



November 15, 2010

By First Class Mail

A.D. Ellis, Principal Chief  
Muscogee (Creek) Nation  
P.O. Box 580  
Okmulgee, OK 74447

Re: Muscogee (Creek) Nation gaming ordinance amendments

Dear Principal Chief Ellis:

This letter responds to your request for the National Indian Gaming Commission to review and approve two amendments to the Muscogee Creek Nation Code Annotated enacted by Laws Nos. NCA 10-138 and 10-164. The first amendment increases the stipend of Gaming Operations Authority Board Members to \$400 per meeting under certain conditions. The second amendment updates notices on gaming license applications to conform with recent changes to NIGC regulations.

Based on my review, the ordinance is consistent with the requirements of the Indian Gaming Regulatory Act and the NIGC's regulations. Accordingly, it is hereby approved. If you have any questions, please feel free to contact Staff Attorney Dawn Sturdevant Baum at 202-632-7003.

Very truly yours,

A handwritten signature in cursive script, appearing to read "Tracie Stevens".

Tracie Stevens  
Chairwoman



I certify that I am the duly appointed, qualified and Secretary of the National Council of the Muscogee (Creek) Nation. I further certify that this document is a true and correct copy of the original Law  
NCA 10-138 Executed this 16<sup>th</sup> day of August 2010

*Jerry A. Fisk*  
National Council Secretary

NCA 10-138

AUG 17 2010

CLASSIFICATION: #21. GAMING

**A LAW OF THE MUSCOGEE (CREEK) NATION AMENDING MCNCA TITLE 21, § 4-102 (F), "STIPENDS/MILEAGE" TO ADJUST STIPEND RATES**

**Be it Enacted by the National Council of the Muscogee (Creek) Nation:**

**SECTION ONE. AMENDMENT.** MCNCA Title 21, §4-102.F., is hereby amended to read as follows:

F. Stipends/ Mileage. Gaming Operations Authority Board Members, except the ex-officio National Council member, shall receive a stipend of \$400.00 for attendance at each duly called meeting of the Board or duly called meeting of the National Council, provided that to receive a stipend for attendance at a National Council meeting the Board's attendance must be requested either by the Speaker, Chairperson of the Business & Governmental Committee or the Principal Chief. In addition to a stipend, Board members shall receive mileage for attendance at meetings, conferences, and site visits to gaming facilities under the GOAB's jurisdiction, provided attendance is in furtherance of a valid function of the Board. All mileage reimbursement shall be at the Nation's current rate in accordance with the Nation's travel policies and procedures.

**SECTION TWO. EFFECTIVE DATE.** The effective date of this amendment shall be on the date of approval by the National Indian Gaming Commission; on the date the National Indian Gaming Commission determines that approval of the amendments are not necessary; or in the absence of issuance of approval or disapproval by the National Indian Gaming Commission, ninety days from the date of submission of this amendment to the National Indian Gaming Commission, whichever date occurs first.

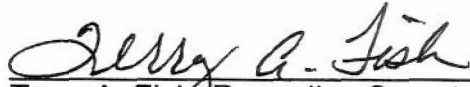
**ENACTED** by the Muscogee (Creek) National Council on this 31<sup>st</sup> day of July 2010.

**IN WITNESS WHEREOF**, the Speaker of the Muscogee (Creek) National Council has hereto attached his signature.

*Roger Barnett*  
\_\_\_\_\_  
Roger Barnett, Speaker  
National Council  
Muscogee (Creek) Nation

**CERTIFICATION**

I, the undersigned, certify that the foregoing is a true extract from the minutes of the Muscogee (Creek) National Council comprised of twenty-six members with **Twenty** members attending this meeting on the **31<sup>st</sup> day of July 2010**, and that the above is in conformity with the provisions therein adopted by a vote of **19** in favor, **0** against, **0** abstentions, and that said Law has not been rescinded or amended in any way and the above is the signature of the Speaker of the National Council.



\_\_\_\_\_  
Terry A. Fish, Recording Secretary  
Muscogee (Creek) National Council

**APPROVAL**

I, the Principal Chief of the Muscogee (Creek) Nation, hereby affix my signature this 6 day of Aug, 2010, to the above Law, **NCA 10-138** authorizing it to become a Law under Article VI., Section VI., of the Constitution of the Muscogee (Creek) Nation.



\_\_\_\_\_  
A. D. Ellis, Principal Chief  
Muscogee (Creek) Nation





I certify that I am the duly appointed, qualified and Secretary of the National Council of the Muscogee (Creek) Nation. I further certify that this document is a true and correct copy of the original Law  
NCA 10-164 Executed this 18<sup>th</sup> day of Oct 2010

*Jerry A. Fisher*  
National Council Secretary

NCA 10-164

NOV - 8 2010

**CLASSIFICATION: #21. GAMING**

**A LAW OF THE MUSCOGEE (CREEK) NATION AMENDING MCNCA TITLE 21, §3-107, ENTITLED "License applications; notices"**

**Be it Enacted by the National Council of the Muscogee (Creek) Nation:**

**SECTION ONE. AMENDMENT.** This amendment shall be codified in Title 21, §3-107, of the Code of Laws of the Muscogee (Creek) Nation; provided that for purposes of codification of said amendment and its inclusion in pocket parts of the Code of Laws of the Muscogee (Creek) Nation, the Codification Committee is hereby authorized: (1) to approve any changes related to the manner in which sections, articles, chapters and sub-chapters are designated consistent with the format in the Code of Laws published in 2003 by West Publishing Company; (2) to include footnoted references to the legislative history in said pocket parts to the Code of Laws and (3) to note in said pocket parts any editorial correction of minor clerical or grammatical errors in the following amendment, without further National Council approval:

**SECTION TWO. AMENDMENT.** MCNCA Title 21, § 3-107 is hereby amended to read as follows:

§ 3-107. License applications; notices

A. The following notice shall be placed on the application form for license applicants 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 granted a gaming license. The information will be used by the Tribal gaming regulatory authorities and 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 issuance, denial or revocation of a gaming

license, or investigation 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 license you for 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."

- B. Existing gaming licensees shall be notified in writing that they shall either:
1. Complete a new application form that contains a Privacy Act notice;  
or
  2. Sign a statement that contains the Privacy Act notice and consent to the routine uses described in that notice.

C. The following notices shall be placed on the application form for license applicants before that form is filled out by an applicant:

"A false statement on any part of your application may be grounds for denying a license or the suspension or revocation of a license. Also, you may be punished by fine or imprisonment (U.S. Code, Title 18, Sec. 1001)."


D. The Commissioner shall notify in writing existing gaming licensees that they shall either:

1. Complete a new application form that contains a notice regarding false statements; or
2. Sign a statement that contains the notice regarding false statements.

**SECTION THREE. EFFECTIVE DATE.** The effective date of this amendment shall be on the date of approval by the National Indian Gaming Commission; on the date the National Indian Gaming Commission determines that approval of the amendments are not necessary; or in the absence of issuance of approval or disapproval by the National Indian Gaming Commission, ninety days from the date of submission of this amendment to the National Indian Gaming Commission, whichever date occurs first; provided that the appointment process shall commence upon enactment of these amendments.

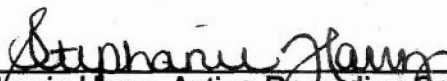
**ENACTED** by the Muscogee (Creek) National Council on this **25th** day of **September** **2010.**

IN WITNESS WHEREOF, the Speaker of the Muscogee (Creek) National Council has hereto attached his signature.

  
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Roger Barnett, Speaker  
National Council  
Muscogee (Creek) Nation

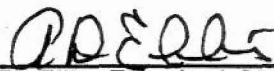
**CERTIFICATION**

I, the undersigned, certify that the foregoing is a true extract from the minutes of the Muscogee (Creek) National Council comprised of twenty-six members with **Twenty-Three** members attending this meeting on the **25th day of September 2010**, and that the above is in conformity with the provisions therein adopted by a vote of **22** in favor, **0** against, **0** abstentions, and that said Law has not been rescinded or amended in any way and the above is the signature of the Speaker of the National Council.

  
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Stephanie Harry, Acting Recording Secretary  
Muscogee (Creek) National Council

**APPROVAL**

I, the Principal Chief of the Muscogee (Creek) Nation, hereby affix my signature this 6 day of Oct, 2010, to the above Law, NCA 10-164 authorizing it to become a Law under Article VI., Section VI., of the Constitution of the Muscogee (Creek) Nation.

  
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A. D. Ellis, Principal Chief  
Muscogee (Creek) Nation

