



September 21, 2009

Via U.S. Mail and Facsimile

Michael Burgess, Chairman
Comanche Nation
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William Norman, Jr.
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RE: Amendment to Comanche Nation Gaming Ordinance

Dear Chairman Burgess and Mr. Norman:

On September 7, 2009, Mr. Norman requested approval of the Tribe's amendment to the Comanche Nation's Gaming Ordinance (gaming ordinance). The Tribe amended the gaming ordinance on July 11, 2009, via Resolution No. 111-09. In this amendment, the Tribe modified sections on ethics and nepotism as well as the grounds on which an applicant for a gaming commission position would be disqualified.

This letter constitutes approval of the amendment because nothing therein conflicts with the requirements of the Indian Gaming Regulatory Act (IGRA) and the National Indian Gaming Commission's regulations.

Thank you for submitting the amendment for review and approval. If you have any questions, please contact Staff Attorney Rebecca Chapman at (202) 632-7003.

Sincerely,

A handwritten signature in dark ink, appearing to read "Philip N. Hogen", is written over a large, stylized, light-colored circular mark that resembles a stylized "P" or a large loop.

Philip N. Hogen
Chairman



NOT IN THE SYSTEM FROM: 09-21-2009 12:00 PM

**Amendments to Gaming Ordinance of 2009
July 11, 2009**

Definitions - Section 102(K) — Persons directly related means a spouse, child, parent, grandparent, grandchild, aunt, uncle, sibling, or first-cousin.

Section 211. Disqualification of Director

The Nation recognizes the importance of an independent Board of Directors in maintaining a well-managed gaming operation, and to avoid potential conflicts of interest between the operation and regulation of the gaming facility, the Nation hereby finds that, at a minimum, the following persons are not qualified to serve on the Board of Directors:

(A) Member of the CBC or Commission;

~~Employees of the gaming operation, while employed as such;~~

(B) Persons having a direct or indirect financial interest in a gaming management or operations contract (including any principal or member of a management or other contracting company);

(C) Persons directly related to or sharing a residence with any of the above;

~~(D) Employees of the gaming operation, while employed as such;~~

~~(D)(E)~~ Persons ineligible to be licensed as Key Employees or Primary Management Officials;

~~(E)(F)~~ Tribal and Non-tribal members previously convicted of a felony, of embezzlement, of theft, or of any other money-related crime or honesty-related crime (such as fraud).

Section 310. Disqualification of Commissioner

The following persons are not eligible to serve on the as Commissioners:

(A) ~~Member of the CBC members or Board of Directors, while serving as such;~~

~~(B) Employees of the gaming operation, while employed as such;~~

Persons having a direct or indirect financial interest in a management contract, gaming contractors (including any principal or member of a management or other contracting company);

(C) Persons directly related to or sharing a residence with any of the above;

~~(D) Employees of the gaming operation, while employed as such;~~

(D)(E) Persons ineligible to be licensed as Key Employees or Primary Management Officials;

(E)(F) Tribal and Non-tribal members previously convicted of a felony, of embezzlement, of theft, or of any other money-related crime or honesty-related crime (such as fraud).

Section 504. Gambling Prohibited.

Members of the Board of Directors, Board of Directors employees holding gaming licenses for all gaming facilities, and Commissioners, gaming operation employees and Commission employees are prohibited from gambling in the gaming facilities of the Nation. Gaming operation employees are prohibited from gambling in the specific gaming facility or facilities of the Nation in which they are employed or for which they hold a gaming license.

Proposed Amendments to Comanche Nation Gaming Ordinance of 2009

Proposal: Amend Sections 102(K), 211, and 310.

PURPOSE: To reduce the breadth and depth of nepotism provisions in the disqualification of Directors and Commissioners by (1) diminishing the degree of relationship in the definition of "directly related to" and (2) removing "employees of the gaming operation" as one of the classes affected by such definition.

Section 102(k) — Persons ~~Directly related~~ to means a spouse, child, parent, ~~grandparent, grandchild, aunt, uncle, or sibling, or first cousin,~~

Section 211. Disqualification of Director

The Nation recognizes the importance of an independent Board of Directors in maintaining a well-managed gaming operation, and to avoid potential conflicts of interest between the operation and regulation of the gaming facility, the Nation hereby finds that, at a minimum, the following persons are not qualified to to-serve on the Board of Directors:

- (A) Member of the CBC or Commission;
- ~~(D) Employees of the gaming operation, while employed as such;~~
- ~~(C)(B)~~ Persons having a direct or indirect financial interest in a gaming management or operations contract (including any principal or member of a management or other contracting company);
- ~~(D)(C)~~ Persons directly related to or sharing a residence with any of the above;
- ~~(D)~~ Employees of the gaming operation, while employed as such;
- (E) Persons ineligible to be licensed as Key Employees or Primary Management Officials;
- (F) Tribal and Non-tribal members previously convicted of a felony, of embezzlement, of theft, or of any other money-related crime or honesty-related crime (such as fraud).

Section 310. Disqualification of Commissioner

The following persons are not eligible to serve as Commissioners:

- (A) CBC members, while serving as such;
- ~~(B) Employees of the gaming operation, while employed as such;~~

- ~~(C)~~(B) Persons having a direct or indirect financial interest in a management contract, gaming contractors (including any principal or member of a management or other contracting company);
- ~~(D)~~(C) Persons directly related to or sharing a residence with any of the above;
- (D) Employees of the gaming operation, while employed as such;
- (E) Persons ineligible to be licensed as Key Employees or Primary Management Officials;
- (F) Tribal and Non-tribal members previously convicted of a felony, of embezzlement, of theft, or of any other money-related crime or honesty-related crime (such as fraud).

Proposal: Amend Section 504.

PURPOSE: To permit gaming operation employees to gambling in the Nation's gaming facilities except as limited by rule of the Board or Commission. (Note: This version still prevents "surveillance" employees from gambling in the Nation's casinos.)

Section 504. Gambling Prohibited

Members of the Board of Directors, ~~and Commissioners, gaming operation employees and~~ Commission employees are prohibited from gambling in the gaming facilities of the Nation.

BOD Revision: Members of the Board of Directors, Commissioners and Commission employees are prohibited from gambling in the gaming facilities of the Nation. Casino employees are prohibited from gambling in the specific gaming facility where they are employed.