and the like have been provided; and

12.9.2.7 The application materials include information required for vendor on-site representatives; company owners, directors, and officers; and any other individuals required to be licensed or investigated as part of the company application.

12.9.3 Upon completion of the above review, the Gaming Commission may authorize the issuance of a temporary Vendor License that will be valid for no more than a one (1) year period.

12.9.4 Gaming Commission staff will continue to process the completed application as follows:

- 12.9.4.1 Social security number review and verification for each owner and other individuals as required to be licensed as part of the vendor licensing;
- 12.9.4.2 Review financial reports and organizational documents provided;
- 12.9.4.3 Verify PUC including number, insurance, and number and type of vehicles;
- 12.9.4.4 Review state and federal tax returns as required;
- 12.9.4.5 Obtain business credit information and report;
- 12.9.4.6 Conduct asset search, if deemed necessary after above review;
- 12.9.4.7 Check state and federal civil, criminal, and bankruptcy court records for jurisdiction where business located and where principals reside, if necessary;
- 12.9.4.8 Check references listed, including at least one bank reference;
- 12.9.4.9 For any employee whose proposed job duties with the gaming enterprise include driving or carrying passengers, conduct DMV record review; search state and local court records; review copy of drivers license and medical card; conduct reference checks; and review and verify employment history;

- 12.9.4.10 For any employee proposed as an on-site representative at the Gaming Enterprise, verify social security number; search state, local, and federal court records; verify prior employment; verify and contact personal references to the extent necessary (may include developed references); review and verify professional licenses; obtain credit report; and conduct DMV record review; and
- 12.9.4.11 The Gaming Commission may conduct the investigation specified above through use of qualified in-house staff, or may contract with another jurisdiction, individual, or agency to conduct some or all of the above work, or to conduct further investigation.

12.9.5 Vendor Licenses (Category A-1, A-2, and A-3) may, in the sole discretion of the Gaming Commission include the following:

- 12.9.5.1 Temporary Gaming License: issued upon receipt and initial review of the application as provided in 12.9.3 above;
- 12.9.5.2 Vendor Gaming License: regular license issued upon completion of investigation and valid for no more than two (2) years (includes issuance of a photo identification to be worn at all times when licensee and its on-site representatives are in the gaming enterprise; and
- 12.9.5.3 Provisional License: may be issued if applicant is unable to pay total licensing fee at one time and payment schedule is developed; if applicant (business or individuals) must comply with specific provisions to maintain the license; and other circumstances deemed appropriate to protect persons and property.

12.9.6 Closure of Applicant Files: During Gaming Commission processing, the Applicant's license file may be closed for reasons including but not limited to the following: licensing and background information is not provided as requested; the application is not completed or fees are not paid as required; or applicant's services are no longer required by the gaming enterprise. Prior to closing an applicant file, Gaming Commission staff will send a letter via certified or overnight mail to applicant at applicant's last known address, with a copy to the gaming enterprise, indicating the file is closed effective that date, and that no further goods or services may be provided to the gaming enterprise.

12.9.7 Denial of License to Applicant: For applicants who, after investigation is completed, are not deemed suitable to do business with the gaming enterprise, the Gaming Commission staff will send a letter to the applicant at applicant's last known address, via certified or overnight mail, a letter indicating that the license has been denied and setting forth the appeal procedures. If the appeal is not filed within fifteen (15) days, or if the denial is not overturned as a result of the appeal process, the applicant is no longer authorized to do business with the gaming enterprise. Denial of the Vendor License may also be considered for other purposes, and may result in the applicant being denied the opportunity to do business with the Tribe's government or other business enterprises.

Section 13. LICENSE AND INVESTIGATION FEE PROVISIONS

13.1 License Investigation Fees

Basic license fees are established and published by the Gaming Commission, and may be changed without prior notice at any time for any class of license. If the cost of investigation and processing an application exceeds the fee established, the Gaming Commission may require that additional fees be paid prior to license issuance. License application fees may include an amount to cover the reasonable costs of regulation and enforcement.

13.2 Payment of Fees

Applicants must comply promptly with any request for a deposit to cover the estimated cost of investigation and processing. Applicant's failure to pay any fee deposit as and when requested may result in denial of the license. The Gaming Commission, in its sole discretion, may delay the issuance of a license for a sufficient period of time to ensure that a check offered to cover such fees has cleared the bank.

13.3 Waiver of Fees

The Gaming Commission reserves the right to waive or adjust license fees for a member of the Tribe or for a member of another tribe. The decision of the Gaming Commission regarding such requests shall be final and non-appealable.

Section 14. NOTIFICATION OF LICENSING ACTION

The Gaming Commission shall provide written notification to each applicant upon the grant or denial of the license. To the extent required under federal, state, or other applicable laws, the Gaming Commission will notify the NIGC and others as required regarding issuance, revocation or denial of Class A licenses.

Section 15. LICENSE NOT A VESTED RIGHT

The Gaming Commission's issuance of any license shall not be construed as granting a vested right in any of the privileges the license confers.

Section 16. LICENSEE DUTIES AND RESPONSIBILITIES

16.1 Updating Information

Each licensee shall assume full responsibility for providing to the Gaming Commission on an on-going basis, information to supplement, correct, or update that provided in the original license application, as well as any other information that may impact the licensee's suitability for continued licensing. Failure to provide such information on a timely basis may result in suspension, revocation, or denial of the license.

16.2 Compliance with Applicable Law and Conditions

Each licensee and licensee's employees shall be legally responsible for compliance with all applicable laws, including tribal, federal, and state laws and regulations. Further, licensees issued a conditional or provisional license shall assume the responsibility for full and timely compliance with any conditions or restrictions set forth in conjunction with issuance of such license. Failure to comply with applicable law or conditions established may result in suspension or revocation of the license issued.

16.3 Evidence of Suitability

The issuance or renewal of any license may be conditioned as necessary, including successful completion of required programs or training or the presentation of evidence of the person or entity's suitability.

16.4 Rewards, Bribes, and Compensation

No applicant or licensee shall give, provide, or offer to give or provide (directly or indirectly) to any official of the Tribe, Gaming Commission, or any other employee or agency of the Tribe any compensation, reward, or share of the money received through gambling activities in consideration for obtaining a license or authorization to participate in any gaming operation. Any violation shall result in denial or revocation of any license held or sought.

16.5 Responsibility of Employees and Licensee Businesses

Licensees and employees of a business entity, as well as the licensee entity itself, shall be legally responsible for any violation of the Tribe's laws and regulations, license requirements, and other applicable laws and regulations, including IGRA and any applicable tribal-state compact.

Section 17. LICENSEE PROCEEDINGS CLOSED TO PUBLIC

Hearings regarding licensing proceedings or reconsideration of an application shall be closed to the public unless specifically opened to the public by a two-thirds majority vote of the Gaming Commission.

Section 18. LICENSE DENIAL, SUSPENSION OR REVOCATION

18.1 Grounds for Denial, Suspension or Revocation

The Gaming Commission may deny a license, or suspend or revoke a license when the applicant or licensee, or any other person or entity with any interest in the applicant or licensee:

18.1.1 has violated, failed or refused to comply with the provisions, requirements, conditions, limitations or duties imposed by the Ordinance and or other applicable laws or regulations;

18.1.2 knowingly causes, aids, abets or conspires with another to cause any person to violate any applicable laws or regulations;

18.1.3 has obtained a license by fraud, misrepresentation, concealment, or through inadvertence or mistake;

18.1.4 fails to promptly produce for inspection or audit any book, record, or document required by applicable laws or regulations;

18.1.5 has been convicted of, or forfeited bond upon a charge of, or pleaded guilty to the crime of forgery, larceny, extortion, conspiracy to defraud, tax evasion, or similar offenses, or of any crime, whether a felony or misdemeanor, involving moral turpitude or a gambling activity; or

18.1.6 allows any person who has been convicted of or forfeited bond upon any of the offenses above to participate in the management or operate in a key position with the entity licensed by the Gaming Commission, without prior notice to and written approval from the Gaming Commission.

18.2 Surrender of License

Upon receiving written notice of the suspension or revocation of any license issued by the Gaming Commission, the licensee is required, within five (5) days, to surrender the license and return it to the Gaming Commission.

18.3 Suspension or Revocation After Hearing

In addition to other procedures set forth in these regulations, any license issued under these regulations may be suspended or revoked by the Gaming Commission for a breach or violation of the provisions of applicable laws or regulations, and a hearing before the Gaming Commission called no more than twelve (12) or less than eight (8) working days from the time the licensee is given notice of the alleged breach or violation. The licensee, and any person directly affected by the license action shall have the right to be present and to offer sworn oral or documentary evidence relevant to the breach or violation charged.

18.4 Summary Suspension or Revocation

Nothing in these regulations shall preclude the Gaming Commission from summarily suspending or revoking any license if the continued licensing appears to constitute a threat to Tribe's or the public health, safety or welfare; enhance the opportunity for unfair or unscrupulous practices in the gaming operation; or increase the likelihood that the integrity and reputation of the gaming operation might be compromised.

18.5 Appeal of Denial, Suspension or Revocation

18.5.1 Decisions of the Gaming Commission regarding the denial, suspension or revocation of licenses shall be final and effective when issued.

18.5.2 An applicant or licensee whose license is denied, revoked or suspended may, within fifteen (15) days after the date of receipt of a written decision of the Gaming Commission, file a with the Gaming Commission a request to reconsider the decision. The request must set forth the basis of the request for reconsideration. If no request or petition for reconsideration is received by the Gaming Commission within the time prescribed, the decision shall be deemed final and not subject to further reconsideration, appeal, or review by the Gaming Commission.

18.5.3 Notwithstanding the above, a member of the Tribe may, in addition, appeal a denial, suspension or revocation of a license to the Gaming Commission within sixty (60) days of written notice under the provisions set forth in the Ordinance.