



OCT 22 2004

Victoria A. Doud, Secretary  
Lac du Flambeau Band of  
Lake Superior Chippewa Indians  
P.O. Box 67  
Lac du Flambeau, Wisconsin 54538

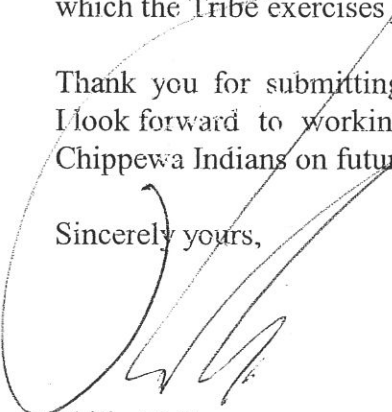
RE: Approval of Lac du Flambeau Band of Lake Superior Chippewa Indian Gaming Ordinance

Dear Ms. Doud:

This letter is in response to your request that the National Indian Gaming Commission (NIGC) review and approve Resolution No. 182(04) to amend the Lac du Flambeau Band of Lake Superior Chippewa Indians (Tribe) Gaming Ordinance, adopted June 28, 2004. This letter constitutes such approval under the Indian Gaming Regulatory Act (IGRA). The amendment is approved for gaming only on Indian lands, as defined in the IGRA over which the Tribe exercises jurisdiction.

Thank you for submitting the amendment for review and approval. The NIGC staff and I look forward to working with you and the Lac du Flambeau Band of Lake Superior Chippewa Indians on future gaming issues.

Sincerely yours,



Philip N. Hogen  
Chairman

cc: Ernestine Rodriguez, Tribal Gaming Commission Chair  
Carol Brown, Tribal Attorney

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## RESOLUTION NO. 182(04)

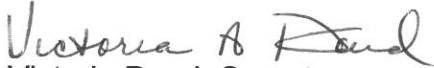
**WHEREAS,** the Tribal Council is the duly constituted governing body of the Lac du Flambeau Band of Lake Superior Chippewa Indians, and is empowered by the Constitution and Tribal By-Laws to amend the Tribal Code and Gaming Control Ordinance; and

**WHEREAS,** the Tribal Council wishes to codify guidelines for suspension and revocation of employee gaming licenses in accordance with the principles set forth in the Gaming Control Ordinance; now, therefore be it

**ENACTED,** on this 28th day of June, 2003, by the Tribal Council of the Lac du Flambeau Band of Lake Superior Chippewa Indians ("Tribe"), acting pursuant to the authority vested in it by Article VI of its Constitution and By-Laws, that all gaming operations conducted by the Tribe be governed by Chapter 43 of the Tribal Code, subject to the attached amendments.

### CERTIFICATION

I, the undersigned, as Secretary of the Lac du Flambeau Band of Lake Superior Chippewa Indians, a tribal government operating under a Constitution adopted pursuant to Section 16 of the Indian Reorganization Act, 25 U.S.C., s. 476, do hereby certify that the Tribal Council of the Band is composed of twelve members, of whom ten, constituting a quorum, were present at a Regular Meeting, duly called, noticed, convened and held on the 28th day of June, 2004, and that the foregoing resolution was duly adopted at said meeting by an affirmative vote of nine members, none against, none abstaining, and that the said resolution has not been rescinded or amended in any way.

  
Victoria Doud, Secretary  
Lac du Flambeau Band of Lake  
Superior Chippewa Indians

For insertion into Gaming Control Ordinance, Chapter IX,  
Section 43.907.

**Lac du Flambeau Band of Lake Superior Chippewa  
Indians**

**SECTION 43.907**

**Licenses for Key Employees and Primary Management Officials**

H. License Suspension and Revocation of Key Employees and Primary Management Officials.

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

2. The Tribe may revoke a gaming license, upon proper notice and hearing, under any the following circumstances:

a. For any cause which may have prevented the issuance of the license;

b. For violation by the licensee of his or her license or failure of the licensee to comply with the obligations of the license;

c. For violation of any provision of this Ordinance or the rules and regulations of the Gaming Commission;

d. The licensee has been convicted of, or has entered a plea of no contest to, any crime involving gaming, fraud, misrepresentation, theft, embezzlement, a gaming-related offense, other charge which, if perpetrated at his gaming operator's place of employment, would injure or pose a threat to the public interest, or any other charge that threatens the integrity of the gaming activity or the effective regulation of gaming, or creates or enhances the dangers of unsuitable, unfair or illegal gaming practices, methods or activities;

e. The licensee has been convicted of, or entered a plea of no contest to, a crime involving the sale, manufacture or possession of illegal narcotics or controlled substances;

f. The licensee has failed to comply with any lawful order, inquiry or directive of the Gaming Commission, the Tribal Council or any administrative or judicial body of competent jurisdiction; or

g. The licensee's activities, reputation or habits are determined to pose a threat to the public interest, the integrity of the gaming activity, or the effective regulation of gaming, or otherwise create(s) or enhance(s) the dangers of unsuitable, unfair or illegal practices, methods or activities in the conduct of gaming.

3. The Tribe may suspend a gaming license, upon written notice and hearing, for any reason stated in subsection (2.), including in circumstances where the licensee has been charged with a criminal offense described in subsection (2.)(d.) or (2.)(e.).

4. Whenever final determination of revocation or suspension under this Section is pending, if the Gaming Commission has reasonable cause to believe that a person poses a direct and immediate threat to the public, the interests of the tribe, or the integrity or effectiveness of gaming activity, the Gaming Commission may immediately remove or suspend a person's license with written notice.

2 5. The Tribe shall notify the licensee of a time and a place for a hearing on the proposed ~~suspension~~ or revocation of a license.

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

7. Any person whose gaming license is suspended pursuant to this Section may be suspended from gaming employment, without pay, while resolution of the matter is pending upon notice and hearing. The gaming employment of any person is deemed terminated upon revocation of his or her gaming license consistent with this Section.