



April 21, 2014

Andrew Freeman, Tribal Chairman  
Paskenta Band of Nomlaki Indians  
P.O. Box 398  
Orland, CA 95963

Dear Chairman Freeman:

I am writing to express concern over recent events that have transpired with the Paskenta Band of Nomlaki Indians ("the Band"), and how those events affect the Band's Rolling Hills Casino. I have received information that during the Band's General Council meeting on April 12, 2014, that you dismissed four of the five members of the Tribal Council and that those four members have been excluded from tribal property.

The National Indian Gaming Commission (NIGC) defers to the Secretary of the Interior in areas in which the Secretary has expertise. The Secretary, through the Bureau of Indian Affairs, has expertise in recognizing whether a group should be recognized as a tribe and, when there are competing factions, which faction should be recognized as the tribal government. The Indian Gaming Regulatory Act (IGRA) acknowledges the Secretary's expertise by defining, for the purposes of Indian gaming, an "Indian tribe" as an organized group that "is recognized as eligible by the Secretary [of the Interior] for the special programs and services provided by the United States...." 25 U.S.C. 2703(5)(A). Gaming conducted by an entity other than an Indian tribe or an entity licensed by the tribe is not Indian gaming under IGRA and may not, therefore, be conducted on Indian lands.

On April 15, 2014, Troy Burdick the Acting Superintendent for the Bureau of Indian Affairs Central California Agency sent a letter to the City of Orland Police Department and Cornerstone Community Bank attaching a letter to you dated January 12, 2011, listing the names of the individuals the BIA recognizes as the Band's leadership. Based upon the information I received, it appears that the tribal government recognized by the BIA is not in control of the Band's gaming operation and remains excluded from the premises.

I am concerned that the gaming at the Casino is not being conducted by the Band--that is, by the governmental authority recognized by the Secretary of the Interior--or by an entity licensed by the tribal government pursuant to NIGC regulations. If true, the federally recognized tribal government is being deprived of the sole proprietary interest in and responsibility for the gaming operation. IGRA, NIGC's regulations, and the Band's gaming ordinance require that the Band retain the sole proprietary interest in and the sole responsibility for the conduct of gaming on the Tribe's lands. 25 U.S.C. § 2710(b)(2)(A); 25 C.F.R. § 522.4(b)(1); Paskenta Band of Nomlaki

Indians Gaming Ordinance, Art. IV. Additionally, NIGC's regulations require that authorized tribal officials be allowed to enter and inspect gaming facilities. 25 C.F.R. § 573.6(a)(9).

I have initiated an investigation into this matter to determine whether or not to recommend to the Chairman that a Notice of Violation be issued. If you have any questions, please contact me at (202) 632-7003.

cc: David Swearingner, Vice-Chairman  
Leslie Lohse, Treasurer  
Geraldine Freeman, Secretary  
Allen Swearingner, Member-at-Large  
Eric Schalansky, NIGC Sacramento Region Director

Sincerely,

A handwritten signature in cursive script, appearing to read "Douglas Hatfield".

Douglas Hatfield  
Director of Compliance

Tribal Operations

Honorable Andrew Freeman  
Chairman, Paskenta Rancheria  
Post Office 398  
Orland, California 95963

JAN 12 2011

Dear Mr. Freeman:

The purpose of this correspondence is to acknowledge receipt of the Tribe's facsimile dated December 23, 2010, with attached Tribal Resolution 2010-10-02, Tribal Council Appointments received on January 6, 2011, at the Bureau of Indian Affairs, Central California Agency.

On October 2, 2010, Resolution 2010-10-02, was approved at a duly convened Tribal Council meeting, at which a quorum was present, certifying the newly appointed council members. Therefore, the following individuals currently represent and serve as officials of the Paskenta Rancheria Tribal Council:

1. Andrew Freeman, Chairman
2. David Swearinger, Vice-Chairman
3. Leslie Lohse, Treasurer
4. Geraldine Freeman, Secretary
5. Allen Swearinger, Member-at-Large

Congratulations are extended to all the elected officials. Please feel free to contact my office about any Bureau program or any questions you may have.

Should you have any questions, please do not hesitate to contact Carol Rogers-Davis, Tribal Operations Officer, at (916) 930-3794.

Sincerely,

TROY BURDICK

Troy Burdick  
Superintendent

bcc: 3731-P5 Paskenta Rancheria FY 11  
37102-T1 Tribal Operations Chron CY 11  
10102-T1 Superintendent Chron CY 11  
TSam 01/12/11

*TSam 01-12-11 CDR 1/12/11*



# United States Department of the Interior

**BUREAU OF INDIAN AFFAIRS**  
Central California Agency  
650 Capitol Mall, Suite 8-500  
Sacramento, CA 95814-4710

IN REPLY REFER TO

*Executive Direction*

**APR 15 2014**

City of Orland Police Department  
774 Third Street  
Orland, CA 95963

Cornerstone Community Bank, Red Bluff Branch  
237 South Main Street  
P.O. Box 889  
Red Bluff, CA 96080

To whom it may concern:

Due to the recent notification of events that have occurred at the Paskenta Rancheria, we are sending the attached document, which is the last Tribal Council of Record at this Agency. For your information, the Bureau of Indian Affairs does not get involved in internal tribal disputes. We will and have always encouraged all tribes to extinguish all avenues within their governing documents to resolve internal disputes/matters.

Troy Burdick is this Agency's Superintendent and I am acting in his capacity today. If you should have any questions, please contact Carol Roger-Davis, Tribal Operations Officer, at (916) 930-3794 or me at (916) 930-3672.

Sincerely,

**ACTING**

Troy Burdick  
Superintendent