NATIONAL
INDIAN
GAMING
COMMISSION

JAN - 4 1994

Raymond Hunter, Chairman
Jamul Band of Mission Indians
P.O. Box 612
Jamul, California 91935

Dear Chairman Hunter:

This letter responds to your request to review and approve the tribal gaming ordinance submitted on November 26, 1993, for the Jamul Band of Mission Indians (the Band). This letter constitutes such approval under the Indian Gaming Regulatory Act (IGRA).

Under the IGRA and the regulations of the National Indian Gaming Commission (NIGC), the Chairman is directed to review ordinances with respect to the requirements of the IGRA and the implementing regulations. Thus, the scope of the Chairman's review and approval is limited to the requirements of the IGRA and the NIGC regulations. Provisions other than those required under the IGRA or the NIGC regulations that may be included in a tribal ordinance are not subject to review and approval. Also, such approval does not constitute approval of specific games.

It is important to note that the gaming ordinance is approved for gaming only on Indian lands as defined in the IGRA.

With the Chairman's approval of the Band's gaming ordinance, the Band is now required to conduct background investigations on its key employees and primary management officials. The NIGC expects to receive a completed application for each key employee and primary management official pursuant to 25 C.F.R. § 556.5(a) and an investigative report on each background investigation before issuing a license to a key employee or primary management official pursuant to 25 C.F.R. § 556.5(b).

Thank you for submitting the ordinance of the Jamul Band of Mission Indians for review and approval. The NIGC staff and I look forward to working with you and the Band in implementing the IGRA.

Sincerely yours,

Anthony J. Hope
Chairman

1850 M STREET, N.W., SUITE 250 WASHINGTON, D.C. 20036 TEL: 202-632-7003 FAX: 202-632-7066

It is imperative that the meeting be held on these dates to accommodate the scheduling priorities of the key participants. Visitors will be requested to sign a visitor's register.

Dated: January 22, 1999.

Matthew M. Crouch,

Advisory Committee Management Officer, National Aeronautics and Space Administration.

[FR Doc. 99–2191 Filed 1–28–99; 8:45 am]

BILLING CODE 7510–01–P

NATIONAL AERONAUTICS AND SPACE ADMINISTRATION

[Notice 99–023]

NASA Advisory Council (NAC), Space Science Advisory Committee (SScAC), Astronomical Search for Origins and Planetary Systems (ORIGINS) Subcommittee; Meeting.

AGENCY: National Aeronautics and Space Administration.

ACTION: Notice of meeting.

SUMMARY: In accordance with the Federal Advisory Committee Act, Pub. L. 92–463, as amended, the National Aeronautics and Space Administration announces a forthcoming meeting of the NASA Advisory Council, Space Science Advisory Committee, ORIGINS Subcommittee.

DATES: Monday, February 22, 1999, 8:30 a.m. to 5:00 p.m.; and Tuesday, February 23, 1999, 8:30 a.m. to 5:00 p.m.

ADDRESSES: Burmuda Room, Radisson Resort at the Port Hotel, 8701 Astronaut Boulevard, Cape Canaveral, Florida 32920.

FOR FURTHER INFORMATION CONTACT: Dr. Harley Thronson, Code SR, National Aeronautics and Space Administration, Washington, DC 20546, 202/358–0362.

SUPPLEMENTARY INFORMATION: The meeting will be open to the public up to the capacity of the room. The agenda for the meeting includes the following topics:

—ORIGINS Programmatic Update
—NGST Status
—OSS Theme Report
—Reports From Other Themes
—New Strategic Plan

It is imperative that the meeting be held on these dates to accommodate the scheduling priorities of the key participants. Visitors will be requested to sign a visitor's register.

Dated: January 22, 1999.

Matthew M. Crouch,

Advisory Committee Management Officer, National Aeronautics and Space Administration.

[FR Doc. 99–2192 Filed 1–28–99; 8:45 am]

BILLING CODE 7510–01–P

NATIONAL AERONAUTICS AND SPACE ADMINISTRATION

[Notice 99–024]

NASA Advisory Council (NAC), Space Science Advisory Committee (SScAC); Meeting

AGENCY: National Aeronautics and Space Administration.

ACTION: Notice of meeting.

SUMMARY: In accordance with the Federal Advisory Committee Act, Pub. L. 92–463, as amended, the National Aeronautics and Space Administration announces a forthcoming meeting of the NASA Advisory Council, Space Science Advisory Committee.

DATES: Wednesday, February 24, 1999, 9:00 a.m. to 5:30 p.m.; Thursday, February 25, 1999, 8:00 a.m. to 5:45 p.m.; Friday, February 26, 1999, 8:30 a.m. to 12:00 p.m.

ADDRESSES: Salon 1, Radisson Resort at the Port, 8701 Astronaut Boulevard, Cape Canaveral, Florida 32920.

FOR FURTHER INFORMATION CONTACT: Dr. Jeffrey Rosendhal, Code S, National Aeronautics and Space Administration, Washington, DC 20546, 202/358–2470.

SUPPLEMENTARY INFORMATION: The meeting will be open to the public up to the capacity of the room. The agenda for the meeting is as follows:

—OSS Program and Budget Status
—Theme Status Reports/Reports from Subcommittees
—Technology Program Update
—Plans for Developing the FY 2000 Strategic Plan
—Research Program Update
—Science Operations Management Office Update

It is imperative that the meeting be held on these dates to accommodate the scheduling priorities of the key participants. Visitors will be requested to sign a visitor's register.

Dated: January 22, 1999.

Matthew M. Crouch,

Advisory Committee Management Officer, National Aeronautics and Space Administration.

[FR Doc. 99–2193 Filed 1–28–99; 8:45 am]

BILLING CODE 7510–01–P

NATIONAL INDIAN GAMING COMMISSION

Notice of Approval of Class III Tribal Gaming Ordinances

AGENCY: National Indian Gaming Commission.

ACTION: Notice.

SUMMARY: The purpose of this notice is to inform the public of class III gaming ordinances approved by the Chairman of the National Indian Gaming Commission.

FOR FURTHER INFORMATION CONTACT: Ms. Frances Fragua at the National Indian Gaming Commission, (202) 632–7003, or by facsimile at (202) 632–7066 (not toll-free numbers).

SUPPLEMENTARY INFORMATION: The Indian Gaming Regulatory Act (IGRA) 25 U.S.C. 2701 *et seq.*, was signed into law on October 17, 1988. The IGRA established the National Indian Gaming Commission (Commission). Section 2710 of the IGRA authorizes the Commission to approve class II and class III tribal gaming ordinances. Section 2710(d) (2) (B) of the IGRA as implemented by 25 C.F.R. Section 522.8 (58 FR 5811 (January 22, 1993)), requires the Commission to publish, in the **Federal Register**, approved class III gaming ordinances.

The IGRA requires all tribal gaming ordinances to contain the same requirements concerning ownership of the gaming activity, use of net revenues, annual audits, health and safety, background investigations and licensing of key employees. The Commission, therefore, believes that publication of each ordinance in the **Federal Register** would be redundant and result in unnecessary cost to the Commission. The Commission believes that publishing a notice of approval of each class III gaming ordinance is sufficient to meet the requirements of 25 U.S.C. Section 2710(d)(2)(B). Also, the Commission will make copies of approved class III ordinances available to the public upon request. Requests can be made in writing to the: National Indian Gaming Commission, 1441 L Street, N.W., Suite 9100, Washington, D.C. 20005.

The Chairman has approved tribal gaming ordinances authorizing class III gaming for the following tribes:

1. Agua Caliente Band of Cahuilla Indians
2. Apache Tribe of Oklahoma
3. Auberry Big Sandy Rancheria
4. Augustine Band of Mission Indians
5. Band River Band of Lake Superior Tribe of Chippewa Indians
6. Bay Mills Indian Community
7. Bear River Band of the Rohnerville Rancheria

8. Blackfeet Tribe of Indians
9. Bridgeport Indian Colony
10. Buena Vista Rancheria of Me-Wuk Indians
11. Burns Paiute Tribe
12. Cahto Tribe of the Laytonville Rancheria
13. Cahuilla Band of Mission Indians
14. Cherokee Nation of Oklahoma
15. Chicken Ranch Band of Me-Wuk Indians
16. Chippewa Cree Tribe of the Rocky Boy's Reservation
17. Chitimacha Tribe of Louisiana
18. Choctaw Nation of Oklahoma
19. Confederated Salish & Kootenai Tribes of the Flathead Nation
20. Cow Creek Band of Umpqua Indians
21. Dry Creek Rancheria
22. Forest County Potawatomi Community
23. Grand Portage Band of Chippewa Indians
24. Hoopa Valley Tribe
25. Iowa Tribe of Kansas and Nebraska
26. Jackson Rancheria Band of Miwuk Indians
27. Jamul Band of Mission Indians
28. Kalispel Tribe of Indians
29. Kaw Nation of Oklahoma
30. Kialegee Tribal Town Business Committee
31. Kickapoo Traditional Tribe of Texas
32. Little Traverse Bay Bands of Odawa Indians
33. Lower Elwha S'Klallam Tribe
34. Lower Sioux Indian Community
35. Makah Indian Tribe of the Makah Indian Rancheria
36. Metlakatla Indian Community
37. Miccosukee Business Committee
38. Mississippi Band of Choctaw Indians
39. Nooksack Indian Tribe
40. Osage Nation
41. Otoe-Missouria Tribe of Oklahoma
42. Ottawa Tribe of Oklahoma
43. Pascua Yaqui Tribe of Arizona
44. Passamaquoddy Tribe
45. Poarch Band of Creek Indians
46. Pueblo of San Ildefonso
47. Pueblo of Santa Clara
48. Redding Rancheria
49. Reno-Sparks Indian Colony
50. Rumsey Indian Rancheria
51. Sac & Fox Nation of Oklahoma
52. Santa Ysabel Band of Mission Indians
53. Santee Sioux Tribe of Nebraska
54. Seminole Nation of Oklahoma
55. Seneca Nation of Indians
56. Seneca-Cayuga Tribe of Oklahoma
57. Shakopee Mdewakanton Sioux Community
58. Shoalwater Bay Indian Tribe
59. Skokomish Indian Tribe
60. Soboba Band of Mission Indians
61. Sokaogon Chippewa Community
62. Standing Rock Sioux Tribe
63. Stockbridge-Munsee Community
64. Table Mountain Rancheria
65. Thlopthlocco Tribal Town
66. Tohono O'odham Nation
67. Tonto Apache Tribe
68. Trinidad Rancheria
69. United Keetoowah Band of Cherokee Indians
70. Viejas Band of Mission Indians
71. Washoe Tribe of Nevada and California
72. White Earth Band of Chippewa Indians
73. White Mountain Apache Tribe
74. Yavapai Apache Tribe
75. Ysleta De Sur Pueblo Indian Tribe

Barry Brandon,

General Counsel.

[FR Doc. 99-2218 Filed 1-28-99; 8:45 am]

BILLING CODE 7565-01-U

NUCLEAR REGULATORY COMMISSION

[Docket No. 030-17711 License No. 52-19438-01 EA-99-014]

In the Matter of NDT Services, Inc., Caguas, Puerto Rico; Order Modifying License (Effective Immediately)

I

NDT Services, Inc. (Licensee or NDTS) is the holder of Material License No. 52-19438-01 (License) issued by the Nuclear Regulatory Commission (NRC or Commission) pursuant to 10 CFR Part 30. The License authorizes possession and use of up to 100 curies of Iridium 192 in sealed radiography sources and up to 20 curies of Cobalt 60 in sealed sources for performing radiography. The license was originally issued on August 21, 1980, was most recently amended on December 12, 1995, and is due to expire on January 31, 2002.

II

On March 27, 1998, the NRC issued an Order Suspending License (Effective Immediately) to NDTS based on the seriousness of issues identified during inspections conducted on August 6 and October 4, 1997, and February 6, 1998, and the initial evidence gathered during an investigation conducted by the NRC Office of Investigations (OI). The Order of March 27, 1998, required, among other things, that NDTS immediately suspend all radiographic operations authorized by its license and ensure that the licensed material was placed in locked, safe storage.

In response to the Order of March 27, 1998, NDTS immediately suspended all radiographic operations and secured all licensed material in locked, safe storage at the location specified in Condition 10 of the license. This facility is owned by Crossland Boilers Sales and Service, Inc. (Crossland Boilers).

Pertinent to this issue is the current corporate status of NDTS and Crossland Boilers. Although no corporate relationship exists between NDTS and Crossland Boilers, they have a common owner, Mr. Thomas B. Crossland. On July 24, 1998, the NRC Region II Office received information that Crossland Boilers had filed for Chapter 11 Bankruptcy on May 22, 1998. First Bank of Puerto Rico, a secured lender of Crossland Boilers, provided security to protect some of the assets of Crossland Boilers, which are subject to liquidation in favor of the Bank. The licensed material is in the same building as these assets.

The security of the sources and continued compliance with the Order of March 27, 1998, was verified during NRC inspections conducted on March 30, June 3, July 16, and August 19, 1998. These inspections confirmed that the licensed material was being maintained inside a fenced building. The fence contained a gate to allow access, and access to the building interior was controlled by a door with a lock. The building contained a vault located on the second floor which has a metal cabinet with three cubicles. Each cubicle possessed a separate lock, and contained two radiographic exposure devices containing Iridium 192 per cubicle (six radiographic exposure devices in total). An additional radiographic exposure device containing a Cobalt 60 source was also located inside the vault (not inside a cubicle). Each radiographic exposure device also contained its own locking device to control licensed material removal and exposure. NRC inspections confirmed that the licensed material and locking devices, including all keys, were under the control of Clarence David Vaughn, President and Radiation Safety Officer (RSO) of NDTS. The inspection of August 19, 1998, confirmed that representatives of First Bank had arranged for a contractor to provide for 24-hour security at the facility. The RSO indicated during the June 3, 1998, inspection his understanding and willingness to contact the NRC should the RSO determine that he can no longer maintain adequate control of the licensed material.

On January 11, 1999, an NRC inspector, accompanied by the RSO, attempted to determine the security of the sources and continued compliance with the Order of March 27, 1998. The RSO informed the inspector at that time that on September 24, 1998, in response to Hurricane Georges, he had conducted an inspection of the facility and confirmed the security and safe storage of the licensed material. During the January 11, 1999 inspection, the NRC and the RSO were unable to gain access to the building as the lock which secured access to the building had been changed. The NRC learned shortly thereafter that a representative of First Bank maintained the key to this lock. After subsequent contact with a First Bank representative, on January 14, 1999, the NRC, the RSO, and Mr. Sergio Olivero, Assistant Vice President for

JAMUL INDIAN VILLAGE OF CALIFORNIA

RESOLUTION

WHEREAS, the Jamul Indian Village of California is a federally recognized Indian Tribe (hereinafter "the Tribe"); and

WHEREAS, the General Council of the Jamul Indian Village of California is the Tribe's governing body; and

WHEREAS, the Tribe plans to engage in various forms of Class II gaming on the Reservation and is presently negotiating a Class III tribal-state compact with the State of California; and

WHEREAS, the National Indian Gaming Commission has now promulgated regulations, which contain explicit requirements concerning gaming employee licensing, background checks, and related matters; and

WHEREAS, the Tribe wishes to ensure that its Class II gaming operations comply with these new regulations; and

WHEREAS, the Tribe believes that the new regulations will further enhance the Tribe's capability to ensure that its Class II gaming operations are managed honestly and efficiently; and

WHEREAS, the Tribe wishes to designate the San Diego Sheriff's Department to take fingerprints and the National Indian Gaming Commission to process criminal history checks through the Federal Bureau Investigation on key employees and primary management officials; and

WHEREAS, the Tribe wishes to designate Raymond Hunter, Chairman, as its agent for service of process for official communications from the National Indian Gaming Commission;

NOW THEREFORE BE IT RESOLVED that the General Council hereby enacts the Class II Gaming Ordinance attached hereto, and authorizes its Chairman, Raymond Hunter, to execute the ordinance and submit said ordinance with all accompanying documents required to the National Indian Gaming Commission for review and approval.

CERTIFICATION

The foregoing resolution was adopted by a vote of 10 for, and 0 against and 0 abstentions, at a duly called meeting of the General Council, at which a quorum was present, on this 3rd day of August, 1993.

Raymond Hunter, Chairman

j:\palace\\jamul\gaming.res

APPROVED

ORDINANCE NO. _____

TRIBAL CLASS II GAMING ORDINANCE

I. Purpose

The General Council of the Jamul Indian Village of California (hereinafter "Tribe"), empowered by the Tribe's Constitution to enact ordinances, hereby enacts this ordinance in order to set the terms for Class II gaming activities on tribal lands.

II. Gaming Authorized

All forms of Class II gaming as defined in the Indian Gaming Regulatory Act, P.L. 100-447, 25 U.S.C. Section 2703(7)(A) ("IGRA") are hereby authorized, including but not limited to bingo, pulltabs, and non-banking card games.

III. Ownership of Gaming

The Tribe shall maintain the sole propriety interest in and responsibility for the conduct of all Class II gaming activities authorized by this ordinance.

IV. Use of Gaming Revenue

A. Net revenues from the Tribe's share of Class II gaming activities authorized herein shall be used only for the following purposes: to fund tribal government operations and programs; provide for general welfare of the Tribe and its members; promote tribal economic development; donate to charitable organizations; or help fund operations of local government agencies.

B. If the Tribe elects to make per capita payments, it shall authorize such payments only upon approval of a plan submitted to the Secretary of Interior under § 2710(b)(3) of IGRA.

V. Audit

An annual independent audit of all gaming activities, including all contracts for supplies, services or concessions in excess of $25,000.00 annually, except contracts for professional legal and accounting services, shall be conducted and provided to the National Indian Gaming Commission (hereinafter "Commission") annually.

VI. Environmental Protection

The construction, maintenance and operation of Class II gaming facilities and Class II games shall be conducted in a manner which adequately protects the environment and the public health and safety.

VII. Licenses for Key Employees and Primary Management Officials

The Tribe 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 gaming enterprise operated on tribal lands:

A. Definitions

For the purposes of this section, the following definitions apply:

1. Key employee.

(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 records 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.

(a) The person having management responsibility for a management contract;

(b) Any person who has authority:

(1) To hire and fire employees; or

(2) 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. 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, Tribal, State, local, or foreign law enforcement and regulatory agencies when relevant to civil, criminal or regulatory investigations or prosecutions or when pursuant to a requirement by a tribe or the National Indian Gaming Commission in connection with the 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 management 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 Tribe 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 Tribe shall request from each primary management official and from each key employee all of the following information:

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

b. Currently and for the previous 5 years: business and employment positions held, ownership interests in those businesses, business and residence addresses, and drivers license numbers;

c. 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 (i)(b) of this section;

d. Current business and residence telephone numbers;

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

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

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

h. For each felony for which there is an ongoing prosecution or a conviction, the charge, the name and address of the court involved, and the date and disposition if any;

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

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

k. 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;

l. A photograph;

m. Any other information a tribe deems relevant; and

n. Fingerprints consistent with procedures adopted by a tribe according to 25 C.F.R. § 522.2(h).

2. The Tribe shall conduct an investigation sufficient to make a determination under subsection (c) below. In conducting a background investigation, the Tribe shall promise to keep confidential the identity of each person interviewed in the course of the investigation.

D. Eligibility Determination

1. The General Council of the Tribe shall review a person's prior activities, criminal record, if any, and reputation, habits and associations to make a finding concerning the eligibility of a key employee or a primary

management official for employment in a gaming operation. If the General Council 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.

2. The Tribe's gaming operation shall not employ in a key employee or primary management official position a person who has supplied materially false or misleading information with respect to the required information for that person's background investigation under subsection B above.

E. Procedures for Forwarding Applications and Reports for Key Employees and Primary Management Officials to the Commission

1. When a key employee or primary management official begins work, the Tribe shall forward to the Commission a completed application for employment and conduct the background investigation and determination referred to in subsections A, B, C and D of this section.

2. Upon completion, the Tribe shall forward the report referred to in subsection F of this section to the Commission within 60 days after an employee begins work or within 60 days of the Chairman's approval of this ordinance.

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

E. Report to Commission

1. Pursuant to the procedures set out in subsection E of this section, the Tribe shall prepare and forward to the 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;

b. Results obtained;

c. Conclusions reached; and

d. The bases for those conclusions.

e. The Tribe shall include in its report a copy of the eligibility determination made under section D of this section.

2. If a license is not issued to an applicant:

a. The Tribe shall notify the Commission; and

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

3. The Tribe shall retain applications for employment and reports (if any) of background investigations for inspection by the Chairman of the Commission or his or her designee for no less than three (3) years from the date of termination of employment.

G. Granting a Gaming License

1. If, within a thirty (30) day period after the Commission receives a report, the Commission notifies the tribe 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 tribe has provided an application and investigative report to the Commission, the Tribe may go forward and issue a license to such applicant.

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

3. The thirty (30) day period described in this section may be suspended by the Commission after the Commission makes an investigative report if the Chairman requests additional information from the Tribe, until the Chairman receives the information. The Tribe shall respond to any request from the Chairman of the Commission for such additional information.

H. License Suspension

1. If, after the issuance of a gaming license, the Commission receives reliable information indicating that a key employee or a primary management official is not eligible for employment under subsection C above, the Commission shall notify the Tribe that issued a gaming license.

2. Upon receipt of such notification under paragraph (1) above, the Tribe shall suspend such license and shall

notify in writing the licensee of the suspension and the proposed revocation.

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

4. After a revocation hearing, the Tribe shall decide to revoke or to reinstate a gaming license. The Tribe shall notify the Commission of its decision.

VIII. Customer Dispute Resolution Procedure

The general manager of the tribal gaming operation shall attempt to resolve on an informal basis any customer complaints relating to payment of prizes or services and report any such resolution to the governing body of the enterprise. If the complaint cannot be resolved at the general manager level, the customer shall be informed that he/she has the right to present his or her complaint to the governing body of the gaming enterprise, whose decision shall be final.

IX. IGRA Compliance

The Tribe shall ensure enforcement of rules and regulations for all games played to ensure that they conform to the Indian Gaming Regulatory Act and that the games are honest and fair.

X. License Locations

The Tribe shall issue a separate license to each place, facility or location on tribal lands where Class II gaming is conducted under this ordinance.

XI. Repeal

All prior gaming ordinances are hereby repealed.

CERTIFICATION

The foregoing resolution was adopted by a vote of 10 for, and 0 against and 0 abstentions, at a duly called meeting of the General Council, at which a quorum was present, on this 3RD day of August, 1993.

Raymond Hunter, Chairman

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APPROVED

PROCEDURE FOR BACKGROUND INVESTIGATIONS OF KEY EMPLOYEES AND PRIMARY MANAGEMENT OFFICIALS OF TRIBAL GAMING FACILITY

1. Responsibility for the Investigations. The Jamul Indian Village of California (hereinafter "the Tribe"), through the Gaming Monitoring Committee, appointed by the Tribe's Executive Committee and ratified by the General Council, shall be responsible for ensuring that background investigations are conducted concerning all key employees and primary management officials, as defined in section 7(a) of the Tribe's Class II Gaming Ordinance, of its tribal gaming facility, as required by 25 C.F.R. section 522.2(b).

2. Conduct of the Background Investigations. The Tribe designates Joseph P. Dorsey of International Collections & Customer Research to conduct said background investigations.

3. Procedures for the Background Investigations. In order to provide a basis for the Tribe to make a finding concerning the eligibility for employment in a gaming operation, said background investigations shall include:

a. Verification by written or oral communication of the information submitted by the applicant;

b. An inquiry into the applicant's prior activities, criminal record, if any, and reputation, habits and associations;

c. Interviews with a sufficient number of people such as former employers, personal references, and others with sufficient knowledge of said applicant;

d. Documentation setting forth the disposition of all potential problem areas and disqualifying information which is obtained;

e. The obtaining and processing of fingerprints from each applicant. The Tribe designates the San Diego Sheriff's Department to obtain said fingerprinting and the National Indian Gaming Commission to process said fingerprint cards through the Federal Bureau of Investigation.

4. Reports Regarding the Background Investigations. Reports regarding all background investigations shall be reviewed and approved by the Tribe's General Counsel, selected by the Tribe's General Council. Said reports shall set forth the following:

a. The steps taken in conducting the background investigations;

b. The results obtained;

c. The conclusions reached; and

d. The bases for those conclusions.

5. Submission of Reports to Commission. The members of the Gaming Monitoring Committee, appointed by the Tribe's Executive Committee and ratified by the General Council, shall be responsible for submitting the reports referred to above to the National Indian Gaming Commission.