
SANTA YSABEL TRIBAL GAMING COMMISSION

SYGC 14-I010

Commission Regulation

Declaration of Situs of VPN Aided Class II Gaming Conducted Under the Tribal Gaming Ordinance

Pursuant to SYGC Gaming Ordinance Section XI (F) & (G), regulation of gaming activity, the Santa Ysabel Gaming Commission hereby adopts the following regulation:

1.0 Purpose of Regulation

- (a) The Iipay Nation of Santa Ysabel ("Nation") has adopted the Iipay Nation of Santa Ysabel Gaming Ordinance ("Gaming Ordinance"), and, effective as of April 30, 2010, the Gaming Ordinance has been approved by the Chairman of the National Indian Gaming Commission ("NIGC") pursuant to the federal Indian Gaming Regulatory Act of 1988 ("IGRA"), P.L. 100-497, 25 U.S.C. § 2701, *et seq.*, as it may be amended from time to time, and the regulations of the NIGC promulgated thereunder.
- (b) The Nation has also adopted as part of its substantive law an ordinance regarding tribal transactions or dealings ("Tribal Transaction Location Law") which applies to and governs the legal location of transactions or dealings involving the Nation or its instrumentalities, political subdivisions, agencies and wholly-owned tribally-chartered companies, including any tribal gaming operations, with any persons wherever physically located.
- (c) The Santa Ysabel Gaming Commission ("Gaming Commission") was established under Section XI, Paragraph A of the Gaming Ordinance to exercise regulatory authority over all gaming activities conducted within the jurisdiction of the Nation and, pursuant to Section XI, Paragraph G, is empowered, subject to Executive Branch and Legislative Branch review and comment, to promulgate regulations to implement the provisions of the Gaming Ordinance, including those necessary to the interpretation and application of the Gaming Ordinance by the Gaming Commission in connection with exercising its regulatory powers.
- (d) In a manner consistent with the Tribal Transaction Location Law and in order to facilitate expanded opportunities to participate in

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Gaming activities conducted under the Gaming Ordinance, the Tribal Gaming Commission finds it necessary in connection with exercising its regulatory powers to promulgate a regulation related to VPN Aided Class II Gaming conducted within the Santa Ysabel Indian Reservation on Indian lands.

2.0 Definitions

The terms used herein shall have the meanings ascribed to them in the Gaming Ordinance and other regulations of the Gaming Commission.

3.0 Declaration of Situs of VPN Aided Class II Gaming

The Gaming Commission hereby declares that, consistent with the Tribal Transaction Location Law, any VPN Aided Class II Gaming operated by any tribal gaming operation shall be conducted using servers and computer equipment situated within the Santa Ysabel Indian Reservation on Indian lands. VPN Aided Class II Gaming shall be deemed to take place where the servers are located on the Indian lands of the Nation, regardless of a player's physical location.

4.0 Location of VPN Aided Class II Gaming System Hardware and Software

All hardware and software equipment used by any tribal gaming operation to conduct VPN Aided Class II Gaming shall be located in a restricted area of a Gaming Facility situated within the territorial limits of the Santa Ysabel Indian Reservation on Indian lands.

5.0 Compliance with Legal Requirements

The tribal gaming operation shall ensure that VPN Aided Class II Gaming complies with all applicable laws.

Approved by:


Dave Vialpando, Chairman

July 1, 2014

Date

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