July 16, 2012

Via U.S. Mail and Facsimile

Terry Gibson, Chairman
Shoshone-Paiute Tribes of the
Duck Valley Indian Reservation
P.O. Box 219
Owyhee, NV 89832

Re: Shoshone-Paiute Tribes of the Duck Valley Indian Reservation
Tribal Ordinance No. 2012-SPO-03

Dear Chairman Gibson:

This letter responds to your request on behalf of the Shoshone-Paiute Tribes of the Duck Valley Indian Reservation for the National Indian Gaming Commission Chairwoman to review and approve the Tribe's amendment Gaming Ordinance. The NIGC received the Tribes' gaming ordinance on April 23, 2012.

The Shoshone-Paiute Business Council approved Ordinance No. 2012-SPO-03 on March 30, 2012. The gaming ordinance is approved as it is consistent with the requirements of the Indian Gaming Regulatory Act and NIGC regulations. I understand that the Tribes have not yet adopted gaming regulations. Please submit copies of the regulations once they are adopted by the Tribes. *See* 25 C.F.R. 522.2(d).

I wish you every success with you gaming venture. Please feel free to contact us as the need arises. If you have any questions regarding this matter, please contact Staff Attorney Esther Dittler at (202) 420-9229.

Sincerely,

Tracie L. Stevens
Chairwoman

cc: Stephen Ward, Tribal Attorney
Superintendent, BIA Eastern Nevada Agency
Regional Director, BIA Western Regional Office

CC Contact Info:

Stephen Ward, Esq.

CONNER & WINTERS, LLP
Attorneys & Counselors at Law
4000 One Williams Center
Tulsa, OK 74172-0148
Fax: 918-586-8698

Superintendent
Bureau of Indian Affairs
Eastern Nevada Agency
1555 Shoshone Circle
Elko, NV 89801

Regional Director
Bureau of Indian Affairs
Western Regional Office
2600 North Central Avenue
Phoenix, AZ 85004

THE SHOSHONE-PAIUTE TRIBES
OF THE DUCK VALLEY INDIAN RESERVATION
P.O. Box 219 Owyhee, NV 89832
(208) 759-3100
www.shopaitribes.org

APR 23 2012
RECEIVED
EASTERN NEVADA
AGENCY
2012 APR 11 A 11: 21
BUREAU OF
INDIAN AFFAIRS
NV 89801

ORDINANCE

of the

GOVERNING BODY

of the

SHOSHONE-PAIUTE TRIBES

of the

DUCK VALLEY INDIAN RESERVATION

ORDINANCE NUMBER 2012-SPO-03

An Ordinance to rescind and replace Ordinance Number 2011-SPO-05, in regards to Gaming.

BE IT ENACTED BY THE GOVERNING BODY OF THE SHOSHONE-PAIUTE TRIBES
OF THE DUCK VALLEY INDIAN RESERVATION THAT,

GAMING ORDINANCE OF 2012

OF THE

SHOSHONE-PAIUTE TRIBES

OF THE DUCK VALLEY INDIAN RESERVATION

INDEX

Section	Title
	CHAPTER 1. GAMING IN GENERAL
1.	Title, Authority, and Purpose
2.	Jurisdiction of the Tribe Over Gaming Activities
3.	Gaming Authorized
4.	Ownership of Gaming
5.	Definitions
6.	Use of Gaming Revenue
7.	Audit
8.	Protection of the Environment and Public Health and Safety
9.	Gaming Facility License Required
	CHAPTER 2. TRIBAL GAMING COMMISSION AND TRIBAL GAMING AGENCY
10.	Tribal Gaming Commission
11.	Tribal Gaming Agency
	CHAPTER 3. GAMING LICENSING
12.	Licensing for Key Employees and PMOs
13.	Background Investigations
14.	Issuance of Licenses; Renewal; Suspension
15.	Gaming License and Fees
16.	Registration for Non-Gaming Related Vendors
17.	Regulation of Qualified Gaming Financiers
	CHAPTER 4. GAMING OPERATIONS
18.	Records and Reports
19.	Policies and Procedures for Resolution of Disputes Between Management and Customers
	CHAPTER 5. ENFORCEMENT OF GAMING LAWS, HEARINGS, AND APPEALS
20.	Violations
21.	Civil Enforcement
22.	Hearings and Appeals
23.	Appeals from Final Actions of the Tribal Gaming Commission
	CHAPTER 6. PRIZE CLAIMS, PATRON DISPUTES, AND TORT CLAIMS
24.	Prize Claims and Patron Disputes
25.	Tort Claims
	CHAPTER 7. MISCELLANEOUS
26.	Applicable Law
27.	Designated Agent for Service of Process
28.	Savings Provision
29.	Amendment of Ordinance
30.	Time and Effect of Repeal

GAMING ORDINANCE OF THE SHOSHONE-PAIUTE TRIBES OF THE DUCK VALLEY RESERVATION OF 2012

CHAPTER 1. GAMING IN GENERAL

§ 1. Title, Authority, and Purpose

(a) Title

This ordinance shall be known as the 2011 Gaming Ordinance of the Shoshone-Paiute Tribes of the Duck Valley Indian Reservation.

(b) Purposes

The purposes of this Ordinance are to:

(1) Establish the legal and regulatory framework for the regulation, control, and licensing for the operation of all gaming activities within the jurisdiction of the Tribes;

(2) Ensure that the operation of Tribally regulated gaming will continue as a means of generating Tribal governmental revenues;

(3) Ensure that Tribally regulated gaming is conducted fairly and honestly by both gaming operators and players, and that it remains free from corrupt, incompetent, unconscionable, and dishonest persons and practices; and

(4) Ensure that Tribal gaming laws are fairly enforced against all persons involved in gaming activities within the jurisdiction of the Tribes.

§ 2. Jurisdiction of the Tribe Over Gaming Activities

(1) As a sovereign nation, the Shoshone-Paiute Tribes possesses and exercise their governmental authority, jurisdiction, and powers to the fullest extent permitted under law over all of their Indian country, including over all gaming activities and gaming operations and other activities conducted within its Indian Lands, subject to the authority of the United States, where and as specified under pertinent federal law.

(2) The act of entry by any person or entity upon the premises of any gaming establishment subject to this Ordinance, the act of transacting business with any Tribal governmental instrumentality, agency, component, enterprise, authority, or other tribal entity subject to this Ordinance, the act of applying or accepting employment with a Gaming Operation, or the act of applying for any license, permit, or registration required by this Ordinance shall constitute consent to the civil and/or, where applicable, criminal jurisdiction of the Tribes, including consent to the jurisdiction of the courts and the governmental bodies and agencies of the Tribes, with respect to any civil or regulatory matter arising out of such consensual relationship with the Tribes. The act of entry into the jurisdiction of the Tribes by an extraterritorial seller or merchant or other person engaged in commerce, or by their agent, shall be considered consent by such person or entity to the jurisdiction of the Tribes, including the jurisdiction of the courts, governmental bodies, taxing authorities, and regulatory agencies of the Tribes, for any dispute or other matter arising out of such transaction, regardless of where the sale or transaction was made or took place.

(3) All entities or persons who apply for licenses under this Ordinance shall be required, as a condition to such licensing, to acknowledge the authority and jurisdiction of the Tribes, including the jurisdiction of the courts of the Tribes, the Tribal Gaming Agency, and the Tribal Gaming Commission, over their activities and transactions conducted within the Indian country of the Tribes and with the Gaming Operations of the Tribes. As a further condition to such licensing, all such

persons or entities shall be required to acknowledge their duty to comply with all applicable Tribal and federal laws and regulations and the terms of any gaming compact(s) between the Tribes and any state then in effect and as may subsequently be amended.

§ 3. Gaming Authorized

Classes I, II, and III gaming as authorized by the IGRA are hereby authorized by the Shoshone-Paiute Tribes, provided that Class III gaming is authorized only to the extent authorized by the Tribal-State gaming compact(s) between the Tribes and any state approved by the Secretary of the Interior, or as may be later authorized pursuant to an amendment to existing compact(s) or any new Tribal-State gaming compact(s) upon approval of the Secretary of the Interior.

§ 4. Ownership of Gaming

The Tribes shall have the sole propriety interest in and responsibility for the conduct of any gaming operation authorized by this Ordinance.

§ 5. Definitions

For purposes of this Ordinance, certain terms shall have the meanings specified in this section. Words used in the singular include the plural, and words used in the plural include the singular. Words used in the masculine gender include the feminine and words used in the feminine gender include the masculine. The following definitions shall apply to gaming and other activities conducted under this Ordinance:

"Business Council" means the Business Council of the Shoshone-Pauite Tribes, the elected governing body of the Tribes.

"Class I Gaming" means social games solely for prizes of minimal value or traditional forms of gaming engaged in by individuals as a part of, or in connection with, tribal ceremonies or celebrations.

"Class II Gaming" means:

(1) Lotto or the game of chance commonly known as bingo (whether or not electronic, computer, or other technological aids are used in connection therewith):

(A) which is played for prizes, including monetary prizes, with cards bearing numbers or other designations;

(B) in which the holder of the card covers such numbers or designations with objects, similarly numbered or designated, which are drawn or electronically determined; and

(C) in which the game is won by the first person covering a previously designated arrangement of numbers or designations on such cards, including, (if played in the same location) pull-tabs, lotto, punch boards, tip jars, instant bingo, and other games similar to bingo; and

(2) Non-banking card games that:

(A) are explicitly authorized by the laws of the state in which they are conducted, or

(B) are not explicitly prohibited by the laws of the state in which they are conducted and are played at any location in such state, but only if such card games are played in conformity with those laws and regulations (if any) of the state regarding hours or periods of operation of such card games or limitations on wagers or pot sizes in such card games or as otherwise authorized through a tribalstate compact between the Tribes and the state; and

(C) If played in the same location as bingo: lotto, pull-tabs, punch boards, tip jars, instant bingo, and other games similar to bingo.

"Class III Gaming" includes all other forms of gaming not coming within the definitions of Class I or II Gaming, including slot machines and electromechanical facsimiles of any game of chance.

"Commission" means the Tribal Gaming Commission, established to secure, oversee, and protect the honesty, integrity, fairness, and security of ShoshonePaiute Tribal gaming by adjudicating matters that come before it and perform such other functions as are authorized by this Ordinance.

"Executive Officer" means, with respect to an applicant who is or proposes to be a Qualified Gaming Financier, its chief executive officer, chief operating officer, if any, and chief financial officer, or the equivalent of these positions.

"Facility" and "Facilities" means the location(s) where any gaming activities of the Tribes are conducted.

"Gaming Financier" means, unless otherwise provided herein or in a compact in effect with between the Tribes and any state, any provider of financing to a Gaming Operation.

"Gaming Operation" means each economic entity licensed by the Tribes that operates games, receives gaming revenues, issues gaming prizes and pays the expense of operation. Said Gaming Operation may be operated by the Tribes or by a management contractor.

"Gaming Related Vendor" means any person or business entity that supplies any goods or services directly related to the gaming operation. This includes:

(1) Suppliers/Manufacturers of gaming equipment and devices including electronic, computer, or technological aids to games;

(2) Providers of accounting services; and

(3) Gaming Financiers.

"Gross Gaming Revenue" means the annual total amount of cash wagered on Class II and Class III games and admission fees (including table or card fees, if any, less any amounts paid out as prizes or paid for prizes awarded.

"Indian Lands" shall have the same meaning as is set forth under 25 U.S.C. § 2703(4).

"Key Employee" means the four most highly compensated persons in the gaming operation and persons who perform one or more of the following functions:

(1) Bingo Caller;

(2) Counting room supervisor;

(3) Chief of security;

(4) Custodian of gaming supplies or cash;

(5) Floor manager;

(6) Dealer;

(7) Custodian of gambling devices including persons with access to cash and accounting records within such devices;

(8) Pit bosses;

(9) Croupier;

(10) Approver of credit; and

(11) If not otherwise included, any other person whose total cash compensation is in excess of Fifty Thousand Dollars ($50,000) per year.

"Licensee" means any person or entity holding a valid and current license pursuant to the provisions of this Gaming Ordinance.

"Management Contract" means any contract, subcontract, or collateral agreement between the Tribes and a contractor or between a contractor and a subcontractor if such contract or agreement provides for the management of all or part of a gaming operation.

"Net Revenue" means the gross gaming revenue of Tribal gaming activity less amounts paid out as, or paid for, prizes and total gaming-related operating expenses, excluding management fees.

"NIGC" means the National Indian Gaming Commission, as established 25 U.S.C. § 2704.

"Non-Gaming Vendor" means any person or business entity that provides nonessential goods or services that are not directly related to gaming. This includes but is not limited to:

(1) Providers or subcontractors of food and beverage services and goods;

(2) Providers or subcontractors of entertainment or entertainment services;

(3) Providers or subcontractors of non-gaming products, such as gifts, tobacco, or other non-gaming products;

(4) Providers or subcontractors of cash counting machines; and

(5) Providers or subcontractors of any other non-gaming machine, equipment, or device.

"Primary Management Official" or "PMO" means:

(1) The person having management responsibility for a management contract.

(2) Any person who has authority:

(A) To hire and fire employees; or

(B) To set up working policy for the Gaming Operation.

(3) The officers, directors, or members of any Tribal governmental instrumentality or other Tribal entity that is established to operate, manage, or direct the Tribes' Gaming Operations.

(4) The chief financial officer or other person who has financial management responsibility.

"Qualified Gaming Financier" means any Gaming Financier that is: a federally or state regulated bank, savings and loan institution, trust or other commercial lending institution; any department or agency of the federal government or of any tribal, state, or local government; an institutional investor who, alone or in conjunction with others, lends money through publicly or commercially traded bonds or other commercially traded instruments, including but not limited to the holders of such bonds or instruments or their assignees or transferees, or bonds or commercially traded instruments which are underwritten by any entity whose shares are publicly traded or which underwriter, at the time of the underwriting, has assets in excess of One Hundred Million Dollars ($100,000,000.00); a brokerdealer registered under the Securities Exchange Act of 1934, as amended; an investment company registered under the Investment Company Act of 1940, as amended; an investment advisor registered under the Investment Advisors Act of 1940, as amended; or an insurance company registered under any federal or state insurance agency. For purposes of this Ordinance, "commercially traded instruments" shall include, but shall not be limited to, any commercially assignable or transferrable commercial paper or notes, notes evidencing a syndicated loan or a loan in which multiple lenders are permitted to participate in the financing, and similar commercially traded instruments.

"Secretary" means the Secretary of the Interior of the United States.

"Tribal Gaming Agency" or "TGA" means the administrative department within the Tribal government responsible for day-to-day regulation of the Tribes' gaming operation(s), including the issuance of all gaming licenses and the authority to enforce compliance with this Ordinance and all applicable federal laws related to tribal gaming.

"Tribal Gaming Agency Director" or "TGA Director" or "Director" means the head of the Tribal Gaming Agency charged with overall supervisory and administrative responsibility for directing the Tribes' gaming licensing program; for monitoring the Facilities' compliance with the Indian Gaming Regulatory Act; and for general enforcement of this Ordinance and all regulations issued in relation hereto.

"Tribes" or "Tribal" means and refers to the Shoshone-Paiute Tribes of the Duck Valley Indian Reservation, Nevada.

§ 6. Use of Gaming Revenue

Net revenues from Class II and Class III gaming shall be used only for the following purposes:

(1) to fund Tribal government operations and programs;

(2) to provide for the general welfare of the Tribe and its members;

(3) to promote Tribal economic development;

(4) to donate to charitable organizations; or

(5) to help fund operations of local government agencies.

§ 7. Audit

(1) The Tribes shall ensure that each Facility is subjected to an independent audit of its gaming operations annually, and the Director of the Tribal Gaming Agency, acting on behalf of the Tribe, shall submit the resulting audit reports to the NIGC.

(2) All gaming-related contracts that result in the purchase of supplies, services, or concessions in excess of Twenty-Five Thousand Dollars ($25,000) annually, except contracts for professional legal and accounting services, shall be specifically included in the audit.

§ 8. Protection of the Environment and Public Health and Safety

All Tribal gaming facilities shall be constructed, maintained, and operated in a manner that adequately protects the environment, public health and safety of the community.

§ 9. Gaming Facility License Required

The Tribe shall issue a separate license to each place, Facility, or location where gaming is conducted under this Ordinance. Every gaming facility shall display in a prominent place a current and valid license for that location.

CHAPTER 2. TRIBAL GAMING COMMISSION AND TRIBAL GAMING AGENCY

§ 10. Tribal Gaming Commission

(a) Establishment and Purpose

In order to regulate gaming on Indian lands, the Tribal Gaming Commission is hereby established, and is delegated exclusive jurisdiction to adjudicate appeals of all final actions and decisions of the Tribal Gaming Agency, subject to appellate review by the Tribal Courts, as provided under law. The Commission is vested with all necessary powers to:

(1) Hear and adjudicate:

(A) patron disputes;

(B) licensing disputes arising under this Ordinance;

(C) appeals of enforcement actions; and

(D) appeals of disciplinary actions related to Tribal Gaming Agency staff;

(2) Classify games or review game classification decisions of the Tribal Gaming Agency;

(3) Resolve questions of interpretation in relation to this ordinance and such regulations as may be promulgated hereunder;

(4) Develop and apply standards, rules, and procedures governing the conduct of hearings before the Commission;

(5) Issue advisory opinions interpreting any Tribal-state gaming compact, this Ordinance and any rules or regulations adopted pursuant hereto on request of the TGA or the Business Council;

(6) Issue subpoenas, take testimony, and conduct hearings; and

(7) Handle such other matters and conduct such other activities as are consistent with the power and authority delegated the Commission under this Ordinance.

(b) Qualifications

The Commission shall be comprised of a Commissioner, who shall be appointed by the Business Council by a majority vote, and such staff as may be needed to carry out the responsibilities of the Commission. The Business Council may also appoint an alternate or alternates, who may act for the Commissioner in the event that the Commissioner is unavailable for any reason or in the event of a recusal by the Commissioner. Only persons who have reached the age of twenty-five (25) years shall be eligible for appointment as Commissioner or to serve as an alternate. No person who has been convicted of any gambling or bribery offense or any felony is eligible for appointment to the Tribal Gaming Commission. Neither shall the Gaming Commissioner or any alternate have any financial interest in, or management responsibility for, any gaming activity governed by this Ordinance, including a Management Contract or an entity licensed under this Ordinance.

(c) Commission Clerk and Staff

Other than specific employees designated in this Ordinance, the Tribe may employ and compensate a Commission Clerk and any other support staff it deems necessary to carry out the duties of the Commission. The Commission Clerk and any support staff will be compensated for their services. No person who has been convicted of any gambling or bribery offense or any felony is eligible to serve as staff to the Tribal Gaming Commission.

(d) Terms

The Gaming Commissioner shall be appointed to a term of four years and may be reappointed at the discretion of the Business Council.

(e) Powers

The Business Council hereby delegates the following powers to the Commission, not to be removed, except by amendment of this Ordinance:

(1) To secure, oversee, and protect the honesty, integrity, fairness, and security of Tribal gaming by adjudicating matters that come before it;

(2) To adopt and submit to the Business Council an annual operating budget, as appropriate;

(3) To adopt rules and procedures consistent with its delegated powers;

(4) To develop procedures for resolving patron disputes;

(5) To issue subpoenas, take testimony, and conduct hearings;

(6) To resolve patron disputes not resolved by the gaming operation;

(7) To conduct hearings to review actions and decisions of the Tribal Gaming Agency in accordance with Ordinance pertaining to hearings and appeals;

(8) To preside over appeals of actions or decisions of the Tribal Gaming Agency and reverse or make final a determination of suspension or revocation for cause issued by the Tribal Gaming Agency following a fair and impartial adjudication;

(9) To develop and recommend to the Business Council for adoption such regulations as may be needed to fully implement this ordinance; and

(10) To classify games.

(f) Rules and Procedures

The Commission shall adopt rules for the conduct of hearings, which shall include the following provisions:

(1) The Commissioner will conduct hearings and ensure that such hearings are conducted efficiently and in accordance with principles of due process of law;

(2) Commission hearings shall be open to the public and minutes or other records shall be kept;

(3) The Commission may take such steps as necessary to protect the confidentiality of the Tribes' proprietary information and to conduct deliberations related to adjudications, including in-camera inspections of books, records, and any evidence before it;

(4) All decisions of the Commission shall be issued in writing and shall be final, and such other requirements as set forth herein shall be met; and

5. The Commission shall establish and make public written standards and procedures for the handling of all adjudications, including notice requirements, evidence, and time frames.

(g) Compensation

The Business Council shall establish the Commissioner's rate of compensation, which shall not be diminished during his or her term in office. The Commissioner and any Commission staff shall be reimbursed for all actual expenses incurred on Commission business, including necessary travel expenses, subject to the approval of the Business Council.

(h) Vacancy and Removal

(1) Vacancy. The Commissioner's seat shall be deemed immediately vacant upon any gambling offense or bribery or of any felony conviction. The Commissioner shall advise the Business Council of any need for recusal in any matter or of any anticipated absence or unavailability for any period of time in excess of two weeks in which case the Business Council shall notify or appoint an alternate to fulfill the duties of the Commissioner as soon as possible, but no later than thirty (30) days from the date of absence, unavailability or vacancy.

(2) Removal. The Commissioner may only be removed for cause, which shall include: excessive use of intoxicants or controlled substances; use of office for personal gain; failure to perform Commission duties; violation of this Ordinance or other law or regulation of the Tribes or the IGRA; or bringing discredit or disgrace to the Commission or the Tribes. Removal shall be effected by a

majority vote of the Business Council at a meeting duly called by the Business Council to consider said removal.

(3) Suspension. The Business Council may suspend the Commissioner if he or she is charged with any felony or any gambling or bribery offense until such charges are dismissed or the Commissioner is convicted or acquitted. An alternate will fill such vacancy until the matter is resolved.

(4) Due Process. In any proceeding pursuant to this subsection a Notice of Proposed Suspension and/or Removal shall be provided at least fourteen (14) days in advance of the date set for such meeting of the Business Council and shall set forth in particular the basis for such proposed action with sufficient specificity as to permit the preparation of an answer to such allegations. The decision of the Business Council shall be final and nonappealable.

(i) Prohibitions

The Commissioner shall refrain at all times during his or her term of office from participating in any gaming activities at any Facility or any other gaming establishment under the Commission's jurisdiction and shall not adjudicate any matter in which a party to the dispute is a member of the Commissioner's immediate family or is an entity in which the Commissioner has a pecuniary interest. Should the need for recusal arise, the Commissioner shall so notify the Chairman of the Business Council in order that an alternate may be selected to carry out the duties of the Commissioner in relation to the matter. For purposes of this provision immediate family shall include: spouse, child, sibling, parent, grandparent, and grandchildren, and such other person or persons with whom the Commissioner may have a close personal relationship.

§ 11. Tribal Gaming Agency

(a) Establishment and Purpose

In order to issue licenses to gaming related vendors, Key Employees, PMOs, and register all other vendors in compliance with the law and to ensure that gaming is conducted in accordance with this Ordinance and any related Tribal ordinances, rules and/or regulations, the Indian Gaming Regulatory Act, and all applicable rules and regulations, the Tribal Gaming Agency is hereby established and, except as otherwise provided herein, is delegated exclusive jurisdiction to hear and decide all matters under this Ordinance in the first instance.

(b) Disclaimer of Liability

Issuance of any license pursuant to this Ordinance does not constitute the creation of a duty by the Tribes to indemnify a licensee for any wrongful acts against the public, or to guarantee the quality of goods, services, or expertise of a licensee, or to otherwise shift responsibility from the licensee to the Tribe for proper training, conduct, or equipment of self or agents, even if specific regulations require standards of training, conduct, or inspection. Nor does it constitute a waiver of any Tribal sovereign immunity from suit.

(c) Tribal Gaming Agency Director

To implement this Ordinance with honesty and integrity, the Business Council will appoint a Director of the Tribal Gaming Agency to direct its day-to-day activities. The Director shall report directly to the Chairman of the Business Council. The Director shall receive compensation for his or her services, which shall not be diminished during his or her term in office. The Director shall serve a term of three (3) years. The Director may be removed from office for cause by a majority vote of the Business Council. No person who has been convicted of any gambling or bribery offense or any felony is eligible to serve as the Director of Tribal Gaming Agency. The Director of the Tribal Gaming Agency will make every effort to work closely and cooperatively with the staff, Business Council, the Tribal Administration, the Tribal Gaming Commission, licensees, registrants, and applicants.

(d) Tribal Gaming Agency Staff

Other than any specific employees designated in this Ordinance, the Tribal Gaming Agency, subject to the authorization of the Business Council, will employ such staff as may be necessary to carry out its duties, but which at a minimum will include compliance officers and licensing officials, as needed. No person who has been convicted of any gambling or bribery offense or any felony is eligible to serve as the Director of Tribal Gaming Agency or in any staff position. The Director of the Tribal Gaming Agency and staff will make every effort to work closely and cooperatively with the Business Council, Tribal Administration, Tribal Gaming Commission, licensees, registrants, and applicants.

(e) Duties

The Business Council delegates the following powers to the Tribal Gaming Agency, not to be removed except by formal amendment of this Ordinance:

(1) To secure, monitor, and safeguard the honesty, integrity, fairness, and security of all Tribal gaming operations;

(2) To adopt and submit to the Business Council an annual proposed operating budget;

(3) To submit to the Business Council a quarterly report of the status of all its activities and gaming matters;

(4) To develop licensing and background procedures applicable to the gaming operation, its employees, gaming vendors, and gaming equipment;

(5) To classify and license electronically aided Class II games, provided that the TGA may, seek game classification advisory opinions from the Commission;

(6) To maintain vendor licensing and registration systems;

(7) To develop and recommend to the Business Council for adoption such regulations as may be needed to fully implement this ordinance, including recommendations for amendment;

(8) To issue, renew, suspend, and revoke licenses of PMOs and Key Employees upon completion of background investigations in accordance with Agency procedures for same;

(9) To conduct background investigations on PMOs and Key Employees according to requirements at least as stringent as those in 25 C.F.R. Parts 556 and 558;

(10) To forward complete employment applications and the results of background investigations for PMOs and Key Employees to the NIGC, provided said applications include the notices as required hereunder;

(11) To forward completed investigative reports on each background investigation for each PMO and Key Employee to the NGC prior to issuing a permanent license;

(12) To review PMO and key employee applicant activities, criminal record, if any, and reputation, habits, and associations to make a finding of their eligibility for employment in and/or contracting with the gaming operation;

(13) To ensure that the Tribal gaming facilities are constructed, maintained, and operated in a manner that adequately protects the environment, public health, and safety by reporting suspected violations to the Business Council and other appropriate divisions of Tribal government for appropriate action;

(14) To ensure that audits as required hereunder are conducted and to transmit the reports to the NIGC;

(15) To monitor gaming activities to ensure compliance with this Ordinance, the IGRA, any Tribal-state gaming compacts in effect, and all other laws applicable to the Tribe's gaming activities, including rules and regulations issued thereunder;

(16) To work with law enforcement and regulatory agencies as needed to carry out the Tribal Gaming Agency's duties and responsibilities;

(17) To investigate possible violations of this Ordinance and the IGRA, including rules and regulations issued thereunder and take appropriate enforcement action, which may include the impoundment of evidence and winnings until the matter is resolved;

(18) To ensure compliance with the Tribe's internal control standards through oversight and enforcement;

(19) To establish standards and procedures for the licensing of gaming related vendors;

(20) To develop registration processes and procedures for all non-gaming related vendors;

(21) Represent the Tribal Gaming Agency before the Commission;

(22) Carry out all duties and functions necessary to implement, carry-out, and enforce the provisions of this Ordinance, including, but not limited to, the development of internal agency forms, schedules, guidance documents, policies and procedures; and

(23) Issue such orders and directives as may be necessary to ensure the Tribe's compliance with all applicable laws and the terms of any Tribal-State gaming compact, including, but not limited to orders to compel, cease and desist, and cure.

(f) Suspension; Removal for Cause

The Director of the Tribal Gaming Agency may be suspended or removed by the Business Council, but in the case of removal, he or she shall only be removed for cause, which shall include: excessive use of intoxicants or controlled substances; use of office for personal gain; failure to perform assigned duties; failure to maintain the confidentiality of licensing information entrusted to it; violation of this Ordinance or other law or regulation of the Tribe or the IGRA; or bringing discredit or disgrace to the Commission or the Tribes. Removal shall be effected by a majority vote of the Business Council at a duly called meeting of the Business Council to consider said removal. Notice of Proposed Suspension and/or Removal shall be provided at least fourteen (14) days in advance of the date set for such meeting of the Business Council and shall set forth in particular the basis for such proposed action with sufficient specificity as to permit the preparation of an answer to such allegations. The decision of the Business Council shall be final and non-appealable. The Director shall have hiring, firing, and disciplinary authority over staff, subject to the adjudicatory oversight of the Tribal Gaming Commission.

(g) Prohibitions

The Director of the Tribal Gaming Agency and staff shall refrain at all times from participating in any gaming activities at any gaming establishment under the Agency's authority, and neither the Director nor staff shall handle any matter in which an applicant or subject is a member of his or her immediate family or is an entity in which he or she has a pecuniary interest. Should the need for recusal arise, the Director and/or staff member shall so notify the Chairman of the Business Council and another member of the staff shall handle such matter. For purposes of this provision immediate family shall include: spouse, child, sibling, parent, grandparent, and grandchildren, and such other person or persons with whom the Director and/or staff member may have a close personal relationship.

CHAPTER 3. GAMING LICENSING

§ 12. Licensing for Key Employees and PMOs

(a) Application Forms

(1) Each person or entity having a management contract, each PMO and each Key Employee shall complete an application for an initial license or renewal of an existing gaming license for each gaming establishment on an application form prescribed by the Tribal Gaming Agency. The application shall set forth:

(A) the name under which the applicant transacts or intends to transact business on Indian Lands;

(B) the location of the gaming establishment for which the gaming license is sought; and

(C) the application shall be signed by the applicant if a natural person, or, in the case of an association or partnership, by a member or partner thereof, or, in the case of a corporation, by an executive officer thereof, or by some other person specifically authorized by the corporation to sign the application, in which case written evidence of the signatory's authority shall be attached. The applicant shall provide evidence of authority of the signatory or any other representative to act for and bind the applicant. If any change is made in that authority, the Tribal Gaming Agency shall be immediately informed in writing and, until that information is filed with the Tribal Gaming Agency, any action of the representative shall be presumed to be that of the applicant.

(b) Notice

(1) The following notice shall be placed on the application form of a Key Employee or a PMO before that form is filled out by the 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 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 National Indian Gaming Commission 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's 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 SSN may result in errors in processing your application.

(2) Existing Key Employees and PMOs, if any, shall be notified in writing that they shall either:

(A) Complete a new application form that contains a Privacy Act Notice; or

(B) Sign a statement that contains the Privacy Act notice and consent to the routine uses described in that notice.

(3) The following notice shall be placed on the application for a Key Employee or PMO before that form is filled out by an 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).

(4) The Tribal Gaming Agency shall notify in writing existing Key Employees and PMOs, if any, that they shall either:

(A) Complete a new application form that contains a notice regarding false statements; or

(B) Sign a statement that contains the notice regarding false statements.

(c) Payment of Application Fee

Each application shall be accompanied by payment of an application fee established by the Tribal Gaming Agency to which shall include the cost of the background investigation conducted pursuant to the requirements of this Ordinance.

(d) Organizational Chart

A management contractor shall file, along with the application, an organizational chart of its management organization and job descriptions for employees of the gaming operation. The chart shall identify which employees are or will be the PMOs and the Key Employees of the gaming operation.

(e) Description on Application

An application for a gaming license shall include a description of the place, facility, or location on Indian Lands where the applicant will operate a gaming operation or where the applicant will be employed.

(f) Other Gaming License

Any applicant for a gaming license shall disclose whether he/she has ever had a management contract in another gaming jurisdiction, whether another gaming jurisdiction has ever revoked, suspended, or denied the applicant a gaming license, or is presently providing management or management services in another gaming jurisdiction, and a description of the location of each such operation.

(g) Management Contractor's Application

A management contractor's application shall include information required by 25 U.S.C. § 2711 and 25 C.F.R. § 537.1.

§ 13. Background Investigations

The Tribal Gaming Agency shall conduct, or cause to be conducted, a background investigation of the management contractor, gaming related vendor executive officers, and each applicant for a position who is designated as a Key Employee or PMO sufficient to make an eligibility determination under subsection (3) below. In conducting the investigation, the Tribal Gaming Agency shall keep confidential the identity of each person interviewed in the course of the investigation.

(1) The Tribal Gaming Agency shall request from each Primary Management Official and from each Key Employee all of the following information:

(A) full name, other names used (oral or written), social security number(s), birth date, place of birth, citizenship, gender, all languages (spoken or written);

(B) currently and for the previous five (5) years: business and employment positions held, ownership interests in those businesses, business and residence addresses, and

drivers license number(s);

(C) the names and current addresses of at least five (5) personal references, including one personal reference who was acquainted with the applicant during each period of residence listed under subsection (1)(B) of this Section;

(D) current business and residence telephone numbers;

(E) a description of any existing and previous business relationships with Indian Tribes or Alaskan Natives, including ownership interests in those businesses;

(F) a description of any existing and previous business relationships with the gaming industry generally, including ownership interests in those businesses;

(G) the name and address of any licensing or regulatory agency with which the person has filed an application for license or permit related to gaming, whether or not such license or permit was granted;

(H) 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 and disposition, if any;

(I) for each misdemeanor conviction or 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 and disposition;

(J) 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 paragraph 9 or 10 of this section, the criminal charge, the name and address of the court involved, and the date and disposition;

(H) 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 and a description and explanation of any disciplinary charges filed, whether or not discipline was imposed by any state or tribal regulatory authority;

(I) a current photograph;

(J) fingerprints of the applicant shall be taken by the Tribal Gaming Agency and transmitted to the NIGC in order that a criminal history check. The criminal history check shall include a check of criminal history records and information maintained by the Federal Bureau of Investigation National Crime Information Center may be obtained; and

(K) any other information the Tribal Gaming Agency deems relevant.

(2) Procedures for Background Investigations.

The Tribal Gaming Agency shall conduct an investigation sufficient to make a determination of employee eligibility under subsection (3) of this Section. The director of the Tribal Gaming Agency shall be the official ultimately responsible to direct and oversee the preparation of the background investigations required hereunder. The director of the Tribal Gaming Agency shall review and approve the investigative work generated in the course of such background investigations, and shall approve the final report prepared on each applicant. Background investigations of license applicants shall be conducted in accordance with the following guidelines and procedures, as well as other procedures to be established by the director of the Tribal Gaming Agency:

(A) The Tribal Gaming Agency shall be authorized to make any investigation permitted under applicable law of an applicant, in its sole discretion, to verify information on any license application and to ensure that the Tribal Gaming Agency has obtained all relevant

information necessary to make an eligibility determination concerning an applicant's criminal history, prior and current activities, reputation, habits, associations, and other similar matters.

(B) The Tribal Gaming Agency by independent inquiries shall attempt to reasonably ensure that an applicant has not concealed relevant information about past and present activities, criminal history, associations, reputation, and habits by omitting to provide information on an application for a license. In making such inquiries of an applicant, the Tribal Gaming Agency may use any means reasonably necessary to obtain relevant information, including but not limited to contacting governmental agencies and public sources, present and past employers, and private agencies and services, by conducting individual interviews, by conducting research through public and private services and archives, and by and through other means and sources as identified by the Tribal Gaming Agency.

(C) When information is sought for purposes of licensing through interviews of individuals, the Tribal Gaming Agency shall attempt to interview and/or contact a sufficient number of individuals who are believed to have relevant information so as to provide a valid basis for the determination of eligibility for licensure to be made.

(D) The report prepared by the Tribal Gaming Agency for a background investigation shall document (i) all material inconsistencies in the information provided by an applicant and the information obtained by the agency, (ii) all potentially disqualifying information concerning the applicant, and (iii) any other information that might relate to a determination that the application is ineligible to receive a gaming license.

(E) Information obtained in an investigation of a license applicant shall be reduced to a written report or other compilation in a form to be proscribed by the director of the Tribal Gaming Agency. Such report or file shall serve as the basis of the determination of an applicant's eligibility to receive a gaming license, although the director may, in his or her discretion, also consider other relevant or material information in making such determination.

(F) All information submitted in support of license applications shall be verified to the reasonable satisfaction of the director of the Tribal Gaming Agency.

(3) Eligibility Determination

(A) The Tribal Gaming Agency shall ensure that any person involved with the conduct of gaming activities is a person of good character, honesty, and integrity.

(B) The director of the Tribal Gaming Agency shall review a person's prior activities, criminal record, if any, and reputation, habits, and associations to make a finding concerning the eligibility of a Key Employee or a Primary Management Official for granting a gaming license. If the director of the Tribal Gaming Agency, in applying the standards adopted under this Ordinance and other applicable law, determines that licensing of the person 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 activities in the conduct of gaming, the director of the Tribal Gaming Agency shall not license that person in a Key Employee or Primary Management official position.

(C) Only persons who have achieved the age of eighteen (18) shall be eligible for a Tribal gaming license.

(4) Procedures for Forwarding Applications and Reports for Key Employees and PMOs to the NIGC.

(A) When a Key Employee or Primary Management Official begins work at a gaming operation authorized by this Ordinance, the Tribal Gaming Agency shall forward to

the NIGC a completed application for employment and conduct the background investigation and make the determination referred to in subsection (4) of this Section.

(B) The Tribal Gaming Agency shall forward the report referred to in subsection (5) of this Section to the NIGC within sixty (60) days after an employee begins work or within sixty (60) days of the approval of this Ordinance by the NIGC Chairperson.

(C) The gaming operation shall not employ as a Key Employee or Primary Management Official a person who does not have a license after ninety (90) days.

(5) Report to the NIGC

(A) Pursuant to the procedures in subsection 4 herein, the Tribal Gaming Agency shall prepare and forward to the NIGC an investigative report on each background investigation. An investigative report shall include all of the following:

(i) the steps taken in conducting the background investigation;

(ii) the results obtained;

(iii) the conclusions reached; and

(iv) the basis for those conclusions.

(B) The Tribal Gaming Agency shall submit, with the report, a copy of the eligibility determination made hereunder.

(C) If a license is not issued to an applicant, the Tribal Gaming Agency:

(i) shall notify the NIGC; and

(ii) may forward copies of its eligibility determination and Investigative report (if any) to the NIGC for inclusion in the Indian Gaming Individuals Records System.

(D) With respect to Key Employees and PMOs, the Tribal Gaming Agency shall retain applications for employment and reports, if any, of background investigations for inspection by the NIGC Chairperson or his or her designee for no less than three (3) years from the date of termination of employment.

§ 14. Issuance of Licenses; Renewal; Suspension

(1) If, within a thirty (30) day period after the NIGC receives a report, the NIGC notifies the Tribal Gaming Agency that it has no objection to the issuance of a license pursuant to a license application filed by a Key Employee or a PMO for whom the Tribal Gaming Agency has provided an application and investigative report to the NIGC, the Tribal Gaming Agency may issue a license to such applicant.

(2) The Tribal Gaming Agency shall respond to a request for additional information from the NIGC Chairperson concerning a Key Employee or a PMO who is the subject of a report. Such a request shall suspend the thirty (30) day period described above until the NIGC Chairperson receives the additional information.

(3) If, within the thirty (30) day period described above, the NIGC provides the Tribal Gaming Agency with a statement itemizing objections to the issuance of a license to a Key Employee or to a PMO for whom the Tribal Gaming Agency has provided an application and investigative report to the NIGC, the Tribal Gaming Agency shall reconsider the application, taking into account the objections itemized by the NIGC. The Tribal Gaming Agency shall make the final decision whether to issue a license to such applicant.

(4) The Tribal Gaming Agency may issue or renew a gaming license to an applicant who submits a proper and completed application and pays the appropriate annual fee, provided that no license shall be issued to or renewed for an applicant who:

(A) is not a person of good character, honesty, and integrity;

(B) is not found by the Tribal Gaming Agency to be eligible for licensing under the criteria of Section 13(3) herein;

(C) has had, or who is in privity with anyone who has had, a gaming license revoked for cause in any jurisdiction;

(D) is delinquent in the payment of any obligation owed to the Tribes or Tribal Gaming Agency pursuant to this Ordinance or a management contract; and

(E) has failed to comply with the Act, regulations of the NIGC, this Ordinance or regulation that the Tribes or Tribal Gaming Agency has or may adopt.

(5) Validity. Each gaming license shall be valid for a two-year period commencing January 1 and ending December 31 of a respective year.

(6) Assignment/Transfer/Display. A gaming license may not be assigned or transferred and is valid only for use by the person in whose name it is issued and at the gaming establishment for which it is issued. A gaming license shall be conspicuously displayed at all times at the gaming establishment for which it is issued.

(7) No Class III Gaming License. Except as authorized by the Tribal-State Compact, no gaming license shall be issued for any Class III gaming.

(8) Licensing of Games. All electronically aided Class II games shall be licensed by the Tribal Gaming Agency. In cases where there is uncertainty with regard to the proper classification of a particular game, the Director may conduct a game classification analysis or seek a Game Classification opinion from the Commission, which shall occur prior to the issuance of such license, provided that no such analysis or opinion shall be required in the event that such game or equipment has been determined to be a Class II game by the NIGC, any court of competent jurisdiction or any gaming jurisdiction with authority recognized by the Tribal Gaming Agency. The Tribal Gaming Agency shall maintain at all time an inventory of all electronically aided game units, including individual serial numbers.

(9) License Suspension.

(A) If, after the issuance of a gaming license, the Tribal Gaming Agency receives from the NIGC, or any other gaming jurisdiction, reliable information indicating that a Key Employee or a PMO is not eligible for employment, the Tribal Gaming Agency shall suspend such license and shall notify in writing the licensee of the suspension and the proposed revocation.

(B) Upon suspension, the Tribal Gaming Agency shall within five (5) calendar days forward a copy the notification of the suspension and any other relevant documentation to the Gaming Commission.

§ 15. Gaming License and Fees

(a) Gaming Licenses Required

(1) All employees of a Tribal gaming Facility and all gaming related vendors, suppliers, and/or distributors, including principals, technicians, or other persons with access to gaming machines, and/or secure, sensitive, or restricted areas of the gaming operation, must apply for a

license prior to the initiation of the licensees' activities.

(2) Applicants for any gaming license hereunder must fully complete the pertinent gaming license application truthfully and honestly and provide the Tribal Gaming Agency all necessary documents and information to obtain a background investigation, including any additional information that may be requested by the Tribal Gaming Agency.

(3) All licensees have a continuing obligation to notify the Tribal Gaming Agency in the event of any change of circumstance causing any information on his or her gaming license application to become obsolete, including but not limited to: a criminal charge, arrest, or conviction for any criminal wrongdoing, excluding minor traffic violations; the filing of a petition for bankruptcy; receipt of a federal, Tribal, or state tax lien; a change of name, address, or other personal information; or entry of a civil judgment.

(4) An employee gaming license shall be valid for a period of two years. Licensees must submit an application for renewal to the Tribal Gaming Agency not less than ninety (90) days prior to the date of expiration of his or her gaming license in accordance with the policies and procedures established by the TGA.

(5) Separate licenses will be issued for employees of each Tribal gaming operation and may only be transferred between facilities in accordance with the policies and procedures established by the TGA.

(b) License Fees

The Tribal Gaming Agency shall establish a license and fee schedule for implementation on or about the first day of each calendar year for each of the following types of licenses:

(1) Gaming Employee License: All gaming operation employees must be licensed in accordance with the standards established in this Ordinance. The Tribal Gaming Agency shall be authorized to issue temporary employee licenses and to place conditions or restrictions on any employee gaming license.

(2) Primary Management Officials/Key Employees: All Key Employees and PMOs must be licensed in accordance with the standards established in this Ordinance. The Tribal Gaming Agency shall be authorized to issue temporary licenses and to place conditions or restrictions on any Key Employee's and PMO's gaming license. Key Employees and PMOs must provide a financial history disclosure form.

(3) Gaming Vendors: All vendors, suppliers, and distributors of gaming and gaming related equipment and supplies must be licensed annually.

(4) Gaming Machines: Class II and Class III gaming machines and systems must be licensed annually.

(c) Employee Credentials

The Tribal Gaming Agency shall be authorized to establish a program and standards for the issuance of credentials to employees of any instrumentality of the Tribes for employment in any businesses or enterprise collateral to a Tribal gaming operation. Such standards shall include provisions for a background investigation to include, at a minimum, a criminal history check.

(d) Adjustment of Annual Fee

The Business Council may adjust the amount of the annual fees for gaming licenses and other fees, upon recommendation by the Tribal Gaming Agency, provided that any increase shall take effect only on the ensuing first day of the month of January.

(e) Payment in Advance

Annual license fees shall be paid in advance of the initial issuance or renewal of a license.

(f) Prorated Annual Fee

The fee for licenses required to be paid or renewed annually shall be prorated in the case of each initially issued license.

§ 16. Registration for Non-Gaming Related Vendors

(1) All non-gaming related vendors, suppliers, and distributors will be subject to registration. No vendor may transact any business with the Gaming Operation unless and until such vendor has completed the non-gaming related vendor registration process with Tribal Gaming Agency.

(2) All non-gaming related vendors will register with the Tribal Gaming Agency. Registration shall include:

(A) For persons:

(i) full name;

(ii) social security number(s);

(iii) address;

(iv) date and place of birth;

(v) citizenship;

(vi) gender; and

(vii) employer.

(B) For business entities:

(i) the name of the business;

(ii) the purpose of business;

(iii) the goods or services to be provided to the gaming operation;

(iv) current business address and telephone numbers;

(v) the location of the gaming establishment for which the gaming license is sought;

(vi) the name under which the applicant transacts or intends to transact business on Indian Lands; and

(vii) such other information as the Director of Licensing and Enforcement may require.

(3) The Tribal Gaming Agency shall keep all non-gaming related registration materials on file and provide these materials to the Tribal Business Council, any independent auditors, the NIGC, or the Gaming Commission.

(4) The TGA shall ensure that any additional or different requirements in relation to vendors set forth in any gaming compact between the Tribe and the State shall be followed pursuant to the terms of such compact.

§ 17. Regulation of Qualified Gaming Financiers

(a) Licensing of Qualified Gaming Financiers

Any Qualified Gaming Financier may be licensed as a gaming-related vendor under this Ordinance upon receipt by the TGA of an application in the form required by the TGA, and upon payment of the required licensing fee, if any.

(b) Standards and Procedures

The TGA shall promulgate standards and procedures for the issuance of a Qualified Gaming Financier license consistent with this Ordinance, subject to the approval of the Commission.

(c) Scope of License

(1) A license granted to a Qualified Gaming Financier shall constitute a license to the named applicant only and shall be effective only with respect to such applicant's activities as a Gaming Financier, and those activities necessary or incidental thereto, and no other activity which would otherwise cause the applicant to constitute a gamingrelated vendor.

2. Notwithstanding anything to the contrary in this Ordinance, none of the following persons or entities, solely in their capacity as such, shall be deemed to be a Gaming Financier or a Gaming Related Vendor subject to licensing under this Ordinance: (a) any person or entity holding any debt securities, notes, bonds, or other commercially traded instruments of a Gaming Operation initially purchased from such Gaming Operation by a Qualified Gaming Financier; and (b) any trustee, or entity performing similar functions, with respect to any debt securities, notes, bonds or other commercially traded instruments of a Gaming Operation.

(d) Obligations of Qualified Gaming Financiers

Except as otherwise provided herein, or as required by the TGA pursuant to its duties and powers under this Ordinance, applicants licensed as Qualified Gaming Financiers hereunder will not be subject to regular reporting requirements, including such reporting requirements applicable to other licensees, during the term of their licenses. If a Qualified Gaming Financier's license lapses or otherwise terminates as herein provided, the recipient of such license shall not act as a Gaming Financier until it again duly files a completed application for such license.

(e) Term of Qualified Gaming Financier Licenses

Each Qualified Gaming Financier License shall remain in effect until the earlier of (i) December 31 of the second calendar year following the year in which the application was submitted to the TGA or (ii) withdrawal of the application by the applicant or (iii) the expiration of any engagement letter or term sheet or loan agreement or other financing or security agreement between the Qualified Gaming Financier and the respective Gaming Operation.

(f) Background Investigations

Except as otherwise required by the Director within his or her discretion, the background investigation of each Executive Officer of an applicant for a Qualified Gaming Financier license will consist solely of a review of publicly available information contained in filings with the Office of the Comptroller of the Currency, the Federal Deposit Insurance Corporation, the Federal Reserve Board, the Securities and Exchange Commission, the National Association of Securities Dealers, various stock exchanges, and other Tribal, federal, and state agencies regulating Qualified Gaming Financiers, depending upon the organization and the corporate charter of each such applicant.

CHAPTER 4. GAMING OPERATIONS

§ 18. Records and Reports

(a) Keep and Maintain

Each gaming operation shall keep and maintain sufficient books and records to substantiate the receipts, expenses, and uses of revenues relating to the conduct of gaming activities authorized under a license. Included in the records of the activity shall be session summary sheets, operational budgets and projections, and tour/bus attendance and compensation.

(b) Statement of Gross Revenues and Net Revenues

By the third Saturday of the month, each gaming operation shall provide the Tribal Gaming Agency, in a report form prescribed by the Tribal Gaming Agency, a statement of gross revenues and net revenues received or collected at each gaming establishment during the immediately preceding period.

(c) Falsification

No licensee shall falsify any books or records relating to any transaction connected with the conduct of gaming activities authorized under this Ordinance.

(d) Inspection by Tribal Gaming Agency

All books and records of each gaming operation relating to licensed gaming activities shall be subject to inspection, examination, photocopy and auditing by the Tribal Gaming Agency or a person designated by the Tribal Gaming Agency at anytime during reasonable hours.

(e) Audit

The Tribal Gaming Agency shall ensure that an annual audit of the operations compliance with the Tribe's Minimum Control Standards (MICS) is conducted and for submitting to the NIGC the report(s) of the Tribe's annual independent financial audit of the gaming operation(s) and MICS audit.

(f) Insurance Policies

A copy of all insurance policies covering each gaming enterprise or any part thereof shall be filed with the Tribal Gaming Agency.

§ 19. Policies and Procedures for Resolution of Disputes Between Management and Customers

(a) Improper Conduct by Customers

(1) Notice of warning regarding the improper conduct set forth in this section or other gaming rules established and enforced by the gaming operation shall be posted by the manager of the Facility at the entrance of the gaming operation and/or given to patrons upon entering the premises.

(2) The following improper conduct shall result in ejection of a patron from any gaming operation:

(A) cheating;

(B) possession of weapons in the gaming operation;

(C) possession of alcohol that has been brought by a patron into the gaming operation;

(D) possession of a controlled substance in the gaming operation;

(E) disorderly conduct, including the willful disregard for the rights of others, and any other act disruptive to the gaming operation and its patrons.

(3) Failure by a patron to provide proof of age when requested by gaming operation personnel shall result in ejection of the patron from the gaming operation premises. Admission fees, if any, shall be refunded in such instance.

(4) Ejection of a patron shall be accomplished by security personnel, upon request of the management of the Facility.

(b) Complaints by Customers

(1) Either the manager of the Facility or an alternate shall be present at all times to resolve complaints by patrons involving the gaming operation.

(2) If the manager of the Facility or an alternate are unable to resolve any dispute, the matter may, upon request of the patron, be referred to the Tribal Gaming Agency for resolution and, upon appeal, the Tribal Gaming Commission. The decision of the Gaming Commission on any dispute so referred to it for resolution shall be final.

CHAPTER 5. ENFORCEMENT OF GAMING LAWS, HEARINGS, AND APPEALS

§ 20. Violations

(a) Gaming License

No person shall operate or conduct any gaming activity in a gaming operation within the exterior boundaries of Indian Lands without a gaming license issued by the Tribal Gaming Agency, as required by this Ordinance.

(b) Falsifying or Omitting Information

No licensee or license applicant shall intentionally omit or provide false information in connection with any document or proceeding under this Ordinance.

(c) Accounting and Inspection

(1) No management contractor shall fail to account fully for all moneys received or collected in connection with gaming activities.

(2) In compliance with 25 C.F.R. § 571.5 or § 571.6, or a Tribal Ordinance or resolution approved by the NIGC Chairperson under parts 522 or 523 in Title 25 of the Code of Federal Regulations, a gaming operation shall not refuse to allow an authorized representative of the NIGC or an authorized Tribal Gaming Agency or Tribal Gaming Commission official to enter or inspect a gaming operation.

(d) Age Limit

No person under the age of eighteen (18) years shall be permitted to participate in any gaming activity.

(e) Cheating

No person shall engage in cheating in any gaming activity.

(f) Possession of a Firearm

No person, other than a law enforcement officer duly authorized by the Tribe or invited by the Tribe to be on the premises may enter or remain in a gaming establishment under this Ordinance while in the possession of a firearm or other weapon.

(g) Violation of Any Provision, Rule, Regulation or Order

No person shall violate any provision of this Ordinance or any order of the Tribal Gaming Commission.

(h) Facility Compliance with Ordinance

The management of each gaming facility is responsible for ensuring that all PMOs and Key Employees assisting in the operation of any gaming activity on the licensee's behalf comply with this Ordinance. Management is also responsible to ensure that all electronically aided games are properly classified and licensed in accordance with this Ordinance. A violation by any such officials or employees shall be deemed a violation by management and may subject management to sanctions.

(i) Fraudulent Scheme or Technique

No person, playing in or conducting any gaming activity authorized under this Ordinance, shall:

(1) Use bogus or counterfeit cards, or substitutes or use any game cards that have been tampered with;

(2) Employ or have on one's person any cheating device to facilitate cheating in any gaming activity;

(3) Use any fraudulent scheme or technique, including when an operator or player of games of charitable gaming tickets directly or indirectly solicits, provides, or receives inside information of the status of game for the benefit of either person; or

(4) Knowingly cause, aid, abet, or conspire with another person or any person to violate any provision of this Ordinance or any rule adopted under this Ordinance.

(j) Discretion of Tribal Gaming Agency

Any person found to be in violation of any of the foregoing by the Tribal Gaming Agency may be permanently excluded from the facility or subject to such lesser sanction as may be imposed by the Tribal Gaming Agency.

The Tribal Gaming Agency shall have the discretion to bring an enforcement action against any person or entity whose actions or inactions present an actual and imminent threat or danger to the public health and safety of the facility or its patrons or to the integrity of gaming. Actions taken by the Tribal Gaming Agency under this provision shall at all times be reasonable and prudent and the specific grounds for such action must be documented. The Tribal Gaming Commission shall have jurisdiction over any appeals of the actions or decisions of the Tribal Gaming Agency.

(k) Failure to Maintain Suitability

It shall be a substantial violation for any licensee to fail or cease to meet the suitability standards established by this Ordinance.

(l) Fraudulent Conduct

It shall be a substantial violation of this Ordinance for any person or entity to engage in any fraudulent conduct, which shall include:

(1) Defrauding the Tribes, any licensee, or any participant in any gaming activity or promotion;

(2) Providing information that is known or should have been known to be false or making any false statement with respect to an application for employment or for any license or permit;

(3) Claiming, collecting or taking, or attempting to claim, collect or take, money or

anything of value in or from a game/gaming facility with intent to defraud or claiming, collecting or taking an amount greater than the amount actually won in such game;

(4) Providing information that is known or should have been known to be false or misleading or making any false or misleading statement to the Tribes, the Tribal Gaming Agency, or other civil or criminal law enforcement agency of the Tribes in connection with any contract for services or property related to gaming;

(5) Making any statement that was known or should have been known to be false or misleading in response to any official inquiry by the Tribal Gaming Agency or other civil or criminal law enforcement agency of the Tribes;

(6) Falsifying, destroying, erasing or altering any books, computer data, records, or other information relating to a gaming facility or activity;

(7) Entering into any contract, or making payment on any contract for the delivery of goods or services to a gaming facility, when such contract fails to provide for or result in the delivery of goods or services of less than fair value for the payment made or contemplated;

(8) Concealing, altering, defacing, or destroying any records, documents, information, or materials of any kind, including, but not limited to, photographs, audio recordings, or video tapes;

(9). Offering or attempting to offer anything of value, to a licensee in an act that is an attempt to induce, or may be perceived as an attempt to induce, the licensee to act or refrain from acting in a manner contrary to the official duties of the licensee under Tribal law; and

(10) Acceptance by a licensee of anything of value with the expectation that receipt of such thing of value is intended, or may be perceived as intended, to induce the licensee to act or refrain from acting, in a manner contrary to the official duties of the licensee under Tribal law.

(m) Unlawful Diversion of Tribal Gaming Revenue

It shall be a substantial violation of this Ordinance for any person or entity to divert gaming revenue for any unauthorized purpose of any kind.

(n) Impeding a Tribal Investigation

It shall be a substantial violation of this Ordinance for any person or entity to impede a Tribal investigation, including by:

(1) Lying to or otherwise providing false or misleading information to the TGA or any civil or criminal law enforcement agency of the Tribes;

(2) Attempting to influence another person to:

(A) Withhold or otherwise fail to disclose any records, documents, materials, or other information of any kind requested verbally or in writing by the Tribal Gaming Agency or any civil or criminal law enforcement agency of the Tribes;

(B) Refuse to be interviewed by the Tribal Gaming Agency or any civil or criminal law enforcement agency of the Tribes;

(C) Lie or otherwise provide false or misleading information to the Tribal Gaming Agency or any civil or criminal law enforcement agency of the Tribes;

(D) Falsify any records, documents, information, or materials of any kind, including, but not limited to, photographs, audio recordings, or video tapes relevant to a Tribal Gaming Agency or other Tribal investigation; or

(E) Conceal, alter, deface, or destroy any records, documents, information, or

materials of any kind, including, but not limited to, photographs, audio recordings or video tapes relevant to a Tribal Gaming Agency or other Tribal investigation.

(o) Improper Interference

It shall be a substantial violation of this Ordinance for any person or entity to engage in:

(1) Acts or omissions of an individual that interfere with or prevent the Tribal Gaming Agency from fulfilling its duties and responsibilities under this Ordinance; or

(2) Making any offer or any promise of consideration or thing of value for the purpose of affecting a decision or actions of the Tribal Gaming Agency.

(p) Failure to Comply With Tribal Gaming Regulations

It shall be a violation of this Ordinance for any person or entity subject to the jurisdiction of the Tribes to:

(1) Handle cash in a manner inconsistent with Tribal regulations;

(2) Allow, assist in or carryout the installation of gaming machines in a manner that is inconsistent with the pre-installation and installation requirements established by the Tribal Gaming Agency;

3. Fail to adhere to gaming license regulations or promptly report to the Tribal Gaming Agency the presence on the floor of any Tribal gaming facility any gaming machine that is not properly licensed; or

4. Refuse to comply with an order, directive, request, or demand of the Tribal Gaming Agency or the Commission.

§ 21. Civil Enforcement

(a) Civil Action

The Tribal Gaming Agency may take any or a combination of the following actions with respect to any person or entity who violates any provision of this Ordinance:

(1) Impose a civil fine not to exceed Five Thousand Dollars ($5,000.00) for each violation, and if such violation is a continuing one, for each day of such violation.

2. Suspend, deny, or revoke any gaming or gaming-related license, including machine and vendor licenses.

3. Temporarily or permanently exclude, bar, or deny admission from or to the gaming facility provided that the sanction shall be commensurate with the seriousness of the violation.

4. Permanently remove a non-gaming related vendor from the registry, provided that such sanction shall be commensurate with the seriousness of the violation.

(b) Jurisdiction

The Tribal Gaming Commission shall have exclusive jurisdiction over any and all decisions and actions of the Tribal Gaming Agency under this Ordinance, and shall have the authority to reverse, affirm, or modify any and all decisions and sanctions imposed by the Tribal Gaming Agency pursuant to this Ordinance. The decision of the Tribal Gaming Commission shall be final and not subject to further judicial review, except as provided herein.

(c) Notification

The Tribal Gaming Agency shall provide notice to the affected person or entity, explaining the alleged violation, the proposed action or sanction, and the steps needed for cure, if any. Such notice

may be delivered in person or by letter to his/her last known address and shall describe the procedures to be followed for appeal to the Tribal Gaming Commission.

(d) Acknowledgment

Every person or entity that applies for a gaming license and accepts such license thereby acknowledges the civil enforcement jurisdiction and authority of the Tribal Gaming Agency, Tribal Gaming Commission, the Business Council, and the Tribal Courts under this Ordinance.

§ 22. Hearings and Appeals

(a) Request for Reconsideration to the Head of the Tribal Gaming Agency

Any person or entity aggrieved by a decision made or action taken by the Tribal Gaming Agency may request reconsideration by the Director of the Tribal Gaming Agency.

(b) Petition for Appeal to the Tribal Gaming Commission

Any person or entity aggrieved by a final decision by the Director of the Tribal Gaming Agency may appeal to the Tribal Gaming Commission for a hearing. The petition shall be filed within fourteen (14) calendar days from the date the notice of final decision is delivered. Such petition shall specifically set forth the reasons for the grievance and must be filed with the Commission no later than thirty (30) days after the Tribal Gaming Agency's decision or action. The Gaming Commission shall set the matter for hearing no later than thirty (30) days after receipt of the petition, and may, upon finding good cause, affirm, modify, reverse and/or vacate the Tribal Gaming Agency's decision.

(c) Filing Fee

A non-refundable filing fee of One Hundred Dollars ($100.00) made payable to the Tribal Gaming Agency shall accompany all requests for appeals, provided that such fee may be waived by the Tribal Gaming Agency upon a showing of hardship.

(d) Notice of Hearing on Appeal

The Gaming Commission shall notify the parties of the time and place for the hearing on appeal.

(e) Notice of Revocation to NIGC

Upon a final decision of revocation of a gaming license or a decision to reinstate a gaming license the decision maker shall notify the NIGC of its decision.

§ 23. Appeals from Final Actions of the Tribal Gaming Commission

(a) Jursidiction

(1) The Tribal Courts shall have exclusive jurisdiction to review all final orders or actions of the Tribal Gaming Commission, as provided herein.

(2) Review of any action of the Tribal Gaming Commission provided for herein shall be shall be initiated by a notice of appeal filed not later than thirty (30) days after the date the order or action appealed from is entered or taken. Failure to seek review as provided herein shall constitute a waiver of all rights of appeal and further shall deprive the Tribal Courts of jurisdiction over the matter.

(b) Review in Administrative Appeals

(1) In appeals to the Tribal Court brought pursuant to this section, review shall be limited to the record that was before the Tribal Gaming Commission at the time of the final decision or action appealed from, including: (a) the order or decision involved; (b) any findings or reports on which such order is based; (c) the notices, pleadings, evidence, and other materials placed into the record before the administrative hearing officer; (d) any transcriptions made of any hearings; and (e) any other materials entered into the record by the hearing officer to create the administrative record of the decision.

(2) The Tribal Courts shall afford deference, as appropriate, to the expertise of the administrative agency, and shall not set aside, modify, or remand any action or decision or action except upon a finding that such decision, action, or inaction was:

a. Arbitrary and capricious, an abuse of discretion, or otherwise not in accordance with law;

b. Contrary to Tribal law or other applicable controlling law;

c. In excess of statutory jurisdiction, authority, or limitation or short of statutory right;

d. Without observance of procedure required by law; or

e. Unsupported by a preponderance of the evidence in a case reviewed on the record.

(3) The Tribal Courts may remand any matter to the Tribal Gaming Commission or Tribal Gaming Agency for further proceedings, as warranted by the circumstances.

(c) Standing to Seek Review

(1) Only those persons or entities directly and adversely affected by a decision or action of the Gaming Operation, the Tribal Gaming Agency, or the Tribal Gaming Commission shall have standing to appeal a decision or action of the Tribal Gaming Commission, except where:

(A) The petitioner is seeking relief against the Tribal Gaming Agency for an action unduly or unreasonably delayed or withheld, where such inaction is causing articulable harm to the petitioner; or

(B) The petitioner is a licensee seeking review of an administrative regulation promulgated pursuant to this ordinance on the grounds that such regulation is arbitrary and capricious, constitutes an abuse of discretion, or is otherwise not in accordance with law.

(d) Remedies

Upon hearing an appeal hereunder, the Tribal Courts may:

1. Affirm, reverse, or modify an order or other action of the Tribal Gaming Commission, or may or remand a matter as appropriate;

2. Compel the Tribal Gaming Agency or Tribal Gaming Commission to take an action unlawfully or unreasonably delayed or withheld; or

3. Set aside a regulation of the Tribes upon a finding that such regulation or some portion thereof is arbitrary and capricious, an abuse of discretion, or otherwise not in accordance with law.

(e) Other Matters

(1) A petitioner in any appeal brought hereunder shall bear the burden of proof.

(2) Except as otherwise provided in this ordinance, the manner and requirements for seeking review of administrative decisions by the Tribal Courts shall be in accordance with the Courts' rules and procedures.

(3) A petitioner may be represented by legal counsel in any proceeding or adjudication hereunder at the petitioner's sole expense. The Tribal Courts shall not award any attorney fees or costs for any matter arising under this Ordinance.

(4) The filing of every appeal under this Ordinance shall be subject to a nonrefundable filing fee, as established under Tribal law, to be paid to the Clerk of the Tribal Courts upon filing.

CHAPTER 6. PRIZE CLAIMS, PATRON DISPUTES, AND TORT CLAIMS

§ 24. Prize Claims and Patron Disputes

(a) Procedures

All prize claims and patron disputes arising at Tribal Gaming Operations shall be adjudicated in the first instance by the Tribal Gaming Agency and the Tribal Gaming Commission as set forth herein and under the procedures set forth in applicable administrative regulations.

(b) Review by the Tribal Courts

(1) The Tribal Courts shall have jurisdiction to review final orders and decisions entered by the Tribal Gaming Commission in relation to prize claims and patron disputes; provided, however, that the Tribal Courts shall not have jurisdiction to hear an appeal of such claim or dispute unless a final order has been entered by the Tribal Gaming Commission.

2. Review by the Tribal Courts of any final order or decision of the Tribal Gaming Commission relating to a prize claim or a patron dispute shall be initiated by a notice of appeal filed not later than thirty (30) days after the date the order or action appealed from is entered or taken. Failure by a claimant to seek review as provided hereunder shall constitute a waiver of all rights of appeal and further shall deprive the Tribal Courts of jurisdiction over the matter.

(3) Review of final agency determinations relating to prize claims and patron disputes shall be in accordance with the procedures hereunder for other administrative appeals.

§ 25. Tort Claims

(a) Jurisdiction

(1) All claims for personal injury or property damage arising from or relating to the operation of any Tribal Gaming Operation shall be adjudicated exclusively in the Tribal Courts, and in no other venue or locale.

(2) The Tribal Courts shall have original and exclusive jurisdiction to adjudicate all claims provided for herein, but only if:

(A) The purported injury occurred on the premises of a Facility or Gaming Operation licensed under this Ordinance;

(B) The claimant (a) followed all required procedures pursuant to Tribal law, including administrative regulations, and the pertinent terms of any compact in effect between the Tribes and any state relating to such Gaming Operation, (b) exhausted any and all administrative remedies, and (c) provided all of the information required for filing such a claim including, without limitation, the delivery to the Gaming Operation of a valid and timely written notice of tort claim, signed by the claimant under oath or pursuant to a declaration affirming the validity of all information provided in such notice;

(C) The Gaming Operation denied the tort or other claim; and

(D) The claimant filed an appeal in the Tribal Courts no later than on the one-hundred-eightieth (180th) day after the date the claimant received notice of the denial of the claim by the Gaming Operation.

(b) Limitations on Tort Claims

(1) The Tribal Courts shall have no jurisdiction to award damages to any claimant in excess of the limits of a Gaming Operation's liability insurance applicable to tort claims, and no judgment may be entered or recovered except as against the Gaming Operation's public liability insurance policy.

(2) A claimant's failure to file a tort claim or prize claim in accordance with the requirements of this subsection and in accordance with all applicable requirements of any compact in effect between the Tribe and any state relating to the Gaming Operation shall constitute a waiver of all rights of appeal, and further shall deprive the Tribal Courts of jurisdiction over the claim.

(3) A claimant's failure to file a tort claim within one (1) year of the date of the alleged injury shall deprive the Tribal Court of jurisdiction over the matter and forever bar such tort claim against the Gaming Operation.

(4) The Tribal Courts shall have no jurisdiction or authority hereunder to award any damages for personal injuries or property damages claims from the assets or property of the Gaming Operation or the Tribe.

(5) Nothing herein shall be construed as a waiver of the sovereign immunity from unconsented suit of the Gaming Operation or the Tribes; provided, however, no Gaming Operation shall assert its immunity from unconsented suit as a defense to any claim for personal injury or property damage filed hereunder in the Tribal Courts if the amount claimed does not exceed the limits of the Gaming Operation's public liability insurance and the claim is otherwise asserted in accordance with the procedures set forth in this Ordinance.

(c) Remedies

(1) The Tribal Courts may award just and reasonable compensation for a personal injury or property damage, subject to the limitations herein, upon a finding that the Gaming Operation is liable as a matter of law given all the facts and circumstances of the case as adduced at a hearing of the case under applicable law, provided that:

(A) The amount of such award shall be reduced by ten percent (10%) if the claim is filed with the Gaming Operation more than ninety (90) days after the occurrence of the event allegedly giving rise to the claim; and

(B) The amount of compensation awarded for any one person for personal injury, for any one occurrence for personal injury, or for any one occurrence for property damage may not exceed the amount of the public liability insurance in each such category of personal injury or property damage maintained by the Gaming Operation for the express purposes of covering and satisfying tort claims.

(d) Filing Fees

Each tort claim filed pursuant to this Ordinance shall be subject to a nonrefundable filing fee, as established under Tribal law, to be paid to the Clerk of the Tribal Courts upon filing.

CHAPTER 7. MISCELLANEOUS

§ 26. Applicable Law

(a) Law Applicable to Tort Claims

The law governing every tort claim brought pursuant to this Ordinance shall be Tribal law.

(b) Law Applicable to Gaming Contracts

(1) Every contract entered into by a Gaming Operation, the Tribal Gaming Agency, and the Tribal Gaming Commission with any person or entity who is required to hold a license or registration issued pursuant to this Ordinance, or that involves or relates to gaming, shall be subject to all applicable laws relating to and regulating Tribal gaming, including, without limitation, the IGRA, 25 U.S.C. § 2701 et seq., and the implementing regulations, 25 C.F.R. Chapter III, all Tribal laws relating to and regulating gaming activities, including but not limited to this Ordinance and the implementing regulations, any applicable compacts in force between the Tribe and any state, and any other applicable laws and regulations. Any provision of any gaming or gamingrelated contract contrary to this section shall be void as a matter of law and policy, and shall be unenforceable.

(2) Unless the parties expressly agree to choose another law for the purpose of the interpretation and enforcement of a contract subject to this section, such contract shall be governed by Tribal law, as defined under Tribal law.

§ 27. Designated Agent for Service of Process

The designated agent for service of process for the Tribal Gaming Agency shall be:

Director
Shoshone-Paiute Tribal Gaming Agency
P.O. Box 219
Owyhee, Nevada 74363

§ 28. Savings Provision

If any provision of this Ordinance or the application thereof to any entity, or circumstance is held invalid, the invalidity shall not affect other provisions or applications of the Ordinance which can be given effect. Any invalid provisions shall be severed without effect on the remaining provisions of this Ordinance.

§ 29. Amendment of Ordinance

(A) Amendment by Majority Vote

This Ordinance may be amended by Majority vote of the Business Council. Within fifteen (15) days after adoption, the Business Council shall submit such amendment to the NIGC Chairperson for approval.

§ 30. Title and Effect of Repeal

(1) This Ordinance may be cited as the Shoshone-Paiute Tribal Gaming Ordinance of 2012.

(2) Ordinance Number 2011-SPO-05 is hereby rescinded and replaced by this ordinance.

(3) Subsequent repeal of this Ordinance or any portion thereof shall not have the effect of reviving any prior Tribal law theretofore repealed or suspended.

§§ 31 to 100. Reserved.

CERTIFICATION

It is hereby certified that the Shoshone-Paiute Business Council is composed of 6 Council Members, of whom 5 constituting a quorum and a Chairman were present at a meeting held on the 30th day of March, 2012 and that the foregoing Ordinance was adopted by an affirmative vote of 5 FOR, 0 AGAINST and 0 ABSTENTIONS, pursuant to the authority contained in Article VI, Section 1(c, f, k, l) of the Constitution of the Shoshone-Paiute Tribes approved April 20, 1936.

TERRY GIBSON, Tribal Chairman

Angele Sabori

ANGELE SABORI, Executive Secretary

APPROVED:

SUPERINTENDENT, Eastern Nevada Field Office
Bureau of Indian Affairs

Date