

**NATIONAL
INDIAN
GAMING
COMMISSION**

FEB 22 1996

Butch Denny
Chairman
Santee Sioux Tribe of Nebraska
Route #2 - Box 163
Niobrara, NE 68760

Dear Chairman Denny:


This letter responds to your request to review and approve the tribal gaming ordinance, Resolution No. 95-52, adopted on August 23, 1995, by the Santee Sioux Tribe of Nebraska (Tribe). 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 Tribe's gaming ordinance, the Tribe 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 Santee Sioux Tribe of Nebraska for review and approval. The NIGC staff and I look forward to working with you and the Tribe in implementing the IGRA.

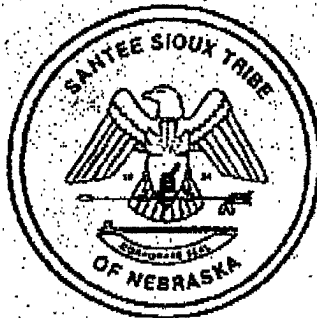
Sincerely yours,


Harold A. Monteau
Chairman

cc: John M. Peebles

Santee Sioux Tribe of Nebraska

Chairman: Richard Kitto
Vice-Chairman: Richard Thomas
Treasurer: Butch Denny
Secretary: Darlene Thomas



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Niobrara, NE 68760
Phone: (402) 857-2302
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RESOLUTION 95-52

RESOLUTION OF THE SANTEE SIOUX TRIBE OF NEBRASKA

- WHEREAS:** the Santee Sioux Tribe of Nebraska is a federally recognized Indian Tribe organized under Section 16 of the Indian Re-Organization Act of June 18, 1934 (48 Stat. 984) as amended by the Act of June 15, 1935, (Stat. 378), and
- WHEREAS:** Article IV, Section 1 (a) authorized the Santee Sioux Tribal Council to negotiate on behalf of the Santee Sioux Tribe of Nebraska, and
- WHEREAS:** Article IV, Section 1 (f) authorizes the Tribal Council to be involved in economic and enterprise development, and
- WHEREAS:** Class II Gaming is considered an economic activity, and
- WHEREAS:** Class II Gaming Code must be adopted and approved, and
- WHEREAS:** this code was adopted at a regular meeting of the Tribal Council and
- WHEREAS:** the Santee Sioux Tribal Council reserves the right to amend and expand this Class II Gaming Code as needed, now

THEREFORE-BE IT RESOLVED: the Tribal Council of the Santee Sioux Tribe of Nebraska submits this Gaming Code for review or approval by the appropriate governmental authorities.

CERTIFICATION

This is to certify that the foregoing Resolution was considered at a regular meeting of the Santee Sioux Tribe of Nebraska, held on the 23rd day of August, 1995 at 5:00 p.m. and was adopted by a vote of 7 FOR; and 0 AGAINST.

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Resolution 95-52

Darlene Thomas
Darlene Thomas, Tribal Secretary
Santee Sioux Tribe of Nebraska

Richard Thomas
Richard Thomas, Tribal Chairman
Santee Sioux Tribe of Nebraska

RECEIVED BY:

Russell Bradley, Superintendent
Winnebago Agency

Santee Sioux Tribe of Nebraska

Chairman: Richard Kitto
Vice-Chairman: Richard Thomas
Treasurer: Butch Denny
Secretary: Darlene Thomas



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CLASS II GAMING LAW OF THE SANTEE SIOUX TRIBE OF NEBRASKA

Article I. Purpose.

The Tribal Council of the Santee Sioux Tribe of Nebraska (hereinafter "Tribe"), empowered by the Tribe's Constitution to enact laws, hereby enact this law in order to set the terms for Class II gaming operation on tribal lands.

Article II. Gaming Authorized: Appointment of Gaming Commission.

Class II gaming as defined in the Indian Gaming regulatory Act, P.L. 100-447, 25 USC Section 2703 (7)(A) ("IGRA") and by the regulations promulgated by the Nation Indian Gaming Commission at 25 CFR 502.3 (as published in the Federal Register at 57 FR 124383-12393, April 9, 1992) is hereby authorized. Class II games are defined as:

- A. The game of chance known as "Bingo" (whether or not electronic, computer or other technologic aids are used in connection therewith),
 1. which is played for prizes including monetary prizes with cards bearing numbers or other designations,
 2. in which the holder of the cards covers such numbers or designations when objects similarly numbered or designated, or drawn or electronically determined.
 3. and in which the game is won by the first person covering a previously designated arrangement of numbers or designations on such cards,
 4. including (if played at the same location) pull-tabs, lotto, punch boards, tip jars, instant bingo, and other games similar to bingo, and
- B. The game of chance, Pooled Indian U-Pickem (hereinafter U-Pickem), played with cards bearing twelve (12) spaces, each space containing a number or other designation. The holder of the card selects between one (1) and twelve (12) spaces, a computer or other technologic aid will designate the remaining

spaces on the card as "free". The numbers or the other designations will then be randomly selected by a computer or other technologic aid. The winner is the first player covering a previously designated arrangement of numbers or other designations on the card.

C. Card games that:

1. are authorized by the laws of the State, or
2. are not explicitly prohibited by the laws of the State,

D. The term "Class II gaming" does not include:

1. any banking card game, including baccarat, chemin de fer, or BlackJack ("21"), or

The Santee Sioux Gaming commission, appointed for the terms set forth in the enacting resolution of the Tribal Council shall perform the obligations of the Tribe under this law.

Article III. Ownership of Gaming.

The Tribe shall have the sole propriety interest in and responsibility for the conduct of any gaming operation authorized by this law.

Article IV. Use of Gaming Revenue.

- A. Net revenues from Class II gaming shall be used only for the following purposes: to fund tribal government operations and program; provide for the 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. The Tribe shall not make per capita payments to Tribal members.

Article V. Audit.

- A. The Tribe shall cause to be conducted annually an independent audit of gaming operations and shall submit the resulting audit reports to the National Indian Gaming Commission.
- B. All gaming related contracts that result in the purchase of supplies, services, or concessions in excess of \$25,000.00 annually, except contracts for professional legal and accounting services, shall be specially included within the scope of the audit that is described in subsection A. above.

Article 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.

Article 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 Indian lands:

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 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 means

- (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 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 wither:
 - 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 five (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 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 paragraph (1)(h) or (1)(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 current photograph;
 - m. Any other information the Tribe deems relevant; and
 - n. Fingerprints consistent with procedures adopted by the Tribe according to 25 C.F.R. § 522.2(h).
2. The Tribe shall conduct an investigation sufficient to make a determination under subsection D. below. In conducting a background investigation, the Tribe or its agent shall promise to keep confidential the identify of each person interviewed in the course of the investigation.

D. Eligibility Determination

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 primary management official for employment in a gaming operation. If the Tribe 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.

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 Tribe 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 D of this section.

2. The Tribe 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 Tribe 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 bases for those conclusions.
2. The Tribe 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 Tribe:
 - 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 Tribe 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 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 National Indian Gaming Commission, the Tribe may issue a license to such applicant.

2. The Tribe 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 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 National Indian Gaming Commission, the Tribe shall reconsider the application, taking into account the objections itemized by the National Indian Gaming Commission. The Tribe shall make the final decision whether to issue a license to such applicant.

H. License Suspension

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 a 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 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 Tribe shall decide to revoke or to reinstate a gaming license. The Tribe shall notify the National Indian Gaming Commission of its decision.

Article VIII. Powers and Duties of the Tribal Gaming Commission

The Tribal Gaming Commission shall be responsible for the regulation of any gaming activity authorized by this Ordinance, shall perform in place of the Tribe the duties of the Tribal Council set forth in Articles VII and VIII of the Ordinance, and shall have the powers that it may exercise consistent with the purposes for which it is established and in compliance with the Compact.

- A. To adopt written standards of operation and management as provided in the Compact to govern all authorized gaming which shall include:
 1. the rules of each game of chance operated by the Tribe;

2. permissible methods of payment;
3. procedures to license gaming employees, to conduct or cause to be conducted background investigations on employees and management officials, and to train and instruct gaming employees;
4. internal organization and management of the gaming operations;
5. security and surveillance methods;
6. accounting and cash control procedures; an
7. other record keeping requirements.

Such standards shall protect the public interest in the integrity of the gaming operations, and shall reduce the dangers of unsuitability, unfair or illegal practices and methods in the conduct of gaming.

- B. To investigate any aspect of a gaming operation; and, in doing so, to require and review any record of or concerning any gaming operation and to compel any person employed by any such operation, or doing business with such operations to appear before it and to provide such information, records or other materials as may be in their possession to assist in any investigation.
- C. To license any gaming facility on Tribal land where the Tribe elects to allow Class II gaming and to enter and inspect any time such gaming facility in which games are operated pursuant to the Ordinance. Such inspections may be conducted by non-uniformed inspectors employed by and under the direction of the Tribal Gaming Commission.
- D. To require an annual audit by a certified public accounting firm of all gaming activities and gaming facilities and such other audits as it deems necessary.
- E. To license any gaming employee.
- F. To acknowledge the registration of gaming service enterprises by the State for purposes of contracting with the Tribe to assist the State in registration of gaming service enterprises that seek to do business with a Tribal operation.
- G. To ensure that background investigations and licensing procedures are conducted on primary management official and key employees of the gaming operations in accordance with IGRA and the Compact, and to oversee such officials and their management on an ongoing basis.
- H. To prohibit undesirable persons from admission to any gaming facility.

- I. To coordinate and cooperate with any legitimate law enforcement effort to protect the Tribe and its gaming operations from harm.
- J. To provide information to the federal and state governments in accordance with IGRA and the Compact.
- K. To ensure that the construction and maintenance of all gaming facilities and the operation of all gaming activities is conducted in a manner that adequately protects the environment and the public health and safety of all individuals.
- L. To carry out each responsibility and duty of the Tribal Gaming Agency set forth in IGRA and the Compact not otherwise set forth in this Ordinance.
- M. To receive any complaint from an employees of any gaming operation or any member of the public who is or claims to be adversely affected by an act of omission of a gaming operation that is asserted to violate this Ordinance, the Act, the Compact, or the standards of management and operation adopted pursuant to this Ordinance of any management or service agreement with a third party, and may upon consideration of such complaint recommend to the Tribal Council such remedial action as if deems appropriate to bring the Tribal gaming operation into compliance with such provisions. The Tribal Gaming 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 proceedings useful in the resolution of such complaint. In addition, the Tribal Gaming Commission may receive any suggestions from any employee of any Tribal gaming operation or any member of the public regarding ways in which a gaming operation may be improved.
- N. The Tribal Gaming Commission may adopt an annual operating budget and may in accordance with that budget employ such staff from time to time as it deems necessary to fulfill its responsibilities under this Ordinance. The Tribal Gaming Commission shall appoint an individual to serve as a full-time Executive Director of the Tribal Gaming Commission to administer its responsibilities on a day to day basis and to oversee inspectors appointed by the Tribal Gaming Commission as well as such other staff as the Tribal Gaming Commission may from time to time employ. The Tribal Gaming Commission may delegate to the Executive Director those powers not expressly limited to the Tribal Gaming Commission. The Tribal Gaming Commission may also enlist legal counsel and other professional services, including investigative services, available to the Tribe, to assist the Tribal Gaming Commission with respect to any of the issues over which the Tribal Gaming Commission exercises jurisdiction.
- O. To undertake and carry out studies and analyses of Tribal gaming operations.
- P. To adopt such by-laws as the Tribal Gaming Commission deems necessary and appropriate.

- Q. The Tribal Gaming Commission shall submit an annual report, in written form, signed by the Chairman of the Tribal Gaming Commission, to the Tribal Council showing
1. a summary of the year's activities ,
 2. the financial condition of the gaming operations,
 3. any significant problems and accomplishments,
 4. plans for the future, and
 5. such other information as the Tribal Gaming Commission or the Tribal Council may deem pertinent.
- R. To oversee and implement any responsibilities of the Tribe or Tribal Gaming Commission pursuant to any management or service agreement with a third party for the management of Tribal gaming operations.
- S. To take such further actions as are commonly engaged in by public bodies of this character as the Tribal Gaming Commission may deem necessary and desirable to effectuate its purposes, including without limitation the power to adopt rules and regulations governing the procedures for meetings of the Tribal Gaming Commission.

Article IX. License Locations

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

Article X. Repeal

Upon execution of this Ordinance, any ordinances or any part thereof which is not consistent with this Ordinance are hereby repealed.

Article XI. Interpretation

The provisions of this Ordinance, being necessary for the benefit of the Tribe and its members, shall be liberally construed to effect the purposes and objectives thereof.

Article XII. Effective Date

This Ordinance is effective upon enactment.

Article XIII. Enforcement

This Ordinance shall be enforced by the Tribe.

ADOPTED this 23 day of August, 1995.

SANTEE SIOUX TRIBE OF NEBRASKA

By: Richard Thomas
Chairman

ATTEST

By: Darlene Thomas
Secretary

APPROVED this 23rd day of August, 1995.

NATIONAL INDIAN GAMING
COMMISSION

By: _____
Chairman of the Commission

ADDITIONAL SUBMISSION REQUIREMENTS

In addition to an ordinance, under 25 C.F.R. § 522 or § 523, a tribe must submit the following:

1. Description of procedures for conducting background investigations;
2. Description of procedures to issue tribal licenses to primary management officials and key employees;
3. Description of procedures for resolving disputes between the gaming public and the Tribe or the management contractor (if any);
4. Designation of an agent for service;
5. Identification of a law enforcement agency that will take fingerprints and describe procedures for conducting a criminal history check by a law enforcement agency; and
6. Copies of all tribal gaming regulations.

Attachment I

DESCRIPTION OF PROCEDURES FOR CONDUCTING BACKGROUND INVESTIGATIONS AND SUITABILITY DETERMINATIONS¹

A. With regard to Class II gaming, the Tribe through its Tribal Gaming Commission is responsible for the conduct of the background investigations and suitability determinations.

B. The following is a statement of the positions or people responsible for various gaming activities:

1. The Commissioners of the Tribal Gaming Commission shall be responsible for conducting or causing to be conducted the background investigations for Class II gaming.
2. The Commissioners of the Tribal Gaming Commission shall be responsible for reviewing and approving the investigative work done for Class II gaming.
3. The Commissioners of the Tribal Gaming Commission shall be responsible for reporting the results of the background investigation for Class II gaming to the National Indian Gaming Commission.
4. The Commissioners of the Tribal Gaming Commission shall be responsible for obtaining and processing, or causing to be obtained and processed, fingerprints for Class II gaming.
5. The Commissioners of the Tribal Gaming Commission shall be responsible for making suitable determinations for Class II gaming.

C. The Commissioners of the Tribal Gaming Commission are selected pursuant to Article II of the Ordinance. In particular, the Tribal Gaming Commission shall be composed of no more than three persons, each of whom shall carry the title "tribal Gaming Commissioner." The Tribal Gaming Commissioners shall be appointed, and may be reappointed, by a majority vote of the Tribal Council. A Resolution of the Tribal Council as to the appointment or reappointment of any Tribal Gaming Commissioner shall be conclusive evidence of the due and proper appointment of the member. A Tribal Gaming Commissioner may be a member or non-member of the Tribe. However, during the Tribal Gaming Commissioner's term of office and for a period of one year following the expiration of such term, no Tribal Gaming Commissioner shall (i) be a gaming employee of any Tribal Gaming operation, or (ii) have any direct or indirect financial interest in or management responsibility for any Tribal gaming facility or operation. The term of office shall be five years and staggered. When the Tribal Gaming Commission is first established, the Tribal Gaming Commissioners' terms shall be designated to expire in one, two and three years, respectively. Thereafter, all appointments shall be for three years, except that in the case of a prior vacancy, an appointment shall be only for the length of the unexpired term. If physically able, each Tribal Commissioner shall hold office until his/her successor has been appointed. A Tribal Gaming Commissioner may be removed for good cause shown. The Tribal Council shall name one of the Tribal Gaming Commissioners as the Chairman of the Tribal Gaming Commission. The Tribal Gaming Commission shall select from among its Tribal Gaming Commissioners a Vice Chairman, a Secretary and a Treasurer; a member may not hold

¹ Defined terms used herein shall have the same meanings as terms defined in the Santee Sioux Tribal Gaming Ordinance.

two of these positions, and no Tribal Gaming Commissioner may hold the positions of both Chairman and Vice Chairman. In absence of the Chairman, the Vice Chairman shall preside.

D. The minimum investigative procedures to be performed by the Tribal Gaming Commission for Class II gaming pursuant to the Ordinance:

1. Verification by written or oral communication of the information submitted by the applicant for a gaming license, as required by Article VII of the Ordinance.
2. Inquiry into the applicant's prior activities, criminal record, if any, and reputation, habits and association; interviews with a sufficient number of knowledgeable people such as former employers, personal references and others to whom referred in order to make a finding concerning the eligibility for employment in a gaming operation.
3. A fingerprint-based search of the State criminal history record files by the Nebraska State Patrol and a finger-print based search of the Federal criminal history record files by the Federal Bureau of Investigation.
4. Documentation of the disposition of all potential problems areas noted and disqualifying information obtained.

E. Pursuant to Article VII of the Ordinance, the investigative report of the Tribe, which shall be forwarded to the National Indian Gaming Commission, shall include all of the following:

F. The Tribe shall ensure that key employees and primary management officials are notified of their rights under the Privacy Act as specified in 25 C.F.R. § 556.2. In particular, the Ordinance provides as follows:

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 C.F.R. 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 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 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 either 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 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.

Attachment II

DESCRIPTION OF PROCEDURES TO ISSUE TRIBAL LICENSES TO PRIMARY MANAGEMENT OFFICIALS AND KEY EMPLOYEES FOR CLASS II GAMING²

Article VII of the Ordinance describes the procedures for the issuance of Tribal licenses to primary management officials and key employees for Class II gaming. In particular, the Ordinance provides that if, within a thirty (30) day period after the National Indian Gaming Commission receives a report under Article VII F of the Ordinance, the National Indian Gaming 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 National Indian Gaming Commission, the Tribe may issue a license to such applicant.

The Tribe 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 thirty (30) day period described above until the Chairman of the National Indian Gaming Commission receives the additional information.

If, within the thirty (30) day period described above, the National Indian Gaming 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 National Indian Gaming Commission, the Tribe shall reconsider the application, taking into account the objections itemized by the national Indian Gaming Commission. The Tribe shall make the final decision whether to issue a license to such applicant.

² Defined terms used herein shall have the same meanings as terms defined in the Santee Sioux Tribal Gaming Ordinance. Under the Compact, Class III gaming employees, including primary management officials and key employees are licensed by the State, and licenses are issued pursuant to Section 5 of the Compact and Article X of the Ordinance.

Attachment III

DESCRIPTION OF PROCEDURES FOR RESOLVING DISPUTES BETWEEN
THE GAMING PUBLIC AND THE TRIBE OR THE MANAGEMENT CONTRACTOR
AND FOR RESOLVING DISPUTES BETWEEN GAMING EMPLOYEES AND
THE TRIBE OR THE MANAGEMENT CONTRACTOR
FOR CLASS II GAMING³

- A. The Manager under a management contract agreement executed by the Tribe and approved by the national Indian Gaming Commission under 25 C.F.R. Part 533 shall have the responsibility to establish and implement procedures to resolve complaints received from any customer or member of the general public who is or claims to be adversely affected by any act or omission of a Tribal gaming operation. The Manager shall receive and hear any such complaints and maintain records of any such complaint and the disposition thereof. Subsequent to the final disposition of any such complaint by the Tribal gaming operation, the customer or member of the public shall have any right provided by the Ordinance to have such complaint heard by the Tribal Gaming Commission. In conjunction with such action, the manager shall submit to the Tribal Gaming Commission the complete record of such complaint and disposition to be utilized by the Tribal Gaming Commission in its review and disposition thereof. In addition, the Manager shall have the right to investigate any and all complaints and correct problems, if any, identified in complaints as determined by the Manager.
- B. The manager under a management agreement executed by the Tribe and approved by the Chairman of the National Indian Gaming Commission under 25 C.F.R. Part 533 shall have the responsibility to establish and implement procedures to resolve complaints or grievances received from any employee of a Tribal gaming operation who is or claims to be adversely affected by any act or omission of the Tribal gaming operation. Subject to the specific provisions of the "Employee Grievance Procedure to be developed by the manager, the manager shall receive and hear any such complaint or grievance and maintain complete records of any such complaint or grievance and the disposition thereof. Subsequent to the final disposition of any such complaint or grievance by the Tribal gaming operation, the employee of the Tribal gaming operation shall have any right provided by the Ordinance to have such complaint or grievance heard by the Tribal Gaming Commission. In conjunction with such action, the Manager shall submit to the Tribal Gaming Commission the complete record of such complaint or grievance and the disposition thereof to be utilized by the Tribal Gaming Commission in its review and disposition thereof. In addition, the manager shall have the right to investigate any and all complaints or grievances and correct problems, if any, identified in such complaints or grievances as determined by the Manager.
- C. Subsequent to the procedures set forth in Paragraphs III A and III B above, the Tribal Gaming Commission shall have the authority to receive any complaint from an employee of an Tribal gaming operation or any member of the public who is or claims to be adversely affected by an act or omission of a Tribal gaming operation that is asserted to violate the Ordinance, the Act, the Compact, or the standards of management and operation adopted pursuant to the Ordinance, and may upon consideration of such complaint recommend to the Tribal Council such remedial action as it deems appropriate to bring the gaming operation into compliance with such provisions. The Tribal Gaming 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 proceedings useful in the resolution of such complaint. In addition, the Tribal Gaming Commission may receive any suggestions from any employee of any gaming operation or any member of the public regarding ways in which a gaming operation may be improved.

³ Defined terms used herein shall have the same meanings as terms defined in the Santee Sioux Tribal Gaming Ordinance.

Attachment IV

DESIGNATION OF AN AGENT FOR SERVICE⁴

The agent of the Tribe hereby designated to receive all service of process on behalf of the Tribe and the Tribal Gaming Commission pursuant to 25 C.F.R. Part 519 is the Executive Director, who shall be the Tribe's representative specifically identified by the Tribal Gaming Commission as the individual responsible for monitoring the operations of any Tribal gaming operation under the supervision of the Tribal Gaming Commission. All service of process shall be sent to the following address:

Chairman
Santee Sioux Tribe of Nebraska
Rural Route 2
Niobrara, Nebraska 67087
Telephone No: (402) 857-2302
Telefax No: (402) 857-2307

⁴ Defined terms used herein shall have the same meanings as terms defined in the Santee Sioux Tribal Gaming Ordinance.

Attachment V

**IDENTIFICATION OF A LAW ENFORCEMENT AGENCY
THAT WILL TAKE FINGERPRINTS AND DESCRIPTION
OF PROCEDURES FOR CONDUCTING A CRIMINAL
HISTORY CHECK BY A LAW ENFORCEMENT AGENCY.**

The Knox County Sheriff Department hereby designated as the law enforcement agency that will take finger prints.

The Tribal Gaming Commission, through the Knox County Sheriff Department shall conduct a criminal history check and investigation sufficient to make the determination set forth in Article VII of the Ordinance. Such investigations shall include a fingerprint based search of State criminal history records, files and fingerprint-based search of the Federal Criminal history record files by the Federal Bureau of Investigations.