



October 2, 2025

VIA EMAIL

Jonathan E. Koteen, President
Quechan Indian Tribe
P.O. Box 1899
Yuma, AZ 85366-1899

Re: Quechan Indian Tribe Ft. Yuma Indian Reservation Gaming Ordinance

Dear President Koteen:

I am writing with respect to the July 10, 2025 request of the Quechan Indian Tribe (Tribe) to the National Indian Gaming Commission to review and approve the Tribe's amended gaming ordinance. The amended gaming ordinance was adopted by the Tribal Council through Resolution No. R-153-24 on December 23, 2024, and Resolution No. R-155-25 on September 30, 2025.

Thank you for providing the amended gaming ordinance for our review. The ordinance is approved as it is consistent with the requirements of the Indian Gaming Regulatory Act and NIGC regulations. If you have any questions concerning this letter, please contact Senior Attorney Austin Badger at (202) 632-7003.

Sincerely,

A handwritten signature in blue ink that reads "Sharon M. Avery". The signature is fluid and cursive.

Sharon M. Avery
Chairwoman (A)



QUECHAN INDIAN TRIBE
Ft. Yuma Indian Reservation
Office of Tribal Administration

P.O. Box 1899
Yuma, Arizona 85366-1899
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RESOLUTION

R-153-24

**A RESOLUTION TO APPROVE AND ADOPT THE GAMING CODE OF
THE QUECHAN INDIAN TRIBE**

WHEREAS: THE QUECHAN INDIAN TRIBE OF THE FORT YUMA INDIAN RESERVATION IS A FEDERALLY RECOGNIZED INDIAN TRIBE ORGANIZED UNDER A CONSTITUTION AND BYLAWS RATIFIED BY THE TRIBE ON NOVEMBER 28, 1936, AND APPROVED BY THE SECRETARY OF THE INTERIOR ON DECEMBER 18, 1936 WITH REVISED AMENDMENTS APPROVED ON NOVEMBER 18, 1974, AND MAY 21, 1997, AND

WHEREAS: THE QUECHAN TRIBAL COUNCIL (THE "TRIBAL COUNCIL") IS THE DULY ELECTED GOVERNING BODY OF THE TRIBE AND EXERCISE GOVERNMENTAL AUTHORITY OVER LANDS WITHIN THE FORT YUMA INDIAN RESERVATION AND ACT IN ALL MATTERS THAT CONCERN THE HEALTH, SAFETY AND GENERAL WELFARE OF THE TRIBE, INCLUDING THE POWER TO ENACT ORDINANCES, AND MANAGE RESOURCES OF THE FORT YUMA INDIAN RESERVATION; AND

WHEREAS: THE TRIBE HAS ENTERED GAMING COMPACTS WITH THE STATE OF ARIZONA AND THE STATE OF CALIFORNIA; AND

WHEREAS: TRIBAL REGULATION AND CONTROL OF GAMING ACTIVITY WITHIN THE JURISDICTION OF THE QUECHAN INDIAN TRIBE IS ESSENTIAL FOR THE PROTECTION OF PUBLIC HEALTH AND WELFARE, AND THE INTEREST OF THE TRIBE AND RESIDENTS AND VISITORS OF THE TRIBAL COMMUNITY; AND

WHEREAS: THE TRIBAL COUNCIL HAS DETERMINED THAT IT IS IN THE BEST INTEREST OF THE TRIBE AND ITS MEMBERS TO APPROVE AND TO ADOPT THE ATTACHED GAMING CODE OF THE QUECHAN INDIAN TRIBE THAT AMENDS THE GAMING CODE OF THE QUECHAN INDIAN TRIBE CURRENTLY IN EFFECT; AND

NOW, THEREFORE, BE IT RESOVED: THAT THE TRIBAL COUNCIL HEREBY APPROVES AND ADOPTS THE ATTACHED GAMING CODE OF THE QUECHAN INDIAN TRIBE TO REPLACE ALL PRIOR ADOPTED GAMING CODES OF THE QUECHAN INDIAN TRIBE AND ITS AMENDMENTS

BE IT FURTHER RESOVED: THAT ROSETTE, LLP IS DIRECTED TO SUBMIT THE ENACTED QUECHAN INDIAN TRIBE GAMING CODE TO THE NATIONAL INDIAN GAMING COMMISSION FOR APPROVAL.

BE IT FURTHER RESOLVED THAT: UPON APPROVAL OF THE QUECHAN INDIAN TRIBE GAMING CODE BY THE NATIONAL INDIAN GAMING COMMISSION, THE GAMING CODE OF THE QUECHAN INDIAN TRIBE APPROVED AND ADOPTED HEREIN SHALL GO INTO EFFECT AND ANY PRIOR EFFECTIVE TRIBAL GAMING CODES SHALL NO LONGER BE IN EFFECT

BE IT FINALLY RESOLVED: THAT THE TRIBAL COUNCIL DOES HEREBY AUTHORIZE AND APPROVE THE PRESIDENT, OR IN HIS ABSENCE, THE VICE PRESIDENT TO EXECUTE ANY AND ALL DOCUMENTS AS MAY BE NECESSARY AND APPROPRIATE TO IMPLEMENT THE TERMS, CONDITIONS AND INTENT OF THIS RESOLUTION

CERTIFICATION

THE FOREGOING RESOLUTION WAS PRESENTED AT A SPECIAL MEETING OF THE QUECHAN TRIBAL COUNCIL WHICH CONVENED ON DECEMBER 23, 2024. DULY APPROVED BY A VOTE OF 4 FOR, 0 AGAINST, 0 ABSTAINED, 2 ABSENT, BY THE TRIBAL COUNCIL OF THE QUECHAN TRIBE, PURSUANT TO THE AUTHORITY VESTED IN IT BY SECTION 16 OF THE RE-ORGANIZATION ACT OF JUNE 18, 1934 (48 STAT. 984) AS AMENDED BY THE ACT OF JUNE 15, 1935 (49 STAT. 378) AND ARTICLE IV OF THE QUECHAN TRIBAL CONSTITUTION AND BYLAWS. THIS RESOLUTION IS EFFECTIVE AS OF THE DATE OF ITS APPROVAL.

QUECHAN TRIBE
BY:


JORDAN D. JOAQUIN, PRESIDENT
QUECHAN TRIBAL COUNCIL


MARIA S. BARLEY, INTERIM SECRETARY
QUECHAN TRIBAL COUNCIL



GAMING CODE OF THE QUECHAN INDIAN TRIBE

*A law to authorize and regulate the conduct of Class II and Class III gaming within
the jurisdiction of the Quechan Indian Tribe.*

Enacted on August ____, 2024

GAMING CODE OF THE QUECHAN INDIAN TRIBE

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CHANGE MANAGEMENT

Document	Quechan Resolution:	Amendment(s):
Title I	R-42-94; R-209-02; R-39-03; R-97-06; R-273-07	Enacted September 15, 1994 September 18, 2002; March 27, 2003; June 26, 2006 November 28, 2007
Title II	R-42-94; R-39-03	Enacted September 15, 1994; Amended March 27, 2003;
Title III	R-42-94; R-39-03	Enacted September 15, 1994; March 27, 2003;
Title IV	R-209-02; R-273-07	Enacted September 18, 2002; Amended November 28, 2007

TITLE I

GENERAL PROVISIONS

Section 1. Authorized Conduct.

Subject to this Gaming Code of the Quechan Indian Tribe ("**Code**"), Class II and Class III gaming conduct is authorized.

Section 2. Authority.

Enacted by the Tribal Council of the Quechan Indian Tribe ("**Tribal Council**") on _____ by Resolution No. _____.

Section 3. Purpose.

The Tribal Council, as the governing body of the Quechan Indian Tribe (**the "Tribe"**), hereby enacts this Code to govern and regulate Class II and Class III gaming conducted on the Tribe's Indian Lands.

Section 4. Ownership of Gaming.

The Tribe shall have the sole proprietary interest in and responsibility for the conduct of any gaming operation authorized by this Code, except as expressly provided in this Code.

Section 5. Policy.

The authorization and regulation of Class II and Class III gaming activity is necessary to encourage economic development to improve the Tribe's economic situation to provide basic governmental function for its members. The Tribe is committed to furthering self-determination and by doing so, net revenues from Class II and Class III gaming activity may be utilized solely for:

- (a) funding the Tribal government operations or programs;
- (b) providing for the general welfare of the Tribe and its members;
- (c) promoting Tribal economic development;
- (d) donating to charitable organizations; or
- (e) providing financial assistance to help fund operations of local government agencies.

Section 6. Repeal.

This document shall supersede the prior version(s) enacted by the Tribal Council governing Class II and/or Class III gaming.

Section 7. Severability.

If any provision or application of this Code is determined by review to be invalid, such determination shall not render invalid any other provision of this Code.

Section 8. Definitions.

- 8.1 **"Compact"** means, as applicable, either (1) the Tribal-State Compact between the State of Arizona and the Quechan Indian Tribe, or (2) the Tribal-State Compact between the State of California and the Quechan Indian Tribe.
- 8.2 **"Gaming Employee"** means a Primary Management Official and Key Employee, or any other person employed at a Gaming Facility.
- 8.3 **"Gaming Enterprise"** means the entities through which Tribe conducts, regulates and secures gaming on Indian Lands within such Tribe's jurisdiction pursuant to the Indian Gaming Regulatory Act.
- 8.4 **"Gaming Facility"** means any building licensed by the Tribal Council to conduct Class II and/or Class III gaming.
- 8.5 **"Gaming Facility Operator"** for purposes of Class II and/or Class III gaming only, means the Tribe, an enterprise owned by the Tribe, or such other entity of the Tribe as the Tribe may from time to time designate as the wholly owned tribal entity having full authority and responsibility for the operation and management of Class II and/or Class III gaming activities.
- 8.6 **"IGRA"** means the Indian Gaming Regulatory Act (25 U.S.C. §§ 2701 et seq.) "Indian Gaming Regulatory Act" or "IGRA" means Public Law 100-497, 25 U.S.C. 2701-2721 and 18 U.S.C. 1166-1168, as amended, and all regulations promulgated thereunder.
- 8.7 **"Indian Lands"** means land: (1) within the limits of an Indian reservation; or (2) over which an Indian tribe exercises governmental power and that is either held: (a) in trust by the United States for the benefit of any Indian tribe or individual; or (b) by an Indian tribe or individual subject to restriction by the United States against alienation.
- 8.8 **"Key Employee"** means:
- (1) any person who performs one or more of the following functions:
 - (a) bingo caller;
 - (b) counting room supervisor;
 - (c) chief of security;
 - (d) floor manager;
 - (e) pit boss;
 - (f) dealer;

- (g) croupier;
 - (h) approver of credit;
 - (i) custodian of gaming systems as defined in 25 CFR 547.2 and similar class III systems, gaming cash or gaming cash equivalents, gaming supplies or gaming system records;
 - (j) custodian of surveillance systems or surveillance system records;
- (2) any gaming operation employee authorized by the gaming operation for unescorted access to secured gaming areas designated as secured gaming areas by the TGRA;
 - (3) the four persons most highly compensated by the gaming operation; and
 - (4) any other person designated by the Tribe.
- 8.9 **"Management Contract"** means any agreement with a contractor providing for the management of all or part of the Gaming Facility.
- 8.10 **"Primary Management Official"** means:
- (1) the person(s) having management responsibility for a Management Contract;
 - (2) any person who has authority:
 - (a) to hire and fire employees of a Gaming Facility;
 - (b) to establish policy for the operations of a Gaming Facility; or
 - (3) chief financial officer or position with duties similar to a chief financial officer;
 - (4) the general manager or a position with duties similar to a general manager; and
 - (5) any other person designated by the Tribe.
- 8.11 **"Tribal Gaming Office" or "TGO"** means the administrative agency of the Tribal Gaming Commission that oversees Class II and Class III gaming within the Indian Lands of the Quechan Indian Tribe located within the State of Arizona.
- 8.12 **"Tribal Gaming Agency" or "TGA"** means the administrative agency of the Tribal Gaming Commission that oversees Class II and Class III gaming within the Indian Lands of the Quechan Indian Tribe located within the State of California.
- 8.13 **"Tribal Gaming Regulatory Authority" (TGRA)** means the entity authorized by Tribal law to regulate gaming conducted pursuant to the Indian Gaming Regulatory Act, as defined in 25 C.F.R. Part 502.26.

TITLE II

TRIBAL GAMING COMMISSION

Section 1. Establishment:

- 1.1 Governmental Subdivision. The Tribal Council hereby establishes the Quechan Indian Tribe Gaming Commission ("**Tribal Gaming Commission**" or "**Commission**") as a governmental subdivision of the Tribe and the designated Tribal Gaming Regulatory Authority of the Tribe. The Tribal Gaming Commission shall be overseen and governed by the Board of Commissioners. The Board of Commissioners shall consist of at least one (1) Commissioner appointed and confirmed by the Tribal Council. The Board of Commissioners shall hire, as at-will employees, at least one executive director. The executive director(s) shall be responsible for the day-to-day operations of the Tribal Gaming Office ("TGO") and the Tribal Gaming Agency ("TGA"). The Board of Commissioners, executive directors, the TGO and the TGA shall collectively make up the Tribal Gaming Commission. The Tribal Gaming Commission is charged and vested with the authority to implement and enforce this Code and regulation over Class II and Class III gaming conduct and the enforcement of federal laws, the Compact, and Tribal laws. The Code shall be read in conjunction with all adopted regulations of the Quechan Tribe, Quechan Tribal Gaming Commission and jurisdictional regulatory agencies.
- 1.2 Place of Business. The Board of Commissioners shall maintain its headquarters and principal place of business on the Fort Yuma Indian Reservation. The Board of Commissioners may establish other places of business if determined by the Board of Commissioners to be in the best interest of the Tribe.
- 1.3 Duration. The Tribal Gaming Commission shall have perpetual existence in its own name, unless dissolved by the Tribal Council.
- 1.4 Arm of the Tribe. The Tribal Gaming Commission is a function of the Tribe's government and an arm of the Tribe. As such, the Tribal Gaming Commission shall have all of the rights, privileges, and immunities concerning federal, state, and local taxes, regulation and jurisdiction, to the same extent that the Tribe would have such rights, privileges and immunity, including sovereign immunity from suit and legal processes to the same extent that the Tribe would have such sovereign immunity. Notwithstanding any authority delegated to the Tribal Gaming Commission under this Code, the Tribe reserves to itself the right to bring suit against any person or entity in its own right, on behalf of the Tribe or on behalf of the Tribal Gaming Commission, whenever the Tribe deems it necessary to protect the sovereignty, rights and interests of the Tribe or the Tribal Gaming Commission.
- 1.5 Sovereign Immunity of the Tribe and Tribal Gaming Commission. As a governmental subdivision of the Tribe, all inherent sovereign rights of the Tribe are hereby expressly extended and reserved to the Tribal Gaming Commission, including sovereign immunity from suit in any state, federal or tribal court. Except as otherwise stated in Section 2.3, nothing in this Code nor any action of the Tribe or the Tribal Gaming Commission shall be deemed or construed to be a waiver of sovereign immunity from suit of the Tribal

Gaming Commission or Tribe, or to be a consent of the Tribe or the Tribal Gaming Commission to the jurisdiction of the United States or of any state or any Indian tribe with regard to the business or affairs of the Tribe or the Tribal Gaming Commission to any cause of action, case, or controversy, or to the levy of any judgment, lien or attachment upon any property of the Tribe or of the Tribal Gaming Commission, or to be a consent of the Tribe or the Tribal Gaming Commission to suit in respect to any Indian land, or to be a consent of the Tribe of the Tribal Gaming Commission to the alienation, attachment, or encumbrance of any such land.

- 1.6 The Tribe recognizes the importance of an independent Tribal Gaming Commission in maintaining a well-regulated gaming operation. The Commission shall be independent of, and act independently and autonomously in all matters within its purview. No prior, or subsequent, review of any actions of the Commission shall be required or permitted except as otherwise explicitly provided in this ordinance. To avoid potential conflicts of interest between the operation and regulation of the gaming facility.
- 1.7 Board of Commissioners Membership. The Board of Commissioners is comprised of at least one (1) Commissioner which shall consist of one (1) Chairperson, selected by the Commissioners and, if there is only one (1) Commissioner, the one (1) Commissioner shall automatically be the Chairperson (singularly referred to as "Board of Commissioner" or "Commissioner" and collectively referred to as "Board of Commissioners" or "Commissioners").
- 1.8 Quorum. A quorum of Commissioners is required to be present at a meeting for any voting to take place. A quorum consists of at least a majority of the total number of Commissioners. If there are an even number of total Commissioners, the presence of half of this total, plus one Commissioner, constitutes a quorum.
- 1.9 Voting. All decisions of the Board of Commissioners shall be made by a majority vote of a quorum of Commissioners present, except that when an even number of Commissioners are present at a meeting and a quorum has been established and a vote is deadlocked, the deciding vote must be rendered by the Executive Director.
- 1.10 Appointment. The Commissioners must be appointed and confirmed by the Tribal Council at any Tribal Council meeting.
- 1.11 Background Check. Following appointment as a Commissioner, the Commissioner shall immediately apply for a Class III gaming employee license. If a license is denied, the Commissioner shall immediately be removed from the Board of Commissioners. The Tribal Council must require each Commissioner to submit to a criminal background check.
- 1.12 Removal. The Tribal Council may remove a Commissioner for serious inefficiency, neglect of duty, malfeasance, misfeasance, nonfeasance, misconduct in office, or for any conduct that threatens the honesty or integrity of the Tribal Gaming Commission or otherwise violates the letter or intent of this Code. A Commissioner shall be removed if he or she is denied a license or if such license is suspended or revoked. Except as

provided below, no Commissioner may be removed without notice and an opportunity for a hearing before the Council, and then only after the Commissioner has been given written notice of the specific charges at least ten days prior to such hearing. At any such hearing, the Commissioner shall have the opportunity to be heard in person or by counsel and to present witnesses on his or her behalf. If the Council determines that immediate removal of a Commissioner is necessary to protect the interests of the Tribe, the Council may immediately remove the Commissioner temporarily, and the question of permanent removal shall be determined thereafter pursuant to Tribal Gaming Commission hearing procedures. A written record of all removal proceedings together with the charges and findings thereon shall be kept by the Tribal Secretary. The decision of the Tribal Council upon the removal of a Commissioner shall be final.

- 1.13 Vacancy. If any Commissioner shall die, resign, be removed, or for any reason be unable to serve as a Commissioner, the Tribal Council shall declare the position vacant and shall appoint another person to fill the position. The terms of office of each person appointed to replace an initial Commissioner shall be for the balance of any unexpired term for such position, provided, however, that any prospective appointee must meet the qualifications established by this Code.
- 1.14 Term. The Commissioners shall serve either a staggered term of five (5), three (3) or two (2) years for their term, as determined by the Tribal Council.
- 1.15 Compensation. The Commissioners will be compensated at a rate set by the Tribal Council. In order to ensure the Commission is not improperly influenced, a Commissioner's compensation may not be based on a percentage of gaming revenue.
- 1.16 Eligibility. The following persons are not eligible to serve as Commissioners: Tribal Council members, while serving as such; current employees of the Gaming Facility or the Tribal Gaming Commission; gaming contractors (including any principal of a management, or other contracting company); persons directly related to, or sharing a residence with, any of the above.

Section 2. Tribal Gaming Commission Powers:

- 2.1 Regulations. The Tribal Gaming Commission may promulgate regulations:
 - (a) to establish procedures designed to detect irregularities or fraud;
 - (b) to design a regulatory system to oversee Class II and Class III gaming;
 - (c) to establish procedures governing the conduct hearings and enforcement actions;
or
 - (d) any other regulations to ensure compliance with this Code and the Compact.
- 2.2 Inspections. The Tribal Gaming Commission may:
 - (a) request assistance of federal or local law enforcement;

- (b) during normal business hours, reasonably enter upon premises to examine accounts, books, papers and documents;
- (c) inspect, examine, photocopy and audit all papers, books and records; or
- (d) conduct any investigation to determine compliance with this Ordinance.

The Tribal Gaming Commission shall have the right to inspect any Gaming Facility at any time and shall have immediate access to any and all areas of a Gaming Facility for the purpose of ensuring compliance with this ordinance, federal law, tribal law and the Compact.

- 2.3 Licensing. The Tribal Gaming Commission is authorized to issue, renew, suspend, deny and revoke a license in accordance with this Ordinance and the Compact.
- 2.4 Contracting. The Tribal Gaming Commission may enter contracts on its own behalf without Tribal Council approval. The Board of Commissioners shall acquire Tribal Council approval for any contract that provides a waiver of sovereign immunity.
- 2.5 Investigations. The Tribal Gaming Commission shall investigate any reported violations of this Ordinance and the Compact and require the Gaming Facility operator to correct such violations as the Tribal Gaming Commission deems necessary. The Tribal Gaming Commission may also investigate any suspicion of wrongdoing or violations to determine compliance with federal law, tribal law or the Compact in connection with any gaming activities and require correction of violations as the Tribal Gaming Commission deems necessary.
- 2.6 Delegation. The Board of Commissioners may delegate the powers to the executive director(s) as deemed appropriate.

Section 3. Tribal Gaming Commission Responsibilities:

- 3.1 Annual Budget. The Board of Commissioners shall prepare an annual operating budget and present it to the Tribal Council by October 15th of each year.
 - (a) The TGO and TGA shall each prepare their own annual operating budget and present it to the tribal Council by October 15th of each year.
- 3.2 Gaming Facility Licensing. The Tribal Gaming Commission shall:
 - (a) require each Gaming Facility to have a license issued by Tribal Council to each place, facility or location on Indian lands where Class II and/or Class III gaming is conducted;
 - (b) establish Gaming Facility license applications for Tribal Council, which at a minimum shall include:
 - i. a legal description of the lands upon which the facility is located;

- ii. certification that the site constitutes Indian lands; and
 - iii. signed by a management official of the Gaming Facility for each gaming place, facility or location.
- (c) receive and submit notice to the National Indian Gaming Commission that issuance of a Gaming Facility License is under consideration by the Tribal Council at least one hundred twenty (120) days before the opening of any new place, facility or location on Indian lands where Class II and Class III gaming will occur;
 - (d) submit a copy of each newly issued or renewed facility license to National Indian Gaming Commission within thirty (30) days of issuance, along with any other required documentation; and attestation certifying that by issuing the facility license, the tribe has determined that the construction and maintenance of the gaming facility, and the operation of that gaming, is conducted in a manner which adequately protects the environment and the public health and safety. This means that the tribe has identified and enforces laws, resolutions, codes, policies, standards or procedures applicable to each gaming place, facility, or location that protect the environment and the public health and safety, including standards, under a tribal-state compact or Secretarial procedures.
 - (e) notify the National Indian Gaming Commission within thirty (30) days if a Gaming Facility is terminated or expires, or if a gaming place, facility, or location closes or reopens. Notification need not be provided for seasonal closures or temporary closures with a duration of less than 180 days.

3.3 Gaming Employee Licensing. The Tribal Gaming Commission shall:

- (a) establish applications for Gaming Employee licenses, which at a minimum shall include:
 - i. full name, other names used (oral or written), social security number, birth date, place of birth, citizenship, gender, and all languages (spoken and/or written);
 - ii. currently, and for the previous five (5) years; business and employment positions held, ownership interests in those businesses, business and residential addresses, and driver's license numbers;
 - iii. names and current addresses of at least three (3) personal references, including one (1) personal reference who was acquainted with the applicant during each period of residence listed under paragraph (a)(ii) of this Section;
 - iv. current business and residential telephone numbers, and all cell phone numbers;
 - v. a description of any existing and previous business relationships with other tribes, including any ownership interest in those businesses;

- vi. a description of any existing and previous business relationships with the gaming generally, including ownership interests in those businesses;
 - vii. the name and address of any licensing or regulatory agency with which the person has filed an application for a license or permit related to gaming, whether or not such license or permit was granted;
 - viii. 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 of disposition, if any;
 - ix. for each misdemeanor conviction or ongoing misdemeanor prosecution (excluding minor traffic charges), within ten (10) years of the date of the application, the name and address of the court involved, and the date of disposition, if any;
 - x. for each criminal charge (excluding minor traffic charges), whether or not there is a conviction, if such criminal charge is within 10 years of the date of the application, and is not otherwise listed pursuant paragraphs (a)viii- ix of this Section, the criminal charge, the name and address of the court involved, and the date of disposition, if any;
 - xi. the name and address of any licensing or regulatory authority with which the person has filed an application for an occupational license or permit, whether or not such license or permit was granted;
 - xii. a photograph;
 - xiii. a signed statement confirming receipt of disclosures required under Title II Section 3.3(b);
 - xiv. any other information Tribal Gaming Commission deems relevant; and
 - xv. request for fingerprints for each Gaming Employee. The Tribal Gaming Commission shall obtain fingerprints of said employees.
- (b) provide Gaming Employee applicants with the current disclosures prior to being filled out by an applicant:
- i. Privacy Act Notice. *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 by the Tribe or the NIGC 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 NIGC 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 being unable to license you for a Gaming Employee position. The disclosure of your Social Security Number (SSN) is voluntary. However, failure to supply a SSN may result in errors in processing your application.

- ii. Notice Regarding False Statements. *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).*
- (c) conduct background investigations for each Gaming Employee applicant to sufficiently allow the Tribal Gaming Commission to make an eligibility determination under Title 2 Section 3.3(e), which at a minimum shall include a check of:
 - i. criminal history records information maintained by the Federal Bureau of Investigations;
 - ii. civil history; and
 - iii. personal credit check.
- (d) create and maintain an investigative report for each background investigation of a Gaming Employee which shall include:
 - i. steps taken in conducting the investigations;
 - ii. results obtained;
 - iii. conclusions reached; and
 - iv. the basis for those conclusions.
- (e) Make determination of suitability on whether to issue a license. The Board of Commissioners shall not issue a license if the licensing of applicant 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/or activities in the conduct of gaming or fails to meet the required standards pursuant to the applicable Compact. The Board of Commissioners shall consider the applicant's;
 - i. prior activities;
 - ii. criminal record; and

- iii. reputation, habits, and associations.
- (f) prior to issuing a license to a Gaming Employee, the Tribal Gaming Commission shall prepare a notice of results of the applicant's background investigation and submit it to the National Indian Gaming Commission no later than sixty (60) days after the applicant begins working, which at a minimum shall include:
 - i. a copy of the eligibility determination made under Title II Section 3.3(e);
 - ii. the applicant's name, date of birth and social security number;
 - iii. the date on which the applicant began, or will begin, working as a Gaming Employee; and
 - iv. a summary of the information presented in the investigative report, including:
 - 1. licenses that have been previously denied;
 - 2. gaming licenses that have been revoked, even if substantially reinstated;
 - 3. every known criminal charge brought against the applicant within the last ten (10) years of the date of the application; and
 - 4. every felony offense of which the applicant has been convicted or any ongoing prosecution.
- (g) Require all Gaming Employees to have a gaming license;
- (h) For all Gaming Employees, upon completion of Section 3.3(e) and subject to any other applicable requirements under the applicable Compact, the Tribal Gaming Commission may issue or maintain a license.
- (i) Upon submission of the notice of results of the applicant's background investigation to the National Indian Gaming Commission under Title 2 Section 3.3(e) and subject to any other applicable requirements under the applicable Compact, the Tribal Gaming Commission may issue a license to a Gaming Employee.
- (j) Notify the National Indian Gaming Commission of the issuance of a license to a Gaming Employee within thirty (30) days of issuance;
- (k) Reconsider license applications and take into account National Indian Gaming Commission objections mentioned in an objection statement to the issuance of a license received by the National Indian Gaming Commission;
- (l) Notify the National Indian Gaming Commission if the Board of Commissioners

does not issue a license to an applicant for Gaming Employees and forward copies of the eligibility determination and notice of results of the applicant's background investigation to the National Indian Gaming Commission;

- (m) If, after a license is issued to a Gaming Employee the Tribal Gaming Commission receives notice from the National Indian Gaming Commission that the Gaming Employees is not eligible for a license, the Tribal Gaming Commission shall:
 - i. immediately suspend the license;
 - ii. provide the licensee, the Gaming Facility with written notice of the suspension and proposed revocation; and
 - iii. provide the licensee with notice of a time and a place for a hearing on the proposed revocation of a license. All rights to notice and hearing shall be governed by Tribal Gaming Regulations.
- (n) After a revocation hearing, the Board of Commissioners shall decide whether to revoke or to reinstate the license at issue. The Board of Commissioners shall notify the National Indian Gaming Commission of its decision to revoke or reinstate a license within 45 days of receiving notification from the National Indian Gaming Commission that a Gaming Employee is not eligible for employment; and
- (o) The Tribal Gaming Commission shall keep confidential the identity of each person interviewed in the course of conducting a background investigation; and
- (p) The decision of the Board of Commissioners shall be final.

3.4 Other Licenses. The Tribal Gaming Commission shall require any other persons or entities to obtain from the Tribal Gaming Commission any other license as required by the Compact. Tribal Gaming Commission shall have such persons or entities submit an application in a form as determined by the Tribal Gaming Commission. The Tribal Gaming Commission shall also perform background investigations, determine suitability and, upon a determination that the applicant is suitable, issue such licenses subject to any other requirements of the applicable Compact.

3.5 Fees. The Tribal Gaming Commission shall adopt a schedule of fees to be charged for gaming licenses issued or renewed pursuant to this Ordinance that are sufficient to compensate the Tribal Gaming Commission for the cost of review of the license application. Each licensee shall pay such fees within the timeframe prescribed. No new or renewal fee shall be required for a Gaming Facility license.

3.6 Meetings. The Board of Commissioners shall regularly meet, at least once per month, to conduct formal business, and shall keep regular meeting minutes.

- (a) Special meetings may be called at the request of the Chairman or the majority of the Board of Commissioners.

- 3.7 Records Retention. The Tribal Gaming Commission shall retain:
- (a) for at least three (3) years from the date a Gaming Employee is terminated from employment with a Gaming Facility:
 - i. information contained in the application for licensing received under Title 2 Section 3.3(a);
 - ii. investigative reports created pursuant to Title 2 Section 3.3(d); and
 - iii. eligibility determinations made pursuant to Title 2 Section 3.3(e).
 - (b) for at least two (2) years from the date the audit is sent to the NIGC pursuant to Title 2 Section 3.10.
 - (c) If the Compact requires a longer retention period, the Tribal Gaming Commission shall follow the requirement of the Compact.
- 3.8 Minimum Internal Control Standards. The Tribal Gaming Commission shall comply with either 25 CFR Part 542 (as in effect on October 19, 2006, or as it may be amended) for Gaming Facilities in California or the NIGC's Guidance on Class III Minimum Internal Control Stands, Bulletin No. 2018-3, dated August 14, 2018, for Gaming Facilities in Arizona, as required by the applicable Compact, by formally adopting and making applicable to the Tribe's gaming activities, internal control standards that:
- (a) provide a level of controls that equals or exceeds those set forth in 25 CFR Part 542, as published or NIGC's Guidance on Class III Minimum Internal Control Stands, Bulletin No. 2018-3, dated August 14, 2018, as applicable, or as revised by mutual agreement between the National Indian Gaming Commission and the Tribe;
 - (b) unless otherwise required by the applicable Compact, may contain standards for currency transaction reporting in compliance with 31 CFR Part 103.
- 3.9 Executive Director. The Board of Commissioners shall hire at least one Executive Director to serve as an at-will employee of the Tribal Gaming Commission to oversee day- to-day operations of the Tribal Gaming Office and the Tribal Gaming Agency.
- 3.10 Criminal Background Check. The Board of Commissioners must require Executive Director(s), as well as all Gaming Commission employees, to submit to a criminal background check. Based on the results of the background check, the Board of Commissioners shall make an appropriate eligibility determination and keep the Gaming Commission employees and Executive Director(s) criminal background results on file.
- 3.11 Appeals. The Board of Commissioners shall oversee any proceeding where an action taken by the Board of Commissioners or the Executive Director(s) are being challenged.
- 3.12 Annual Independent Audit. The Tribal Gaming Commission shall submit to the National Indian Gaming Commission, the independent audit performed upon the Gaming Facility

under Title 3 Section 2.2 within one hundred and twenty days (120) days after the end of each fiscal year of the gaming operation. A copy of the annual independent audit will be made available for review, upon request, to the Tribal Council.

Section 4. Executive Director Responsibilities:

4.1 Operations. The Executive Directors shall, subject to the supervision of the Board of Commissioners, perform all duties, exercise all powers, and assume and discharge all responsibilities imposed by this Code or delegated by the Board of Commissioners, which shall include:

- a) The direction and operation of the Quechan TGO and TGA for compliance of the Tribal, State and Federal gaming laws; providing executive leadership and administrative management; proactively leading, assigning, communicating and supervising TGO and TGA personnel to maintain production and monitor regulatory objectives while conforming to the needs of the business. The Executive Director(s) shall also act as a liaison between the Quechan Tribe, Quechan Tribal Gaming Commission, the State Gaming Office and the National Indian Gaming Commission.

4.2 Agent for Service of Process. The Executive Director shall serve as the agent for service of any official determination, order, or notice of violation and may accept service at:

ATTN: Executive Director (TGO)
Quechan Indian Tribal Gaming
Commission
450 Quechan Drive
P.O. Box 1899
Yuma AZ 85365

ATTN: Executive Director (TGA)
Quechan Indian Tribal Gaming
Commission
525 Algodones Road
Winterhaven, CA 92283

TITLE III

GAMING FACILITY

Section 1. Gaming Facility License:

- 1.1 License Required. No place, facility or location may conduct Class II and/or Class III gaming without having first applied for and obtained a Gaming Facility license. Each place, facility, or location on Indian lands where Class II and/or Class III gaming is conducted is required to obtain a license from the Tribal Council.
- 1.2 Term. The Gaming Facility license is valid for a term of one (1) year.

Section 2. Gaming Facility Operator Responsibilities:

- 2.1 Environment and Public Health and Safety. Gaming Facility Operator shall construct, maintain, and operate in a manner that adequately protects the environment, and the health and safety of the public.
- 2.2 Audit. Gaming Facility Operator shall cause independent audits to be conducted:
- (a) annually;
 - (b) inclusive of all gaming-related contracts that result in the purchase of supplies, services, or non-gaming concessions for more than \$25,000 in any year (except contracts for professional legal and accounting services); and
 - (c) in conformance with generally accepted accounting standards.
- 2.3 Inspections. Gaming Facility Operator shall provide the Tribal Gaming Commission with unrestricted access to any area of the gaming operation for inspections conducted pursuant to Title 2 Sections 2.2 and 2.4.
- 2.4 Reporting. The Gaming Facility Operator shall submit the results of the independent audit conducted pursuant to Title 3 Section 2.2 to the Tribal Gaming Commission within one (1) week from receiving the findings from the independent auditor.

Section 3. Patron Dispute Resolutions:

- 3.1 Patrons with gaming complaints against a Gaming Facility as their sole remedy may file a claim in accordance with the Tribe's gaming dispute resolution procedures established and maintained by the Tribe, and as applicable, in accordance with the Compact. Patron gaming dispute resolution may include informal resolution between the claimant and the Gaming Facility, formal review by the Board of Commissioners if requested by the claimant, and thereafter, appeal of the Board of Commissioners decision by the claimant to the Quechan Tribal Court. All claims must meet the requirements of the Tribe's gaming dispute resolution procedures. The Tribe's gaming dispute resolution procedures are the sole remedy for any gaming dispute and gaming dispute claims are not subject to any review or

appeal outside of the Tribe's gaming dispute resolution procedures. The Tribal Court is vested with jurisdiction to hear and render decisions in accordance with the Tribe's gaming dispute resolution procedures.

TITLE IV

GAMING EMPLOYEE

Section 1. Gaming Employee License:

- 1.1 License Required. No person may be employed at a Gaming Facility as a Gaming Employee, including other employees required to have a license pursuant to the applicable Compact, without receiving a valid license issued by the Board of Commissioners within the first ninety (90) days of employment.
- 1.2 Term. A Gaming Employee license is valid for two (2) years if employed in a Gaming Facility in Arizona or two (2) years if employed in Gaming Facility in California.

Section 2. Gaming Facility Operator Responsibilities:

- 2.1 Compliance with Laws. The Gaming Facility Operator shall ensure all employees of the Gaming Facility, and gaming patrons comply with the federal laws, Tribal laws and the Compact. Violations of these requirements may be grounds for termination of employment and expulsion from the Gaming Facility.
- 2.2 Material Changes. The Gaming Facility Operator shall update the Tribal Gaming Commission of any material change that would affect the facility or gaming license employee.

Section 3. No Implied Right of Employment

- 3.1 The issuance of a license by the Tribal Gaming Commission does not create or imply a right of employment or continued employment.

Section 4. Plain View of License.

- 4.1 All persons employed at a Gaming Facility must wear his or her gaming license in plain view during all working hours and must produce that license upon the request of any law enforcement official with jurisdiction over the gaming activity, or any agent of the Tribal Gaming Commission, the National Indian Gaming Commission, or State gaming agency.



QUECHAN INDIAN TRIBE
Ft. Yuma Indian Reservation
Office of Tribal Administration

P.O. Box 1899

Yuma, Arizona 85366-1899

Phone (760) 919-3600

Fax (760) 572-2962

RESOLUTION

R-155-25

A RESOLUTION APPROVING AN ADDENDUM TO THE GAMING CODE OF THE QUECHAN INDIAN TRIBE

WHEREAS, THE QUECHAN INDIAN TRIBE OF THE FORT YUMA INDIAN RESERVATION IS A FEDERALLY RECOGNIZED INDIAN TRIBE ORGANIZED UNDER A CONSTITUTION AND BYLAWS RATIFIED BY THE TRIBE ON NOVEMBER 28, 1936, AND APPROVED BY THE SECRETARY OF THE INTERIOR ON DECEMBER 18, 1936 WITH REVISED AMENDMENTS APPROVED ON NOVEMBER 18, 1974, AND MAY 21, 1997, AND;

WHEREAS, THE QUECHAN TRIBAL COUNCIL (THE "TRIBAL COUNCIL") IS THE DULY ELECTED GOVERNING BODY OF THE TRIBE AND EXERCISE GOVERNMENTAL AUTHORITY OVER LANDS WITHIN THE FORT YUMA INDIAN RESERVATION AND ACT IN ALL MATTERS THAT CONCERN THE HEALTH, SAFETY AND GENERAL WELFARE OF THE TRIBE, INCLUDING THE POWER TO ENACT ORDINANCES. AND MANAGE RESOURCES OF THE FORT YUMA INDIAN RESERVATION; AND

WHEREAS, THE TRIBE HAS ENTERED GAMING COMPACTS WITH THE STATE OF ARIZONA AND THE STATE OF CALIFORNIA; AND

WHEREAS, THE TRIBAL COUNCIL OF THE QUECHAN INDIAN TRIBE PREVIOUSLY ENACTED THE GAMING CODE OF THE QUECHAN INDIAN TRIBE ("GAMING CODE") PURSUANT TO RESOLUTION NO. R-153-24 TO GOVERN CLASS II AND CLASS III GAMING ACTIVITIES ON THE TRIBE'S INDIAN LANDS;

WHEREAS, THE GAMING CODE ESTABLISHES THE QUECHAN INDIAN TRIBE GAMING COMMISSION ("GAMING COMMISSION") WITH AUTHORITY TO ENFORCE FEDERAL LAWS, TRIBAL LAWS, AND COMPACT REQUIREMENTS RELATED TO GAMING ACTIVITIES;

WHEREAS, THE TRIBE DESIRES TO ENSURE FULL COMPLIANCE WITH ALL APPLICABLE FEDERAL GAMING REGULATIONS, INCLUDING 25 C.F.R. § 558.3(E) THAT REQUIRES TRIBES TO NOTIFY THE NATIONAL INDIAN GAMING COMMISSION WHENEVER THEY REVOKE A KEY EMPLOYEE OR PRIMARY MANAGEMENT OFFICIAL'S LICENSE;

WHEREAS, THE TRIBAL COUNCIL FINDS IT APPROPRIATE TO ADOPT THIS ADDENDUM TO THE GAMING CODE TO CLARIFY THE GAMING COMMISSION'S NOTIFICATION OBLIGATIONS UNDER FEDERAL LAW;

NOW, THEREFORE, BE IT RESOLVED THAT THE TRIBAL COUNCIL OF THE QUECHAN INDIAN TRIBE HEREBY APPROVES THE FOLLOWING ADDENDUM TO THE GAMING CODE:

ADDENDUM TO GAMING CODE OF THE QUECHAN INDIAN TRIBE

Section 1. Gaming Employee License Revocation Notification

If the Tribal Gaming Commission revokes a Gaming Employee license, the Tribal Gaming Commission shall:

(a) Notify the National Indian Gaming Commission; and

(b) Forward copies of its license revocation decision to the National Indian Gaming Commission for inclusion in the Indian Gaming Individuals Record System.

BE IT FURTHER RESOLVED THAT THIS ADDENDUM SHALL BE INCORPORATED INTO THE GAMING CODE AS ADOPTED UNDER RESOLUTION NO. R-153-24;

BE IT FURTHER RESOLVED THAT THE GAMING COMMISSION IS HEREBY DIRECTED TO IMPLEMENT THE NOTIFICATION PROCEDURES SET FORTH IN THIS ADDENDUM AND TO ENSURE COMPLIANCE WITH ALL APPLICABLE FEDERAL NOTIFICATION REQUIREMENTS;

BE IT FURTHER RESOLVED: THAT UPON APPROVAL OF THE QUECHAN INDIAN TRIBE GAMING CODE BY THE NATIONAL INDIAN GAMING COMMISSION, THE GAMING CODE OF THE QUECHAN INDIAN TRIBE APPROVED AND ADOPTED HEREIN SHALL GO INTO EFFECT AND ANY PRIOR EFFECTIVE TRIBAL GAMING CODES SHALL NO LONGER BE IN EFFECT

BE IT FINALLY RESOLVED: THAT THE TRIBAL COUNCIL DOES HEREBY AUTHORIZE AND APPROVE THE PRESIDENT, OR IN HIS ABSENCE, THE VICE PRESIDENT TO EXECUTE ANY AND ALL DOCUMENTS AS MAY BE NECESSARY AND APPROPRIATE TO IMPLEMENT THE TERMS, CONDITIONS AND INTENT OF THIS RESOLUTION.

CERTIFICATION

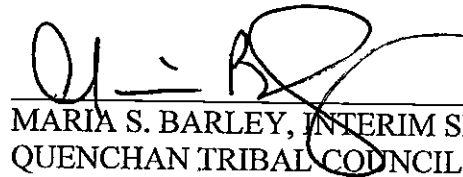
THE FOREGOING RESOLUTION WAS PRESENTED AT A **SPECIAL MEETING** OF THE QUECHAN TRIBAL COUNCIL WHICH CONVENED ON **SEPTEMBER 30, 2025**, DULY APPROVED BY A VOTE OF **3** FOR, **0** AGAINST, **0** ABSTAINED, **3** ABSENT, BY THE TRIBAL COUNCIL OF THE QUECHAN TRIBE, PURSUANT TO THE AUTHORITY VESTED IN IT BY SECTION 16 OF THE RE-ORGANIZATION ACT OF JUNE 18, 1934 (48 STAT. 984) AS AMENDED BY THE ACT OF JUNE 15, 1935 (49 STAT. 378) AND ARTICLE IV OF THE QUECHAN TRIBAL CONSTITUTION AND BYLAWS. THIS RESOLUTION IS EFFECTIVE AS OF THE DATE OF ITS APPROVAL.

QUECHAN TRIBE

BY:



JONATHAN E. KOTEEN, PRESIDENT
QUECHAN TRIBAL COUNCIL



MARIA S. BARLEY, INTERIM SECRETARY
QUECHAN TRIBAL COUNCIL