NOV 29 2005

Chairperson Bernadette Huber
Iowa Tribe of Oklahoma
R.R. 1, Box 271
Perkins, OK 74059

RE: Amendments to the Iowa Tribe of Oklahoma Tribal Gaming Ordinance

Dear Chairperson Huber:

This letter is in response to your request for the National Indian Gaming Commission (NIGC) to review and approve amendments to the Iowa Tribe of Oklahoma Tribal Gaming Ordinance, submitted on November 15, 2005. The Ordinance was filed on August 11, 2005 and subsequently withdrawn on November 7, 2005. NIGC is also in receipt of the subsequent amendment submitted on November 28, 2005. This letter constitutes approval of your submission under the Indian Gaming Regulatory Act (IGRA). It is important to note that the Gaming Ordinance amendments are approved for gaming only on Indian lands, as defined in the IGRA, over which the Tribe has jurisdiction.

Please also note that the effective date of the Ordinance, as indicated in Section 24, is the date of approval by the NIGC rather than the tribal governing body.

Thank you for submitting the amendments for review and approval. The NIGC staff looks forward to working with you and the Tribe on future gaming issues.

Sincerely,

Philip N. Hogen
Chairman

Iowa Tribe of Oklahoma

R.R. 1, Box 721
Perkins, Oklahoma 74059
(405) 547-2402
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NOV 15 2005

RESOLUTION I-05-77

A RESOLUTION AMENDING THE IOWA TRIBE OF OKLAHOMA GAMING ORDINANCE

WHEREAS: The Iowa Tribe of Oklahoma is a federally recognized Indian Tribe, organized pursuant to the Thomas-Rogers Oklahoma Indian Welfare Act, and has a Constitution approved by the Secretary of Interior; and

WHEREAS: The Business Committee has the power to conduct business and otherwise speak or act on behalf of the Tribe in all matters on which the Tribe is empowered to act pursuant to Article V, Section 2 of the Tribal Constitution; and

WHEREAS: The General Council of the Iowa Tribe of Oklahoma approved the adoption of Ordinance 95-04, the Iowa Tribal Gaming Ordinance, on September 12, 1995, at a duly called meeting of the General Council and the Iowa Tribal Gaming Ordinance was approved by the National Indian Gaming Commission on December 18, 1995; and

WHEREAS: Section 24 of the Iowa Tribal Gaming Ordinance granted the Business Committee the authority to amend the gaming ordinance as necessary; and

WHEREAS: It is necessary for the Iowa Tribal Gaming Ordinance to be reviewed and amended from time to time to address deficiencies or needed changes so that the Iowa Tribal gaming operation may operate efficiently and lawfully under the Indian Gaming Regulatory Act; and

WHEREAS: On August 11, 2005, the Iowa Tribe of Oklahoma submitted to the National Indian Gaming Commission a proposed revision to the Iowa Tribal Gaming Ordinance; and

WHEREAS: The National Indian Gaming Commission has reviewed the gaming ordinance and suggested several changes be made to the ordinance; and

NOW, THEREFORE, BE IT RESOLVED That the Business Committee of the Iowa Tribe of Oklahoma hereby amends the Iowa Tribal Gaming Ordinance as attached hereto and said ordinance is made a part of this Resolution; and

BE IT FURTHER RESOLVED That this Resolution and attached Gaming Ordinance shall be submitted to the National Indian Gaming Commission for its review and approval.

CERTIFICATION

We, the undersigned Chairman E. Bernadette Huber and Secretary Eugene Big Soldier, Jr., of the Iowa Tribe of Oklahoma, do hereby certify the above Resolution I-05-77 to be a true and exact copy as approved at a special Business Committee meeting held on the 14th day of November, 2005, by a recorded vote of 4 yeas, 0 nays, and 1 abstention.

E. Bernadette Huber, Chairman
Iowa Tribe of Oklahoma

Eugene Big Soldier, Jr., Secretary
Iowa Tribe of Oklahoma

IOWA TRIBE OF OKLAHOMA
TRIBAL GAMING ORDINANCE

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IOWA TRIBE OF OKLAHOMA
TRIBAL GAMING ORDINANCE

SECTION 1. Citation

This Ordinance shall be known and may be cited as the "Amended Iowa Tribal Gaming Ordinance" and shall apply to all forms of gaming conducted within the jurisdiction of the Iowa Tribe of Oklahoma.

SECTION 2. Purposes

The purposes of this Ordinance are to promote the public order, peace, safety and welfare of all persons coming within the jurisdiction of the Iowa Tribe of Oklahoma, to provide a safe and wholesome means of recreational activity in a community setting, and to provide a source of revenue for the operation of the programs and departments of the Tribal government by ensuring that any gaming activity conducted, whether Class I, II, or III is fair, responsible, and consistent with applicable federal law including the regulations and guidelines established by Public Law 100-497, known as "The Indian Gaming Regulatory Act," and/or any Tribal State Compact to which the tribe is a party. This Ordinance shall be liberally construed to promote these purposes.

SECTION 3. Definitions

For purposes of this Ordinance:

(a) "Act" means the Indian Gaming Regulatory Act, Public. Law 100-497, 25 U.S.C. § 2701 et seq.

(b) "Business Committee" means the Iowa Tribe of Oklahoma Business Committee.

(c) "Chairman" means the Chairman of the Iowa Tribe of Oklahoma Gaming Commission established by this ordinance.

(d) "Class II gaming" means Class II gaming as defined in accordance with the Act, 25 U.S.C. § 2703 (7) ~~(A)~~.

(e) "Class III gaming" means Class III gaming as defined in accordance with the Act, 25 U.S.C. § 2703 (8).

(f) "Commission" means the Iowa Tribe of Oklahoma Gaming Commission established by this ordinance.

(g) "Compact" means a compact entered into by the Iowa Tribe of Oklahoma and any state which regulates Class III gaming.

(h) "Enterprise" means the gaming operation established by the Tribe to conduct all gaming operations of the Tribe.

(i) "Gaming employee" means "gaming employee(s)" of the Enterprise and shall include primary management officials and key employees of the enterprise as defined in the Act.

(j) "Gaming facilities" means any room or rooms in which Class II gaming or Class III gaming is conducted within Iowa Tribe of Oklahoma jurisdiction.

(k) "Immediate family" means a spouse, parent, child, sibling, grandparent, and/or grandchild.

(l) "Indian Lands" shall mean Indian Lands as defined in accordance with the Act, 25 U.S.C. § 2703(4)(A)-(B).

(m) "Key License Investigator" means the person named by the Iowa Tribe of Oklahoma Gaming Commission to initiate, oversee, and review all background investigations of employees and primary management officials.

(n) "National Indian Gaming Commission" or "NIGC" means the National Indian Gaming Commission established pursuant to 25 U.S.C. § 2704.

(o) "Net revenues" means gross revenues of a Class II Gaming or of a Class III gaming activity less amounts paid out as, or paid for, prizes and total gaming-related operating expenses but excluding management fees paid to a management contractor within the meaning of 25 U.S.C. § 2711 (C).

(p) "Ordinance" means this Iowa Tribe of Oklahoma Tribal Gaming Ordinance.

(q) "State" means any State wherein the Iowa Tribe of Oklahoma conducts Class II or Class III gaming.

(r) "State gaming agency" means any such agency as the State may establish to carry out any regulatory responsibilities under a compact with the Iowa Tribe of Oklahoma.

(s) "Tribal Council" means the General Council of the Iowa Tribe of Oklahoma as defined in the Tribal Constitution.

(t) "Tribe" means the Iowa Tribe of Oklahoma.

(u) "Vendor" means a sole proprietor or individual, a partnership, an association, or corporation doing business with the Tribe.

SECTION 4. Adoption of Compact

Any Compact entered into between the Tribe and a State which is subsequently approved by the Secretary of the Interior and published in the Federal Register is hereby incorporated within and enacted as an integral part of this ordinance with respect to all forms of Class III gaming; provided, however, that nothing in the adoption of the Compact herein shall be deemed to affect the operation of the Tribe of any Class II gaming, whether conducted within or without the gaming facilities, or to confer upon the State any jurisdiction over such Class II gaming conducted by the Tribe within its jurisdiction.

SECTION 5. Authorization for Gaming Activities

(a) Forms of Class III gaming authorized. The Tribe may conduct or operate all forms of Class III gaming authorized under any Compact.

(b) Authority for Class II gaming. In addition to the forms of Class III gaming authorized under any compact, the Tribe shall be authorized to conduct all forms of Class II gaming within Tribal jurisdiction, including without limitation any form of bingo (whether or not electronic, computer, or other technologic aides are used in connection therewith), and (if played in the same location) pull-tabs, lotto, punch boards, tip jars, instant bingo, and other games similar to bingo.

SECTION 6. Compliance with the Act

This Ordinance shall be construed in a manner which conforms to the Act in all respects, and if inconsistent with the Act in any manner, the provisions of the Act shall govern.

(a) Limitation on gaming operations. In compliance with 25 U.S.C. § 2710(b)(2)(A), the Tribe shall have the sole proprietary interest and responsibility for the conduct of any gaming activity within its jurisdiction.

(b) Use of gaming revenue. In compliance with 25 U.S.C. § 2710(b)(2)(B), net revenues from any gaming activity are not to be used for purposes other than:

1. to fund Tribal government operations or 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;

5. to help fund operations of local Government Agencies, or

6. any other purpose permitted under the Act.

(c) Limitations on Salary or Other Payments. In no event shall any commission, salary, compensation, reward or recompense paid to any gaming employee, either directly or indirectly, be based upon a percentage of receipts accruing by virtue of the Iowa Enterprise. No individual or entity with which the tribe enters into a management agreement shall be considered a gaming employee for purposes of this section.

(d) Environment and Public Health and Safety. In compliance with 25 U.S.C. § 2710(b)(d)(2)(E), the construction and maintenance of any gaming facilities, and the operation of gaming activities, shall be conducted in a manner which adequately protects the environment and the public health and safety and for that purpose shall comply with the requirements of the Compact and all other applicable health, safety and environmental standards enacted by the Tribe.

SECTION 7. Ownership of Gaming

The Tribe shall have sole proprietary interest in and be responsible for the conduct of all gaming operations. The Business Committee shall administer the Tribal gaming operations. The Business Committee shall have the authority to amend this ordinance as necessary. The Business Committee shall designate a liaison between the Business Committee and the Iowa Tribe of Oklahoma Gaming Commission.

SECTION 8. Gaming Commission

(a) Establishment of Commission. There shall be established a three member Iowa Tribe of Oklahoma Gaming Commission, who shall be appointed by the Business Committee, at least two of whom shall be members of the Tribe, but none of whom shall be either a member of the Business Committee, immediate family of any Business Committee member, or an employee of the Enterprise. Each Commissioner shall serve for a term of three years commencing on the date of appointment; provided, that, as to the initial members so appointed, one of the initial members appointed shall be designated to serve for an initial term of one year, one of the initial members appointed shall be designated to serve for an initial term of two years and one of the

initial members appointed shall be designated to serve for an initial term of three years. The members of the Commission shall appoint one of their members to be the Chairman of the Commission. Compensation of members of the Commission shall be established by the Business Committee. Members of the Commission may be removed by a majority vote of the members of the Business Committee. Vacancies in the Commission must be filled by appointment by the Business Committee. No member or employee of the Commission shall participate as a player in any gaming activity conducted by the Tribe. Commissioners, its executive director and its key employees must:

1. Never have been convicted of a felony, gaming offense or crime involving dishonesty or moral turpitude.

2. Not have been convicted of any offense except traffic violations within two years from the date of employment.

3. Not be a member of any Business Committee's immediate family.

4. Not have had his surety bond forfeited or been criminally convicted of or found civilly liable for any breach of fiduciary duty to the Tribe or have been impeached or removed from Tribal office.

5. Be bondable in the necessary amounts.

6. Meet any other applicable qualifications as prescribed in the Indian Gaming Regulatory Act.

(b) The purpose of the Gaming Commission is regulatory, not managerial. The Commission will conduct oversight to ensure compliance with Tribal, Federal, and, if applicable, State laws and regulations.

(c) Powers and duties of the Commission. The Commission shall have the following powers and duties:

1. The Commission shall have primary responsibility for oversight of Tribal gaming operations to assure the integrity of such operations and shall, for that purpose, employ non-uniformed inspectors who may be present in all gaming facilities during all hours of operation and who shall be under the sole supervision of the Commission and not under the supervision of any management employees of the Tribal gaming operations. Such inspectors shall have unfettered access to all areas of the gaming at all times, and personnel employed by the Enterprise shall for such purposes provide such inspectors access to locked and secure areas of the gaming facilities in accordance with the standards of operation and management promulgated pursuant to any Compact. Such inspectors shall report to the Commission regarding any failure by the Enterprise to comply

with any of the provisions of any Compact or this Ordinance and any other applicable laws and ordinances. Inspectors assigned by the Commission may also receive consumer complaints within the gaming facilities and shall assist in seeking voluntary resolution of such complaints. Inspectors appointed by the Commission shall be licensed as gaming employees in accordance with any Compact.

2. The Commission may, on its own initiative, investigate any aspect of the operations of the Enterprise in order to protect the public interest in the integrity of such gaming activities and to prevent improper or unlawful conduct in the course of such gaming activities, and shall investigate any report of a failure of the Enterprise to comply with the provisions of any Compact or this Ordinance and may require the Enterprise to take any corrective action deemed necessary by the Commission upon such terms and conditions as the Commission may determine appropriate. The Commission may compel any person employed by or doing business with the Enterprise to appear before it and to provide such information, documents or other materials as my be in their possession to assist in any such investigation.

3. The Commission shall carry out each of the responsibilities and duties set forth for the Tribal Gaming Agency in any Compact.

4. The Commission shall enforce machine integrity and surveillance systems for each gaming facility and may confer with the State Gaming Agency or other organizations regarding the adequacy of such plans and systems.

5. The Commission shall enforce Standards of Operation and Management for Class III gaming activities in accordance with any Compact.

6. The Commission may issue and revoke licenses for Class II gaming employees in accordance with this Ordinance.

7. The Commission may issue and revoke licenses for Class III gaming employees in accordance with this Ordinance.

8. The Commission shall establish a list of persons barred from the gaming facilities because their criminal history or association with career offenders or career offender organizations poses a threat to the integrity of the gaming activities of the Tribe.

9. The Commission shall enforce the rules of each game of chance operated by the Tribe pursuant to any Compact and shall, in accordance with the provisions of any Compact, notify the State Gaming Agency of such rules and of any change in such rules.

10. The Enterprise shall obtain a certificate of compliance from the Commission relating to the Class III gaming facilities. The Commission shall issue a certificate of compliance to the Enterprise upon a determination that the gaming facilities of the Enterprise comply with such standards.

11. The Commission may impose penalties for violations of this Ordinance or any Compact.

12. The Commission may, in the name of the Tribe, bring any civil action in the courts of the Tribe, or any competent Federal Court System to enforce the provisions of this Ordinance, the Act or the Compact, occurring where Iowa Tribal gaming is conducted. The bringing of any such action by the Commission shall not be deemed to be a waiver of suit immunity by the Commission or the Tribe.

13. The Commission shall establish a policy for receiving any complaint from an employee of the Enterprise or any member of the public who is, or claims to be, adversely affected by an act or omission of the Enterprise or of any employee thereof which is asserted to violate this Ordinance, or any Compact, and may impose such remedial action as it deems appropriate to bring the Enterprise into compliance with such provisions. The Commission may for this purpose, in its sole discretion, conduct a hearing and receive evidence with regard to such complaint if it deems an evidentiary proceeding useful in the resolution of the complaint.

14. The Commission's annual operating budget shall be approved by the Business Committee and may in accordance with said budget employ such staff from time to time as it deems necessary to fulfill its responsibilities under this Ordinance, and may retain legal counsel, consultants and other professional services including investigative services to assist the Commission with respect to any of the issues over which the Commission exercises jurisdiction. No Commissioner shall be an employee of the Gaming Commission.

15. The expenses of the Commission in accordance with such budget shall be assessed against the Enterprise and the Enterprise shall pay such assessments to the Tribe.

16. The Commission may employ inspectors to conduct background investigations on key employees and primary management officials. Inspectors employed to conduct background investigations shall not be licensed as a gaming employee.

(d) Chairman. The Chairman of the Commission or any other member of the Commission acting in the absence of the Chairman may, whenever the Chairman deems it necessary to protect the public interest in the integrity of Tribal gaming operations, issue in the name of the Commission any order which the Commission has the power to issue, to the Enterprise or to any employee or contractor of the Enterprise or to any other person within the jurisdiction of the Tribe, to take any action or cease and desist from any action as may be required to protect ~~to~~ the public interest; provided, that such order shall be subject to review by the Commission at its earliest opportunity, whereupon it may be confirmed or vacated by the Commission.

(e) Executive Director. The Commission may hire an individual to serve as Executive Director of the Commission to administer its responsibilities as necessary and to oversee

inspectors appointed by the Commission as well as such other staff as the Commission may from time to time employ. The Executive Director shall be responsible for coordination of the functions of the Commission with the National Indian Gaming Commission, any state gaming agency and other state and local agencies as necessary. The Chairman may request the Executive Director to conduct a preliminary investigation and render a recommendation to the Commission with respect to background checks of key employees and primary management officials and the grant or denial of any license, the imposition of any penalty, the investigation of any complaint, or any other action within the jurisdiction of the Commission. The Executive Director shall have the power, in the name of the Commission, to conduct any hearing, investigation or inquiry, compel the production of any information or documents.

(f) Procedures of the Commission.

1. Regular meetings of the Commission may be held upon such notice, or without such notice, and at such time and place as shall from time to time be fixed by the Commission. Unless otherwise specified by the Commission, no notice of such regular meetings shall be necessary.

2. Special meetings of the Commission may be called by the Chairman or the Executive Director. The person or persons calling the special meeting shall fix the time and place thereof. Neither the business to be transacted nor the purpose of any regular or special meeting of the Commission need to be specified in the notice of the meeting.

3. At any meeting of the Commission, a majority of the members then in office shall constitute a quorum for the transaction of business. The vote of a majority of the members present at a meeting at which a quorum is present shall be the act of the Commission. The Chairman shall preside at all meetings of the Commission unless the Chairman designates another member to preside in his absence.

4. Any action required or permitted to be taken at a meeting of the Commission may be taken without a meeting if all of the members sign written consents setting forth the action taken or to be taken, at anytime before or after the intended effective date of such action. Such consents shall be filed with the minutes of the Commission, and shall have the same effect as a unanimous vote or resolution of the Commission at a legal meeting thereof.

5. Members of the Commission may participate in a meeting of the Commission by means of conference telephone or similar communication equipment by means of which all persons participating in the meeting can hear each other, and participation in a meeting in such matter by any member does not object at the beginning of such meeting to the holding thereof in such manner, shall constitute presence in person at such meeting.

6. No action of the Commission to impose a penalty authorized by this Ordinance, or to revoke a license for a gaming employee previously issued by the Commission, shall be valid unless the person affected is given at least seven days notice of the proposed action and the opportunity to

appear and be heard before the Commission, either in person or through a representative or legal counsel, and to submit such evidence as the Commission deems relevant to the matter at issue; provided, that if the Commission deems it necessary to protect the public interest in the integrity of the gaming activities, the Commission may take such action with immediate effect as it deems required, and shall thereupon provide notice and an opportunity to be heard to the affected person as soon as is reasonably practicable following such action. Any person who is denied an initial gaming employee license or who is barred from the gaming facilities by action of the Commission may request a hearing before the Commission by written request submitted within thirty days following receipt of notice of the action of the Commission, and the Commission shall thereupon afford an opportunity to appear and be heard before the Commission, either in person or through a representative or legal counsel, and to submit such evidence as the Commission shall either affirm or reconsider its decision. Any hearing conducted under this subsection may, at the direction of the Commission, be conducted by the Executive Director or by one or more of the Commission designated by the Commission for that purpose.

7. The Commission may adopt such additional procedures and rules as it deems necessary or convenient to govern its affairs and which are consistent with this Ordinance, including, but not limited to Tribal Internal Control Standards (TICS).

SECTION 9. License for Location

No Class II or Class III gaming shall be allowed at any location unless a separate license is issued by the Gaming Commission for such site.

SECTION 10. Ethics and Complimentary Items

(a) Ethics. The Tribe recognizes that the duties of the Commission include making important decisions on highly sensitive issues. As such, the Tribe has determined that the Commission shall be held to extremely high ethical standards. Prior to taking their positions on the Commission, the members shall agree to be bound by the following principles:

1. Members shall not hold financial interests that conflict with the conscientious performance of their duties as managers and regulators.

2. Members shall not engage in financial transactions using nonpublic information or allow the improper use of such information by others on their behalf to further any private interest.

3. Members shall not solicit or accept any gift or other item of monetary value, including complimentary items, from any person or entity seeking official action or inaction from, doing business with, or conducting activities regulated by the member's organization. Or whose interests may be substantially affected by the performance or nonperformance of the members' duties.

4. Members shall make no unauthorized commitments or promises of any kind purporting to bind the Tribe.

5. Members shall not use their positions for private gain.

6. Members shall act impartially, in accordance with all relevant Tribal, Federal, and State laws (where applicable), and shall not give preferential treatment to any private organization or individual, including to any persons related to Members.

7. Members shall ensure that Tribal property and gaming assets shall be properly segregated and safeguarded, and that such property and assets shall not be used for unauthorized activities.

8. Members shall not engage in outside employment or activities, including seeking or negotiating for future employment, which conflict with their official duties and responsibilities.

9. Members shall disclose waste, fraud, abuse, and corruption to appropriate authorities.

10. Members shall endeavor to avoid any actions creating the appearance that they are violating the law or the ethical standards listed herein.

11. Members shall disclose any real or apparent financial or personal conflicts. If there is a real conflict or the appearance of one, the member shall not take part in any decision related to the conflict.

(b) Complimentary Items.

1. Use of complimentary items shall be governed by regulations established by the Gaming Commission, which shall be in accord with the NIGC's Minimum Internal Control Standards, found at 25 C.F.R.§542.17.

2. No key employee, primary management official, Tribal Business Committee member, Enterprise Board member, or Gaming Commission member, or any person directly related to or sharing a resident with the persons, shall be authorized to received complimentary items.

3. Complimentary items shall be included in the annual budget for the gaming operation, with maximum limits specified, and shall be subject to approval by the Business Committee.

SECTION 11. Conduct of Gaming Operations, Tribal Internal Control Standards, and Minimum Internal Control Standards

(a) The Tribe acknowledges its obligation to adopt and implement Minimum Internal

Control Standards (MICS) for the operation of its Tribal gaming operation, no less stringent than those found in the regulation of the NIGC at 25 C.F.R. Part 542.

(b) The Tribal Internal Control Standards (TICS) shall be developed by the Gaming Commission to be reviewed and approved by the Business Committee. The Commission shall enforce the TICS.

(c) The Commission shall enforce the gaming operation consistent with the following:

1. The rules of play and operation of the game shall be prescribed and approved by the Business Committee.

2. Each and every player has a fair and equal opportunity to win.

3. The method of winning and the prize or prizes for each game should be clearly outlined before each game.

4. The winner or winners of each game shall be verified in a manner that all present may witness.

5. No person who is conducting or assisting in the gaming operation shall participate directly or indirectly in the play of that game.

6. No person under the age of eighteen (18) years of age shall be permitted to play for any reason.

7. The Commission shall make sole and final determination as to the validity of a winner or winners at the conclusion of that game at which they were a winner.

8. No alcoholic beverages shall be permitted in the facility during the time that the facility is being used for the gaming operation, unless the Business Committee has issued an Alcoholic Beverage license for on-site consumption.

9. No person under the influence of either intoxicants or drugs, or in any violation of Tribal law or ordinance, shall be permitted to engage in any form of gaming nor to remain in the building when gaming is being conducted.

10. Trash should be separated to facilitate recycling and efforts should be made to protect the environment.

SECTION 12. Employees

(a) All persons employed in the gaming facility shall be licensed by the Commission as prescribed by this Ordinance, the Indian Gaming Regulatory Act or any Tribal-State Compact for Class III Gaming.

(b) Each employee will wear a license in a visible manner when operating or assisting in the operation of a gaming facility.

(c) No person shall be employed whose prior activities, criminal record, if any, or reputation, habits and associations pose a threat to the public interest or to the effective regulation of gaming, or create or enhance the dangers of unsuitable, unfair or illegal practices and methods and activities in the conduct of gaming.

(d) As necessary, the Business Committee may require the Commission, its Executive Director or any other "Key" employee to be bonded in an amount not less than $50,000 payable to the tribe.

(e) Background investigations will be conducted on the primary management officials and key employees and licenses will be issued according to requirements at least as stringent as set forth in 25 C.F.R. 556 and 558 and the results forwarded to the NIGC prior to issuance of licenses. When licenses are issued, the Commission will promptly notify the NIGC as prescribed in the Indian Gaming Regulatory Act or any Tribal/State Compact for Class III Gaming.

(f) The Commission and Enterprise Board shall follow tribal law with regard to tribal preference in hiring.

SECTION 13. Licenses for Key Employees

The Commission shall ensure that the policies and procedures set out in this section are implemented with respect to key employees and primary management officials employed at any Class II or Class III gaming enterprise operated on Iowa Indian Lands:

(a) Definitions. For the purposes of this section, the following definitions apply:

1. Key employee means those key employees as defined in any statute or regulation and at a minimum include:

A. A person who performs 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) Pit boss; (7) Dealer; (8) Croupier; (9) Approver of credit; or (10)

Custodian of gambling devices including persons with access to cash and accounting within such devices.

B. If not otherwise included, any other person whose total cash compensation is in excess of $50,000 per year; or

C. If not otherwise included, the four most highly-compensated persons in the gaming operation.

2. Primary management official means:

A. The person having management responsibility for a management contract;

B. Any person who has authority to hire and fire employees or to set up working policy for the gaming operation; or

C. The chief financial officer or other person who has financial management responsibility.

(b) Application Forms

1. The following notice shall be placed on the application form for a key employee or a primary management official before that form is filled out by an 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.A. § 2701 et seq. The purpose of the requested information is to determine the eligibility of individuals to be employed in a gaming operation. The information will be used by 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, 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 hiring or firing of an employee, the issuance 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 hire you in a primary management official or key 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.

2. Existing key employees and primary management officials 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 form for a key employee or a primary official before that form is filled out by an applicant:

> A false statement on any part of your application may be grounds for not hiring you, or for firing you after you begin work. Also, you may be punished by fine or imprisonment.
> (U.S. Code, Title 18, Section 1001).

4. The Commission shall notify in writing existing key employees and primary management officials 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) Background Investigations

1. The Commission through its Key License Investigator shall request from each primary management official and from each key employee all of the following information:

2. Full name, other names used (oral and written), social security number(s), birth date, place of birth, citizen ship, gender, all languages (spoken or written);

3. Currently and for the previous five years: business and employment positions held, ownership interests in those businesses, business and residence addresses, and driver's license numbers;

4. The names and current addresses of at least three personal references, including one personal reference who was acquainted with the applicant during each period of residence listed under Paragraph (c)(3) of this section;

5. Current business and residence telephone numbers;

6. A description of any existing and previous business relationships with Indian tribes, including ownership interests in those businesses;

7. A description of any existing and previous business relationships with the gaming industry generally, including ownership interests in those businesses;

8. 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;

9. 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;

10. For each misdemeanor conviction or ongoing misdemeanor prosecution (excluding minor traffic violations), within ten years of the date of the application, the name and address of the court involved and the date and disposition;

11. For each criminal charge (excluding minor traffic charges), whether or not there is a conviction, if such criminal charge is within ten years of the date of the application and is not otherwise listed pursuant to Paragraph (9) or (10) of this subsection, the criminal charge, the name and address of the court involved and the date and disposition;

12. The name and address of any licensing or regulatory agency with which the person has filed an application for an occupational license or permit, whether or not such license or permit was granted;

13. A current photograph;

14. Any other information the Commission deems relevant; and

15. Fingerprints consistent with procedures adopted bys the Commission according to 25 C.F.R. § 522.2(h) which shall require that the Commission take fingerprints and submit them to the Federal Bureau of Investigation for a criminal check against FBI records. In the event that the Commission is temporarily unable to take the applicant's fingerprints, then the Commission and/or the key License Investigator may cause the fingerprints to be taken by the tribal law enforcement or any other city, county, state or federal law enforcement agency.

(d) The Commission shall conduct an investigation sufficient to make a determination under Subsection (e) below. In conducting a background investigation, the Commission, the Key License Investigator or any agent acting on behalf of the Commission and/or the Key License Investigator shall promise to keep confidential the identity of each person interviewed in the course of the investigation.

(e) Eligibility Determination. The Commission 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 primary management official for employment in a gaming operation. In conducting the criminal background check, the Key License Investigator or any agent acting on behalf of the Key License Investigator shall, at a minimum, conduct a search of records maintained in the state of Oklahoma for the previous ten years, search criminal records maintained by Courts of the County wherein the applicant resides and cause a criminal check to be conducted with the records maintained by the Federal Bureau of Investigation. The Key License Investigator shall compile all the information obtained in the investigation and submit the information with a recommendation on the proposed action to the Commission for its review. If the Commission determines that employment of the person poses a threat to the public interest or to the effective regulation of gaming, or creates or enhances dangers of unsuitable, unfair, or illegal practices and methods and activities in the conduct of gaming, a management contractor or a tribal gaming operation shall not employ that person in a key employee or primary management official position.

(f) Procedures for Forwarding Applications and Reports for Key Employees and Primary Management Officials to the Nation Indian Gaming Commission.

1. When a key employee or primary management official begins work at a gaming operation authorized by this ordinance, the Commission shall forward to the National Indian Gaming Commission a completed application for employment and conduct the background investigation and make the determination referred to in Subsection (e) of this section.

2. The Commission shall forward the report referred to in Subsection (g) of this section to the National Indian Gaming Commission within 60 days after an employee begins work or within 60 days of the approval of this ordinance by the Chairman of the National Indian Gaming Commission.

3. The gaming operation shall not employ as a key employee or primary management official a person who does not have a license after 90 days.

(g) Report to the National Indian Gaming Commission.

1. Pursuant to the procedures set out in Subsection (f) of this section, the Commission shall prepare and forward to the National Indian Gaming Commission an investigative report on each background investigation. An investigative report shall include all of the following:

A. Steps taken in conducting a background investigation which shall include all steps set out in Subsection (d) of this section;

B. Results obtained;

C. Conclusions reached; and

D. The ~~basis~~ bases for those conclusions.

2. The Commission shall submit, with the investigative report, a copy of the eligibility determination made under Subsection d of this section. This determination shall include a Statement describing how the information submitted by the applicant was verified; a statement of results following an inquiry into the applicants prior activities, criminal record, if any, and reputation, habits and associations; a Statement showing the results of interviews of a sufficient number of knowledgeable people (such as former employers, personal references, and others referred to by the applicant) in order to provide a basis for the Tribe to make a finding concerning the eligibility for employment in a gaming operation; and a Statement documenting the disposition of all potential problem areas noted and disqualifying information obtained. If a license is not issued to an applicant, the Commission:

A. Shall notify the National Indian Gaming Commission; and

B. May forward copies of its eligibility determination and investigative report (if any) to The National Indian Gaming Commission for the inclusion in the Indian Gaming Individuals Records System.

3. With respect to key employees and primary management officials, the Commission shall retain applications for employment and reports (if any) of background investigations for inspection by the Chairman of the National Indian Gaming Commission or his or her designee for no less than three (3) years from the date of termination of employment.

(h) Granting a Gaming License.

1. If, within a thirty (30) day period after the National Indian Gaming Commission receives a report, the National Indian Gaming Commission notifies the Commission that it has no objection to the issuance of a license pursuant to a license application filed by a key employee or a primary management official for whom the Commission has provided an application and investigative report to the National Indian Gaming Commission, the Commission may issue a license to such applicant.

2. The Commission shall respond to a request for additional information from the Chairman of the National Indian Gaming Commission concerning a key employee or a primary management official who is the subject of a report. Such a request shall suspend the 30-day period under Paragraph 1 of this Section until the Chairman of the National Indian Gaming Commission receives the additional information.

3. If, within the thirty (30) day period described above, the National Indian Gaming Commission provides the Commission with a statement itemizing objections to the issuance of a license to a key employee or to a primary management official for whom the Commission has provided an application and investigative report to the National Indian Gaming Commission, the Commission shall reconsider the application, taking into account the objections itemized by the National Indian Gaming Commission. The Commission shall make the final decision whether to issue a license to such applicant.

(i) License Suspension.

1. If, after the issuance of a gaming license, the Commission receives from the National Indian Gaming Commission reliable information indicating that a key employee or a primary management official is not eligible for employment under Subsection (e) above, the Commission shall suspend such license and shall notify in writing the licensee of the suspension and the proposed revocation.

2. The Commission shall notify the licensee of a time and a place for a hearing on the proposed revocation of a license.

3. After a revocation hearing, the Commission shall decide to revoke or to reinstate a gaming license. The Commission shall notify the National Indian Gaming Commission of its decision.

SECTION 14. Licenses for Vendors.

A license shall be issued and a thorough background investigation shall be conducted on all vendors doing business with the Iowa Tribe of Oklahoma's gaming operations, including the following entities:

1. Partnerships – the partnership itself, each principal including each general, and limited partner of the partnership;

2. Associations -- the association itself, each officer and director of the association;

3. Corporations – the corporation itself, each officer or director of the corporation, and each owner, directly or indirectly, of any equity security, or other ownership interest in the corporation. In the case of owners of publicly held securities, if a publicly traded corporation, background investigations are conducted only upon those persons who are beneficial owners of 5% or more of the publicly held securities.

Provided, however, that financing provided by a federally regulated or state-regulated bank, savings and loan, or trust, or other federally or state-regulated lending institution; any agency of the federal, state, tribal or local government; or any person or entity, including, but not limited to, 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 which bonds or commercially traded instruments are underwritten by any entity whose shares are publicly traded or which underwriter, shall be exempt from the licensing requirements of this section.

(a) Application Forms

1. The following notice shall be placed on the application form for vendors before that form is filled out by an 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.A. § 2701 et seq. The purpose of the requested information is to determine the eligibility of individuals to be employed in a gaming operation. The information will be used by 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, 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 hiring or firing of an employee, the issuance 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 hire you in a primary management official or key 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.

2. The following notice shall be placed on the application form for a vendor before that form is filled out by an applicant:

> A false statement on any part of your application may be grounds for not hiring you, or for firing you after you begin work. Also, you may be punished by fine or imprisonment.
> (U.S. Code, Title 18, Section 1001).

3. The Commission shall request from each vendor all of the following information:

A. Full name, other names used (oral and written), social security number(s), birth date, place of birth, citizen ship, gender, all languages (spoken or written);

B. Evidence of authority to act and commit on behalf of the Applicant acknowledged by Notary Public.

C. Names and addresses in alphabetical order of each director, officer, partner, and shareholders owning, directly or indirectly, 5% or more of the publicly held securities of a publicly traded corporation. Include the following for each person:

(1) Current and complete ownership accounting as a percentage

(2) State of legal residency

D. List of all Applicant's officers, partners, limited partners, and owners of equity security or other ownership interest (5% or more interest in publicly held securities). If the Applicant is an association, list each officer and director.

E. If the Applicant is a trust, list each trustee and beneficiary. Also, include a Personal History Disclosure, Release of Information, and Release of All Claims for each person.

F. If the Applicant is a corporation, partnership, association, or sole proprietorship, include the following information for the Applicant:

(1) Type of business: Corporation, partnership, association, or sole proprietorship

(2) State of incorporation

(3) Date of incorporation

(4) Date of qualification to do business in any state in which the organization is incorporated

(5) Registered agent, address, and telephone number

(6) Certified copy of the Articles of Incorporation or, if not a corporation, a true copy of the partnership agreement or other organizational document

(7) Disclosure for directors, officers, or owners, during the ten (10) years immediately preceding the application of arrest, charges, convictions or plea of guilty or no contest to a felony, a gaming-related offense, fraud, or misrepresentation in any connection, of tribal, federal or state statutes

(8) Evidence of other licenses or permits to gaming in any jurisdiction, including Native American Nations, whether or not such license or permit was granted

(9) All civil litigation (including bankruptcies and collection agencies) to which the Applicant has been a party as a plaintiff or defendant during the immediately preceding ten (10) years.

G. Description of the nature of Applicant's business, including types of supplies, services, and/or equipment offered by Applicant.

H. Applicant's audited financial statements and auditor's opinion for the Applicant's last three fiscal years. If the statements and opinions for the most recently completed fiscal years are not available, explain why, and submit copies of statements and opinions for the most recent three fiscal years for which they are available.

I. Authorization or release of Applicant information, as provided.

J. Disclosure of Designation of Confidential and Proprietary Information

K. Disclosure to Employment Applicant Regarding Procurement of a Consumer Report and Release Authorization for Consumer Report Form, as provided.

(b) The Commission shall conduct an investigation sufficient to make a determination under Subsection (c) below. In conducting a background investigation, the Commission, the Key License Investigator or any agent acting on behalf of the Commission and/or the Key License Investigator shall promise to keep confidential the identity of each person interviewed in the course of the investigation.

(c) Eligibility Determination. The Commission shall review a vendor's prior activities, criminal record, if any, and reputation, habits and associations to make a finding concerning the eligibility of a key employee or primary management official for employment in a gaming operation. In conducting the criminal background check, the Key License Investigator or any agent acting on behalf of the Key License Investigator shall, at a minimum, conduct a search of records maintained in the state of Oklahoma for the previous ten years, search criminal records maintained by Courts of the County wherein the applicant resides and cause a criminal check to be conducted with the records maintained by the Federal Bureau of Investigation. The Key License Investigator shall compile all the information obtained in the investigation and submit the information with a recommendation on the proposed action to the Commission for its review. If the Commission determines that employment of the person poses a threat to the public interest or to the effective regulation of gaming, or creates or enhances dangers of unsuitable, unfair, or illegal practices and methods and activities in the conduct of gaming, a tribal gaming operation shall not employ that person. in a Key employee or primary management official position a management contractor or

(d) Report to the National Indian Gaming Commission.

1. Pursuant to the procedures set out in Subsection (e) of this section, the Commission shall prepare and forward to the National Indian Gaming Commission an investigative report on each background investigation. An investigative report shall include all of the following:

A. Steps taken in conducting a background investigation which shall include all steps set out in Subsection (a) of this section;

B. Results obtained;

C. Conclusions reached; and

D. The basis for those conclusions.

2. The Commission shall submit, with the report, a copy of the eligibility determination made under Subsection (c) of this section.

3. If a license is not issued to an applicant, the Commission:

A. Shall notify the National Indian Gaming Commission; and

B. May forward copies of its eligibility determination and investigative report (if any) to the National Indian Gaming Commission for the inclusion in the Indian Gaming Individuals Records System.

4. With respect to vendors, the Commission shall retain applications for employment and reports (if any) of background investigations for inspection by the Chairman of the National Indian Gaming Commission or his or her designee for no less than three (3) years from the date of termination of employment.

(e) Granting a Vendor License.

1. If, within a thirty (30) day period after the National Indian Gaming Commission receives a report, the National Indian Gaming Commission notifies the Commission that it has no objection to the issuance of a license pursuant to a license application filed by a vendor for whom the Commission has provided an application and investigative report to the National Indian Gaming Commission, the Commission may issue a license to such applicant.

2. The Commission shall respond to a request for additional information from the Chairman of the National Indian Gaming Commission concerning a vendor who is the subject of a

report. Such a request shall suspend the 30-day period under Paragraph (e)(1) of this section until the Chairman of the National Indian Gaming Commission receives the additional information.

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

(f) License Suspension.

1. If, after the issuance of a gaming license, the Commission receives from the National Indian Gaming Commission reliable information indicating that a vendor is not eligible for employment under Subsection (d) above, the Commission shall suspend such license and shall notify in writing the licensee of the suspension and the proposed revocation.

2. The Commission shall notify the licensee of a time and a place for a hearing on the proposed revocation of a license.

3. After a revocation hearing, the Commission shall decide to revoke or to reinstate a gaming license. The Commission shall notify the National Indian Gaming Commission of its decision.

SECTION 15. Gaming Account, Records, & Annual Audit

(a) Gaming Account. The Business Committee shall designate one banking account as the Tribal "Gaming Account." The account shall be maintained in a financial institution designated by the Business Committee. The Gaming Account shall be part of the Annual Audit. Gross revenues derived from the conduct of Tribal gaming operations, excluding any cash payouts made during a Gaming Session, shall be deposited daily in the Tribal Gaming Account. No other monies shall be commingled with the Tribal Gaming Account. Net revenues are to be transferred monthly to the Tribe's General Fund account to be disbursed solely as authorized by Business Committee appropriation.

(b) Records. The Business Committee or its designee shall keep and maintain records concerning all gaming operations. These records shall be audited annually and the audit reports shall be open for inspection by any Tribal member.

(c) Annual Audit. In compliance with a U.S.C. § 2710 (b) (2) (c) and (d), all gaming activities shall be subject to an audit by independent certified public accountants, not less than annually, and copies of the annual audit shall be provided to the National Indian Gaming Commission. All contracts for supplies, services, or concessions for a contract amount in excess of $25,000 annually (except contracts for professional legal or accounting services) relating to Class II or Class III gaming shall be subject to such audits.

SECTION 16. Supplies and Equipment

All expenses of the gaming operation must be approved. Provided further that all contracts for purchases of supplies, concession or services (excluding contracts for professional, legal or accounting services) in excess of Twenty-five Thousand ($25,000) Dollars must receive prior approval of the Business Committee. All purchases of equipment, materials, concessions and food or any other item paid from the Gaming Account shall be the property of the Tribe.

SECTION 17. Location and Schedule of Gaming

All gaming sessions authorized herein shall be conducted at a place on Indian Lands and on such days and times as may be approved by the Business Committee. The location and time for conducting Class III Gaming shall be consistent with any Tribal-State Compact.

SECTION 18. Discrimination

The Commission may bar any person from admittance to any Tribal gaming facility for any or no reason whatsoever. However, no person shall be discriminated against because of his race, color, creed, sex or natural origin.

SECTION 19. Report of Winners and Dispute Resolution

(a) No prize shall be awarded unless the winner has fairly won without any collusion

with the Commission, its Executive Director or any of his employees or agents of the gaming operation. A receipt acknowledging acceptance and receipt of the prize awarded must be signed by any winner regardless of the amount. The Commission has the authority to hold the payment of any winnings indefinitely until the final verification of authentic winning has been determined whether by inquiry or electronic means of validation upon the approval of the Business Committee. The Commissioner or his designee shall make accurate and timely reports to the Internal Revenue Service of any winners at any gaming facility whose prize winnings exceed the minimum limits set by the Internal Revenue Service. In which case, acceptable proof of winners' name, address and social security number must be presented to the Commission or its designee in order to be paid prizes.

(b) Patron Disputes.

1. Refusal to pay winnings. Whenever the gaming operation refuses payment of alleged winnings to a patron, and the gaming manager and the patron are unable to resolve the dispute to the satisfaction of the patron and the dispute involves:

A. At least five hundred dollars ($500), the Gaming Manager shall immediately notify the Gaming Commission. The Gaming Commission shall conduct whatever investigation it deems necessary and shall determine whether payment should be made; or

B. Less than five hundred dollars ($500), the Gaming Manager shall inform the patron of his or her right to request that the Gaming Commission conduct an investigation. Upon request of the patron, the Gaming Commission shall conduct whatever investigation it deems necessary and shall determine whether payment should be made.

(c) Notice to patrons. The Gaming Commission shall mail written notice by certified mail, return receipt requested, to the Gaming Manager, and the patron of the decision resolving the dispute within thirty (30) days after the date that the Gaming Commission first receives notification from the Gaming Manager or a request to conduct an investigation from the patron.

(d) Effective date of decision. The decision of the Gaming Manager is effective on the date it is received by the aggrieved party as reflected on the return receipt.

(e) Review of decision. Within thirty (30) days after the date of receipt of the written decision, the aggrieved party may file a petition with the Gaming Commission requesting a review of the decision. The Gaming Commission may set a hearing on the matter or may make a decision based solely upon the prior decision and other documentation provided to it by the patron and the Gaming Manager. The Gaming Commission shall then issue a written decision and mail it to the parties to the procedures set forth in subpart (c) of this Section. The decision of

the Gaming Commission shall be final and biding upon the patron the Gaming Manger and shall not be subject to judicial review, dispute resolution, or other legal action .

SECTION 20. Criminal Penalties

Any person or firm subject to the jurisdiction of the Iowa Tribe of Oklahoma found violating the provisions of this chapter shall be guilty of an offense and shall, upon conviction thereof, be punished as provided by law. Upon conviction, a person may be punished by confinement for a period of not less than ten (10) days and no more than six (6) months or by a fine of not less than $500 and no more than $5,000, or by both such fine and imprisonment.

SECTION 21. Service of Process

All notices or process made pursuant to this ordinance may be made by directing said notice to:

Chairman
Iowa Tribe of Oklahoma Business Committee
RR. 1 Box 721
Perkins, Oklahoma 74059

SECTION 22. Amendment

This ordinance may be repealed or amended by the Business Committee without requiring the approval of the Tribal Council consistent with Section 6 of the Gaming Ordinance of the Iowa Tribe, as adopted by Ordinance No. ~~93-03~~ 95-04 in an act of the Iowa Tribal Council. Any repeal or amendment made to this Ordinance must be submitted to the National Indian Gaming Commission for approval.

SECTION 23. Repealer

This Gaming Ordinance repeals the Gaming Ordinance of the Iowa Tribe, adopted as Ordinance No. ~~93-03~~ 95-04 by the Iowa General Council.

SECTION 24. Effective Date

This Amended Gaming Ordinance, as amended, shall become effective on the date of approval by the Business Committee by and through the authority vested in the Business Committee by Ordinance No. ~~93-03~~ 95.04.

(a) Gaming Account. The Business Committee shall designate one banking account as the Tribal "Gaming Account." The account shall be maintained in a financial institution designated by the Business Committee. The Gaming Account shall be part of the Annual Audit. Gross revenues derived from the conduct of Tribal gaming operations, excluding any cash payouts made during a Gaming Session, shall be deposited daily in the Tribal Gaming Account. No other monies shall be commingled with the Tribal Gaming Account. ~~Net revenues are to be transferred monthly to the Tribe's General Fund account to be disbursed solely as authorized by Business Committee appropriation.~~

(b) Records. The Business Committee or its designee shall keep and maintain records concerning all gaming operations. These records shall be audited annually and the audit reports shall be open for inspection by any Tribal member.

(c) Annual Audit. In compliance with a U.S.C. § 2710 (b) (2) (c) and (d), all gaming activities shall be subject to an audit by independent certified public accountants, not less than annually, and copies of the annual audit shall be provided to the National Indian Gaming Commission. All contracts for supplies, services, or concessions for a contract amount in excess of $25,000 annually (except contracts for professional legal or accounting services) relating to Class II or Class III gaming shall be subject to such audits.

SECTION 16. Supplies and Equipment

All expenses of the gaming operation must be approved. Provided further that all contracts for purchases of supplies, concession or services (excluding contracts for professional, legal or accounting services) in excess of Twenty-five Thousand ($25,000) Dollars must receive prior approval of the Business Committee. All purchases of equipment, materials, concessions and food or any other item paid from the Gaming Account shall be the property of the Tribe.

SECTION 17. Location and Schedule of Gaming

All gaming sessions authorized herein shall be conducted at a place on Indian Lands and on such days and times as may be approved by the Business Committee. The location and time for conducting Class III Gaming shall be consistent with any Tribal-State Compact.

SECTION 18. Discrimination

The Commission may bar any person from admittance to any Tribal gaming facility for any or no reason whatsoever. However, no person shall be discriminated against because of his race, color, creed, sex or natural origin.

SECTION 19. Report of Winners and Dispute Resolution

(a) No prize shall be awarded unless the winner has fairly won without any collusion

Iowa Tribe of Oklahoma

R.R. 1, Box 721
Perkins, Oklahoma 74059
(405) 547-2402
Fax: (405) 547-5294

RESOLUTION I-05-83

A RESOLUTION OF THE IOWA TRIBE OF OKLAHOMA AMENDING THE IOWA TRIBE OF OKLAHOMA GAMING ORDINANCE

WHEREAS: The Iowa Tribe of Oklahoma is a federally recognized Indian Tribe, organized pursuant to the Thomas-Rogers Oklahoma Indian Welfare Act, and has a Constitution approved by the Secretary of Interior; and

WHEREAS: The Business Committee has the power to conduct business and otherwise speak or act on behalf of the Tribe in all matters on which the Tribe is empowered to act pursuant to Article V, Section 2 of the Tribal Constitution; and

WHEREAS: The General Council of the Iowa Tribe of Oklahoma approved the adoption of Ordinance 95-04, the Iowa Tribal Gaming Ordinance, on September 12, 1995, at a duly called meeting of the General Council and the Iowa Tribal Gaming Ordinance was approved by the National Indian Gaming Commission on December 18, 1995; and

WHEREAS: Section 24 of the Iowa Tribal Gaming Ordinance granted the Business Committee the authority to amend the gaming ordinance as necessary; and

WHEREAS: It is necessary for the Iowa Tribal Gaming Ordinance to be reviewed and amended from time to time to address deficiencies or needed changes sot that the Iowa Tribal gaming operation may operate efficiently and lawfully under the Indian Gaming Regulatory Act; and

WHEREAS: On August 11, 2005, the Iowa Tribe of Oklahoma submitted to the National Indian Gaming Commission a proposed revision to the Iowa Tribal Gaming Ordinance; and

WHEREAS: The National Indian Gaming Commission has reviewed the gaming ordinance and suggested several changes be made to the ordinance; and

WHEREAS: The Business Committee, prior to responding to the NIGC suggested changes, withdrew the gaming ordinance in order to make the suggested changes; and

WHEREAS, The Business Committee has made revisions to the Iowa Tribal Gaming Ordinance and has determined that the Gaming Ordinance should be submitted again to the NIGC for consideration and approval; and

WHEREAS, On November 11, 2005, the Business Committee submitted the revisions to the NIGC for consideration and approval; and

WHEREAS, Since the submission of the revised Gaming Ordinance, the Business Committee has become aware that one further revision should be made to the Gaming Ordinance; and

WHEREAS The Business Committee has determined that Section 15 (a) on page 26 of the Amended Gaming Ordinance should be amended to delete one sentence as more specifically demonstrated by Attachment A to the this Resolution.

NOW, THEREFORE, BE IT RESOLVED That the Business Committee of the Iowa Tribe of Oklahoma hereby amends the Iowa Tribal Gaming Ordinance as attached hereto and said amendment to the ordinance is made a part of this resolution; and

BE IT FURTHER RESOLVED That this Resolution and attached amended page 26 to the Gaming Ordinance shall be submitted to the National Indian Gaming Commission for its review and approval as part of the Gaming Ordinance submitted on November 11, 2005 which submission has been acknowledged as received by the NIGC.

CERTIFICATION

We, E. Bernadette Huber, Chairman of the Iowa Tribe of Oklahoma, and Eugene Big Soldier, Jr., Secretary of the Iowa Tribe of Oklahoma do hereby certify that the above Resolution I-05-83, to be a true and exact copy as approved at a duly called Special Business Committee Meeting held on November 22, 2005 by a vote of 4 yeas, 0 nays, and 1 abstention.

E. Bernadette Huber

E. Bernadette Huber, Chairman
Iowa Tribe of Oklahoma

Eugene Big Soldier, Jr., Secretary
Iowa Tribe of Oklahoma