

**NATIONAL  
INDIAN  
GAMING  
COMMISSION**

NOV 8 1993

Darrell Wadena  
Chairman  
White Earth Band of Chippewa Indians  
P.O. Box 418  
White Earth, Minnesota 56591

Dear Chairman Wadena:

This letter responds to your request to review and approve the tribal gaming ordinance submitted on August 5, 1993, for the White Earth Band of Chippewa 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 while we have approved the Band's gaming ordinance, the Band must still modify the description of procedures for conducting background investigations on key employees and primary management officials as discussed with the NIGC staff. Also, 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).

APPROVED

WHITE EARTH BAND OF CHIPPEWA INDIANS  
d/b/a WHITE EARTH RESERVATION BUSINESS COMMITTEE  
a/k/a WHITE EARTH RESERVATION TRIBAL COUNCIL

Resolution No: 001-94-009

Whereas, the White Earth Band of Chippewa Indians, d/b/a White Earth Reservation Business Committee, a/k/a White Earth Reservation Tribal Council, hereinafter "the Band" the duly elected governing body of the White Earth Reservation and organized under Section 16 of the Act of June 18, 1934 (48 Stat. 984) as amended and pursuant to the revised Constitution and By-Laws of the Minnesota Chippewa Tribe; and

**WHEREAS**, the White Earth Tribal Council on November 6, 1991, adopted Resolution Number 001-92-003 adopting the Gaming Control Ordinance to regulate gambling within the boundaries of the White Earth Reservation; and

**WHEREAS**, the United States Department of the Interior, Bureau of Indian Affairs, by and through its Area Director, approved the White Earth Gaming Control Code by letter of March 17, 1992, and its Amendment dated November 6, 1991, as amended by Resolution 001-92-007 dated November 22, 1991; and

**WHEREAS**, the United States Congress has enacted the Indian Gaming Regulatory Act, P.L. 100-447, 25 USC Sect. 2701 et. seq. and the National Indian Gaming Commission has adopted certain regulations pursuant to those statutory sections; and

**WHEREAS**, the National Indian Gaming Commission has proposed certain model ordinances regulating Class II and Class III Gaming within the boundaries of recognized Indian Reservation; and

**WHEREAS**, the White Earth Reservation Tribal Council has determined that the Gaming Control Ordinance, as amended, requires further amendment by adopting ordinances identical to the proposed model ordinance of the Indian Gaming Commission regulating Class II and Class III Gaming within the boundaries of the White Earth Indian Reservation.

**NOW THEREFORE BE IT RESOLVED**, that the White Earth Reservation Tribal Council does hereby adopt the proposed ordinance for Class II and the proposed Ordinance for Class III Gaming and hereby declares that it is the policy of the Tribal Government that the model ordinances governing Class II and Class III Gaming shall amend the Gaming Control Ordinance, as amended, and that said Gaming Control Ordinance must be read in paramateria to and be governed by the Gaming Control Ordinances governing Class II and Class III Gaming.

We do hereby certify that the foregoing resolution was duly presented by a vote of 4 FOR, 0 AGAINST, 0 SILENT and 0 ABSENT, a quorum being present at a special meeting of the White Earth Reservation Tribal Council held on the 1st day of October, 1993 at Mahnomon, Minnesota.

Darrell Wadena  
Darrell Wadena, Chairman

Jerry Rawley  
Jerry Rawley, Secretary Treasurer

APPROVED

WHITE EARTH BAND OF CHIPPEWA INDIANS  
CLASS II GAMING ORDINANCE

I.  
PURPOSE

The White Earth Band of Chippewa Indians d/b/a the White Earth Reservation Business Committee, a/k/a White Earth Reservation Tribal Council (hereinafter referred to as the "WETC") pursuant to Articles 1 Subsection 3 and Article 6, Section 1 (c) of the Revised Constitution and By Laws of the Minnesota Chippewa Tribe as organized under Section 16 of the Act of June 18, 1934 (48 Stat. 984), as amended, hereby adopts this Ordinance for the purpose of regulating Class II gaming operations within the boundaries of the White Earth Reservation.

II.  
GAMING AUTHORIZED

All types of Class II gaming as defined in the Indian Gaming Regulatory Act, P.L. 100-447, 25 U.S.C. Section 2703 (7) (A) (hereinafter referred to as "IGRA") and by the regulations promulgated by the National Indian Gaming Commission (hereinafter referred to as "the Commission") at 25 C.F.R. Section 502.3 as published in the Federal Register at 57 FR 12382-12393, April 9, 1992 is hereby authorized by the WETC.

III.  
OWNERSHIP OF GAMING

The WETC shall have the sole proprietary interest in and responsibility for the conduct of any and all Class II gaming operations authorized by this Ordinance.

IV.  
USE OF GAMING REVENUE

A. Net revenues of Class II gaming shall be used only for the following purposes: to fund Tribal governmental operations and programs of the WETC; provide for the general welfare of the White Earth Band of Chippewa Indians and its members; promote and fund economic development by the WETC; donate to charitable organizations; help fund operations of state and local governmental agencies.

B. If the WETC elects to make per capita payments to the members of the White Earth Band of Chippewa Indians, it shall only authorize such payments upon the prior approval of a plan submitted to the Secretary of the Interior pursuant to 25 U.S.C. Section 2710 (b) (3).

V.  
AUDIT

A. The WETC shall cause to be conducted annually an independent audit of Class II gaming operations and shall submit the resulting audit

reports and management letters to the Commission.

B. All Class II gaming related contracts that result in the purchase of supplies, services, or concessions in excess of Twenty Five Thousand Dollars (\$25,000.00) annually, excepting contracts for professional legal and accounting services, shall be specifically included within the scope of the audit as described above in Subsection A of Section V.

VI.  
PROTECTION OF THE ENVIRONMENT  
AND  
PUBLIC HEALTH AND SAFETY

Class II gaming facilities shall be constructed, maintained and operated in a manner that adequately protects the environment and the public health and safety.

VII.  
LICENSE FOR KEY EMPLOYEES  
AND  
PRIMARY MANAGEMENT OFFICIALS

The WETC shall ensure that the policies and procedures set out in this Section are implemented with respect to key employees and primary management officials employed or contracted with at any Class II gaming enterprise operated within the boundaries of the White Earth Reservation.

A. DEFINITIONS.

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

1. KEY EMPLOYEE MEANS:

(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 and/or cash;
- (5) Floor manager;
- (6) Pit boss;
- (7) Dealer;
- (8) croupier;
- (9) Approver of credits and/or negotiable instruments;
- (10) Custodian of gaming devices including all persons with access to cash and accounting records within or resulting from such devices;

(b) If not otherwise included, any other person whose totals cash compensation is in excess of Fifty Thousand Dollars (\$50,000.00) 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:
  - (1) To hire and/or fire employees; or
  - (2) To set up working policies and procedures for the gaming operation;
- (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 the form is filled out by the applicant:

"In compliance with the Privacy Act of 1974, the following information is provided: Solicitation of the information on the application form is authorized by 25 U.S.C. Section 2701 et. seq. of the Indian Gaming Regulatory Act. The purpose of the requested information is to determine the eligibility of individuals to be employed in a gaming operation. This information will be used by the National Indian Gaming Commission members and staff who have need for the information in the performance of their official duties. The information may be disclosed 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 disclosure indicated in this notice will result in a tribes 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 use 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 WETC 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 WETC 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 past 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 (1) (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 Indian Tribes, 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;
- 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 Paragraph (1) (h) or (1) (i) of this Section, the criminal charge, the name and address of the court involved and the date and dispositions;
- 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 current photograph;
- m. Any other information the Tribe deems relevant; and
- n. Fingerprints consistent with the procedures adopted by the WETC according to 25 C.F.R. Section 522.2 (h).

2. The WETC shall conduct an investigation sufficient to make a determination under Section D. below in conducting a background investigation, the WETC or its agent shall promise to keep confidential the identity of each person interviewed in the course of investigation.

#### D. ELIGIBILITY DETERMINATIONS

The WETC shall review a person's prior activities, criminal record, in 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. If the WETC determines that the 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 activities in the con-



duct of gaming, a tribal gaming operation shall not employ that person in a key employee or primary management official position.

E. PROCEDURES FOR FORWARDING APPLICATIONS AND REPORTS FOR KEY EMPLOYEES AND PRIMARY MANAGEMENT OFFICIALS TO THE NATIONAL INDIAN GAMING COMMISSION

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

2. The WETC shall forward the report referred to in Subsection F 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.

F. REPORT TO THE NATIONAL INDIAN GAMING COMMISSION

1. Pursuant to the procedures set out in Subsection E of this Section, the WETC 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;
- b. Results obtained;
- c. Conclusions reached; and
- d. The basis for those conclusions.

2. The WETC shall submit, with the report, a copy of the eligibility determination made under Subsection D of this Section.

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

- 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 inclusion in the Indian Gaming Individuals Records System.

4. With respect to key employees and primary management officials, the WETC 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.

#### G. 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 WETC 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 WETC has provided an application and investigative report to the National Indian Gaming Commission, the WETC may issue a license to such applicant.

2. The WETC 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 G. 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 provided the WETC with a statement itemizing objections to the issuance of a license to a key employee or to a primary management official for whom the WETC has provided an application and investigative report to the National Indian Gaming Commission, the WETC shall reconsider the application, taking into account the objections itemized by the National Indian Gaming Commission. The WETC shall make the final decision whether to issue a license to such applicant.

#### H. LICENSE SUSPENSION

1. If, after the issuance of a gaming license, the WETC 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 D. above, the WETC shall suspend such license and shall notify in writing the licensee of the suspension and the proposed revocation.

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

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

### VIII. LICENSE LOCATIONS

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

IX.

REPEAL

To the extent that they are inconsistent with this Ordinance, all prior gaming ordinances are hereby repealed.

APPROVED

WHITE EARTH BAND OF CHIPPEWA INDIANS  
CLASS III GAMING ORDINANCE

I.  
PURPOSE

The White Earth Band of Chippewa Indians d/b/a the White Earth Reservation Business Committee, a/k/a White Earth Reservation Tribal Council (hereinafter referred to as the "WETC") pursuant to Articles 1 Subsection 3 and Article 6, Section 1 (c) of the Revised Constitution and By Laws of the Minnesota Chippewa Tribe as organized under Section 16 of the Act of June 18, 1934 (48 Stat. 984), as amended, hereby adopts this Ordinance for the purpose of regulating Class III gaming operations within the boundaries of the White Earth Reservation.

II.  
GAMING AUTHORIZED

All types of Class III gaming as defined in the Indian Gaming Regulatory Act, P.L. 100-447, 25 U.S.C. Section 2703 (8) (hereinafter referred to as "IGRA") and by the regulations promulgated by the National Indian Gaming Commission (hereinafter referred to as "the Commission") at 25 C.F.R. Section 502.3 as published in the Federal Register at 57 FR 12382-12393, April 9, 1992 is hereby authorized by the WETC.

III.  
OWNERSHIP OF GAMING

The WETC shall have the sole proprietary interest in and responsibility for the conduct of any and all Class III gaming operations authorized by this Ordinance.

IV.  
USE OF GAMING REVENUE

A. Net revenues of Class III gaming shall be used only for the following purposes: to fund Tribal governmental operations and programs of the WETC; provide for the general welfare of the White Earth Band of Chippewa Indians and its members; promote and fund economic development by the WETC; donate to charitable organizations; help fund operations of state and local governmental agencies.

B. If the WETC elects to make per capita payments to the members of the White Earth Band of Chippewa Indians, it shall only authorize such payments upon the prior approval of a plan submitted to the Secretary of the Interior pursuant to 25 U.S.C. Section 2710 (b) (3).

V.  
AUDIT

A. The WETC shall cause to be conducted annually an independent audit of Class III gaming operations and shall submit the resulting audit reports and management letters to the Commission.

B. All Class III gaming related contracts that result in the purchase of supplies, services, or concessions in excess of Twenty Five Thousand Dollars (\$25,000.00) annually, excepting contracts for professional legal and accounting services, shall be specifically included within the scope of the audit as described above in Subsection A of Section V.

VI.  
PROTECTION OF THE ENVIRONMENT  
AND  
PUBLIC HEALTH AND SAFETY

Class III gaming facilities shall be constructed, maintained and operated in a manner that adequately protects the environment and the public health and safety.

VII.  
LICENSE FOR KEY EMPLOYEES  
AND  
PRIMARY MANAGEMENT OFFICIALS

The WETC shall ensure that the policies and procedures set out in this Section are implemented with respect to key employees and primary management officials employed or contracted with at any Class III gaming enterprise operated within the boundaries of the White Earth Reservation.

A. DEFINITIONS.

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

1. KEY EMPLOYEE MEANS:

(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 and/or cash;
- (5) Floor manager;
- (6) Pit boss;
- (7) Dealer;
- (8) croupier;
- (9) Approver of credits and/or negotiatiable instruments;
- (10) Custodian of gaming devices including all persons with access to cash and accounting records within or resulting from such devices;

(b) If not otherwise included, any other person whose totals cash compensation is in excess of Fifty Thousand Dollars (\$50,000.00) 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:
  - (1) To hire and/or fire employees; or
  - (2) To set up working policies and procedures for the gaming operation;
- (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 the form is filled out by the applicant:

"In compliance with the Privacy Act of 1974, the following information is provided: Solicitation of the information on the application form is authorized by 25 U.S.C. Section 2701 et. seq. of the Indian Gaming Regulatory Act. The purpose of the requested information is to determine the eligibility of individuals to be employed in a gaming operation. This information will be used by the National Indian Gaming Commission members and staff who have need for the information in the performance of their official duties. The information may be disclosed 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 disclosure indicated in this notice will result in a tribes 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 use 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 WETC 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 WETC 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 past 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 (1) (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 Indian Tribes, 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;
- 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 Paragraph (1) (h) or (1) (i) of this Section, the criminal charge, the name and address of the court involved and the date and dispositions;
- 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 current photograph;
- m. Any other information the Tribe deems relevant; and
- n. Fingerprints consistent with the procedures adopted by the WETC according to 25 C.F.R. Section 522.2 (h).

2. The WETC shall conduct an investigation sufficient to make a determination under Section D. below in conducting a background investigation, the WETC or its agent shall promise to keep confidential the identity of each person interviewed in the course of investigation.

#### D. ELIGIBILITY DETERMINATIONS

The WETC shall review a person's prior activities, criminal record, in 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. If the WETC determines that the 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 activities in the conduct of gaming, a tribal gaming operation shall not employ that person



in a key employee or primary management official position.

E. PROCEDURES FOR FORWARDING APPLICATIONS AND REPORTS FOR KEY EMPLOYEES AND PRIMARY MANAGEMENT OFFICIALS TO THE NATIONAL INDIAN GAMING COMMISSION

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

2. The WETC shall forward the report referred to in Subsection F 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.

F. REPORT TO THE NATIONAL INDIAN GAMING COMMISSION

1. Pursuant to the procedures set out in Subsection E of this Section, the WETC 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;
- b. Results obtained;
- c. Conclusions reached; and
- d. The basis for those conclusions.

2. The WETC shall submit, with the report, a copy of the eligibility determination made under Subsection D of this Section.

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

- 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 inclusion in the Indian Gaming Individuals Records System.

4. With respect to key employees and primary management officials, the WETC 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.

G. 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 WETC 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 WETC has provided an application and investigative report to the National Indian Gaming Commission, the WETC may issue a license to such applicant.

2. The WETC 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 G. 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 provided the WETC with a statement itemizing objections to the issuance of a license to a key employee or to a primary management official for whom the WETC has provided an application and investigative report to the National Indian Gaming Commission, the WETC shall reconsider the application, taking into account the objections itemized by the National Indian Gaming Commission. The WETC shall make the final decision whether to issue a license to such applicant.

H. LICENSE SUSPENSION

1. If, after the issuance of a gaming license, the WETC 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 D. above, the WETC shall suspend such license and shall notify in writing the licensee of the suspension and the proposed revocation.

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

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

VIII.  
LICENSE LOCATIONS

The WETC shall issue a separate license to each place, facility or location on Indian lands where Class III gaming is conducted under this Ordinance.

IX.

REPEAL

To the extent that they are inconsistent with this Ordinance, all prior gaming ordinances are hereby repealed.