



United States Department of the Interior

OFFICE OF THE SECRETARY
Washington, DC 20240

AUG 26 2021

The Honorable Teri Gobin
Chair, Tulalip Tribes of Washington
6406 Marine Drive
Tulalip, Washington 98632

Dear Chair Gobin:

On July 12, 2021, the Tulalip Tribes of Washington (Tribe) and the State of Washington (State) submitted the Tenth Amendment to the Tribal-State Compact for Class III Gaming between the Tulalip Tribes of Washington and the State of Washington (Amendment), providing for the regulation of class III gaming activities by the Tribe. The Amendment authorizes the Tribe to operate sports wagering at the Tribe's class III gaming facility, updates the Amendment to reflect this change in various sections, and incorporates Appendix S, Sports Wagering.

We have completed our review of the Amendment and conclude that it does not violate the Indian Gaming Regulatory Act (IGRA), any other provision of Federal law that does not relate to jurisdiction over gaming on Indian lands, or the trust obligations of the United States to Indians. 25 U.S.C. § 2710(d)(8)(B). Therefore, pursuant to my delegated authority and Section 11 of IGRA, I approve the Amendment. 25 U.S.C. § 2710(d)(8)(A). The Amendment takes effect when the notice of this approval is published in the *Federal Register*. 25 U.S.C. § 2710(d)(3)(B).

A similar letter is being sent to the Honorable Jay Inslee, Governor, State of Washington.

Sincerely,

Bryan Newland
Assistant Secretary – Indian Affairs

Enclosure

**TENTH AMENDMENT TO THE TRIBAL-STATE COMPACT
FOR CLASS III GAMING BETWEEN
THE TULALIP TRIBES OF WASHINGTON
AND THE STATE OF WASHINGTON**

INTRODUCTION

The TULALIP TRIBES OF WASHINGTON (hereafter “Tribe”) and the STATE OF WASHINGTON (hereafter “State”) entered into a Class III gaming compact (hereafter “Compact”) on August 2, 1991, pursuant to the Indian Gaming Regulatory Act of 1988 (hereafter “IGRA”). At the request of the Tribe, the Tribe and State entered into negotiations for further amendments to the Compact. The parties have reached an agreement on Compact amendments as set forth in this document. The parties believe the conduct of Class III gaming under the terms and conditions set forth below will, from a regulatory perspective, benefit the Tribe and the State and protect members of the Tribe and citizens of the State consistent with the objectives of IGRA.

COMPACT AMENDMENT

1. Compact Section 2 is amended to add the following definitions:

- (t) “Cash” when used as a noun, means currency in the form of coins or bills issued by the government of the United States.
- (u) “Closed Surveillance System” means a recording system with a collection of surveillance cameras in which live signals are recorded and are available to be viewed within the system and are not publicly distributed or accessible.
- (v) “Gaming” or “Gambling” means staking or risking something of value upon the outcome of a contest of chance or a future contingent event not under the person’s control or influence, upon an agreement or understanding that the person or someone else will receive something of value in the event of a certain outcome.
- (w) “Internal Controls” means the documents that describe the internal operational system or internal procedures of the Gaming Operation designed to promote efficiency, safeguard assets, and avoid fraud and error.

(x) “Memorandum of Understanding” or “MOU” means a document agreed upon by both the Tribe and State Gaming Agency that clarifies terms or details of agreed upon Compact provisions and does not add provisions which would require an amendment.

2. Compact Section 2 (f), as previously amended, is amended to read as follows:

(f) “Gaming Employee” means any person employed in the operation or management of the ~~g~~Gaming ~~o~~Operation, whether employed by or contracted to the Tribe or by any person or enterprise providing on or off-site services to the Tribe within or without the ~~g~~Gaming ~~f~~Facilities regarding any Class III activity, including, but not limited to, ~~g~~Gaming ~~o~~Operation managers and assistant managers; accounting personnel; surveillance personnel; cashier supervisors; dealers or croupiers, box men; floormen; Sports Wagering personnel; management companies and their principals; and any there natural person whose employment duties require or authorize access to restricted areas of the ~~g~~Gaming ~~f~~Facilities not otherwise opened to the public.

3. Compact Section 2 is amended to add the definition of “Cash Equivalent” as follows and the prior definition of “Cash Equivalent” in Appendix A, Section 1 is stricken:

(y) "Cash Equivalent" means Cash in the form of a treasury check, personal check, travelers check, wire transfer of funds, money order, certified check, cashiers check, a check drawn on the tribal gaming operation payable to the patron or to the tribal gaming operation, a patron's debit or credit card, a patron's reloadable prepaid card that has been verified as being issued to the patron and is non-transferable, ACH transfer if the operator has security measures and controls to prevent ACH fraud regarding failed ACH deposits, or a voucher recording cash drawn against a credit card or charge card;

4. Compact Section 3(a), as previously amended, is amended to add:

(xxv). Sports Wagering, subject to Appendix S.

5. Compact Section 3(d), as previously amended, is amended to read as follows:

(d) Forms of Payment

All payment for wagers made in authorized forms of Class III ~~g~~Gaming conducted by the Tribe on its Tribal Lands, including the purchase of chips, for use in wagering, shall be made by ~~e~~Cash, ~~e~~Cash ~~e~~Equivalent, credit card or personal check. Cash payments for wagers made through near-field communication (NFC) devices, EMV or smart cards, or similar secure payment technologies may be utilized upon agreement between the Tribe and the State Gaming Agency and documented in a Memorandum of Understanding.

6. Compact Section 4(c) is amended to read as follows:

(c) Manufacturers and Suppliers of Gaming Services. Each manufacturer and supplier of gaming services shall be licensed by the Tribal Gaming Agency and shall be certified by the State prior to the sale of any gaming services. If the supplier or manufacturer is licensed or certified by the State of Washington it shall be deemed certified for the purposes of this Compact. The licensing and certification shall be maintained annually thereafter. In the event a manufacturer or supplier provides or intends to provide less than \$25,000 worth of gaming services or goods annually, upon the mutual agreement of the Tribal Gaming Agency and the State Gaming Agency, the certification and licensing requirement may be waived.

7. The Tribe and State agree that connecting a patron's Tribal Lottery System Player Account and Sports Wagering Account "digital wallet", or other payment/wagering accounts, at the Gaming Operation shall not be deemed approved as part of the approval of this Amendment. Any future proposal from the Tribe to make such connections must meet Compact and applicable Appendices requirements. If the Tribe's Compact and Appendices provisions do not allow this connection, additional amendments/negotiations may be initiated. If the Tribe determines its proposal meets current Compact and Appendices requirements, the proposal will be submitted to and approved by the Tribe and State Gaming Agency, and such agreement will be documented in a Memorandum of Understanding. The proposal will include at a minimum: how it complies with Compact and Appendices; security, integrity, and testing provisions; and related Internal Controls. Nothing in this amendment is intended to prevent the Tribe from offering a "digital wallet" for Sports Wagering.

8. Compact Section 9 (c), as previously amended, is amended as follows:

c. Consent to Limited Application of State Law, For the purposes of 18 USC Section 1166(d) and enforcing the provisions of this Compact, and of protecting the public health, safety and welfare, and to the extent not inconsistent with other provisions of this Compact, RCW 9.46.0364; 9.46.0368; 9.46.037; 9.46.038; 9.46.0245; 9.46.0269; 9.46.070; 9.46.130; 9.46.140; 9.46.155; 9.46.160; 9.46.170; 9.46.180; 9.46.185; 9.46.190; 9.46.195; 9.46.196; 9.46.1961; 9.46.1962; 9.46.198; 9.46.210 (3), (4), (5) & (6); 9.46.212 9.46.215; 9.46.217; 9.46.220; 9.46.221; 9.46.222; 9.46.225; 9.46.228 (1) (2), (4) & (5); 9.46.230; 9.46.231; 9.46.235; 9.46.240; 74.08.580; 67.04; 67.16; 67.24; 67.70; 9A.52; 9A.56; 9A.60; 9A.68; 9A.83.020; 9A.82; 9.35.010; and 9.35.020 as now or hereinafter amended, including those amendments enacted by the 1991 Legislative Regular Session, set forth in Appendix "B", shall be applicable and

incorporated herein as part of this Compact and the Tribe consents to this transfer of jurisdiction to the State with respect to gaming on Tulalip Tribal Lands.

9. **Payment of Start-up Fee.** A start-up fee includes the actual costs incurred by the State Gaming Agency for negotiations, rule development, regulatory program development, training, and similar activities necessary to implement Sports Wagering. That State Gaming Agency will provide the Tribe with a summary of actual start-up costs. The Tribe's operation of Sports Wagering is contingent on the receipt of the Tribe's share of the start-up fee. The Tribe's share will be determined equal to the start-up fees divided by the number of Tribes that begin operating Sports Wagering before March 31, 2023. The Tribe's pro-rated share of the start-up fee will be invoiced by April 15, 2023, with payment due to the State Gaming Agency no later than May 30, 2023.

TULALIP TRIBES OF WASHINGTON

BY: 

TERI GOBIN

Chair

DATED: 6/14/21

STATE OF WASHINGTON

BY: 

JAY INSLEE

Governor

DATED: 7/6/2021

**TULALIP TRIBES OF WASHINGTON
and the
STATE OF WASHINGTON
CLASS III GAMING COMPACT**

**APPENDIX S
Rules Governing Sports Wagering**

TABLE OF CONTENTS

STATEMENT OF CONDITIONS AND LIMITATIONS.....	1
1 INTRODUCTION.....	1
2 LOCATION OF SPORT WAGERING.....	6
3 PERSONNEL ASSIGNED TO THE OPERATION AND CONDUCT OF SPORTS WAGERING.....	7
4 SPORTS WAGERING LICENSING AND CERTIFICATION.....	7
5 RESERVE REQUIREMENTS.....	10
6 HOUSE RULES AND POSTING REQUIREMENTS.....	10
7 PROCEDURES FOR OPENING AND CLOSING BETTING WINDOWS.....	11
8 SPORTS WAGERING SYSTEM REQUIREMENTS.....	11
9 GENERAL CONDUCT OF WAGERING.....	13
10 TYPES OF BETS ALLOWED.....	14
11 PROHIBITED BETS.....	16
12 ACCEPTANCE OF WAGERS, REDEMPTION OF WAGERS, CANCELLED OR VOIDED WAGERS.....	17
13 SPORTS WAGERING KIOSKS.....	18
14 SPORT WAGERING ACCOUNTS.....	18
15 MOBILE WAGERING.....	22
16 CHANGE CONTROL PROCEDURE.....	23
17 SURVEILLANCE REQUIREMENTS.....	23
18 ACCOUNTING.....	24
19 SPORTS WAGERING INTEGRITY.....	24
20 FEDERAL REQUIREMENTS.....	27
21 TESTING AND APPROVAL.....	27
22 INSPECTIONS.....	29
23 PATRON COMPLAINT.....	29
24 PROBLEM AND RESPONSIBLE GAMBLING.....	29

CLASS III GAMING COMPACT
APPENDIX S
Rules Governing Sports Wagering

STATEMENT OF CONDITIONS AND LIMITATIONS

The Tulalip Tribes of Washington (Tribe) and the State of Washington (State) believe that conducting Class III gaming under the terms, limitations, and conditions set forth below will benefit the Tribe and the State, will be fair and protect the members of the Tribe and the other citizens of the State, and is consistent with the objectives of the federal Indian Gaming Regulatory Act. The parties have agreed upon conditions of the terms, provisions, and limitations contained in this Appendix S.

To the extent they do not conflict with the provisions of this Appendix S, Compact and applicable Appendices apply. Compact provisions that are not addressed in this Appendix remain in full force and effect, unless and until they are subsequently amended pursuant to the processes set forth in the Compact.

This Appendix contains interdependent conditions and consequences that must be accepted as a whole in order to operate or participate in Sports Wagering.

I INTRODUCTION

1.d Definitionse

The following definitions apply to this Appendix. Any capitalized term used but not defined herein, to the extent they do not conflict, shall have the same meaning as in the Compact and Appendices.

“Authorized Sports Wagering Menu” means the official list of leagues, organizations, and types of wagers for Sports Wagering. This list will be updated as leagues, organizations, or types of wagers are approved, or removed, and published on the State Gaming Agency website.

“Cloud Storage” means data which is stored on remote servers accessed from the internet that meet storage and security standards from Center for Internet Security (CIS) as they currently exist or may be amended in the future.

“Collegiate Sport Event” or **“Collegiate Athletic Event”** means a sport or athletic event offered or sponsored by, or played in connection with, a public or private institution that

offers education services beyond the secondary level, other than such an institution that is located within the state of Washington.

“**Component**” means hardware, software, data networks, mobile application, or similar equipment used to facilitate Sports Wagering. Component does not include a personal computer, mobile phone, or other device that is owned and used by an individual to place a wager.

“**Esports**” means a video game competition in which players and teams compete against each other.

“**Esports Event**” or “**Electronic Event**” means a live event or tournament attended or watched by members of the public where games or matches are contested in real time by players and teams and players or teams can win a prize based on their performance in the live event or tournament.

“**Geofence**” means a virtual geographic boundary that enables software or other technology as developed to detect when a Mobile Device enters or leaves the designated area that allows a patron to place a wager.

“**Integrity Monitoring Provider**” (IMP) means an independent organization licensed to receive reports of Unusual Wagering Activity from a Sports Wagering Operation for the purpose of assisting in identifying Suspicious Wagering Activity.

“**Layoff Wager**” means when a Sports Wagering Operation places or accepts a Wager with another Class III tribal Sports Wagering Operation in Washington State in order to reduce the liability on a certain game or to simply balance out the action.

“**Minor League**” means a lower professional league or division within a sport, such as baseball or hockey, where a professional team has the exclusive contractual rights to promote and relegate players.

“**Mobile Device**” means a piece of personal portable electronic equipment used in Mobile Sports Wagering, for example a smartphone.

“**Mobile Sports Wagering**” means any Sports Wagering on a platform that is deployed and accessed through the internet or an application installed on a Mobile Device.

“**Parlay Wager**” means a Bet where the patron must choose the winners of multiple games, often single game outcomes against the point spread, and correctly pick all winning

teams to win the bet. If a person loses any of the individual games, he loses the Parlay Wager.

“Personally Indentifiable Information” or **“PII”** means any information that, when used alone or with other relevant data, can identify an individual.

“Premises” means the buildings that comprise a Gaming Facility and adjacent or adjoining amenities, such as hotel(s), restaurants, conference or entertainment spaces, common areas, parking lots, garages, and other improved areas, that are within Tulalip Tribal Lands, and does not include non-adjointing convenience stores or golf courses.

“Professional Sport Event” or **“Professional Athletic Event”** means an event that is not a collegiate sport or athletic event at which two or more persons participate in sports or athletic events and receive compensation in excess of actual expenses for their participation in the event. Professional Sport Event or Professional Athletic Event does not include any Minor League sport.

“Prohibited Sports Betting Participant” means any person whose participation may undermine the integrity of the betting or the sports event, or any person who is prohibited for other good cause as further described in this Appendix.

“Sports Governing Body” means an organization or league that prescribes final rules and enforces codes of conduct with respect to a specific sporting event and participants therein.

“Sports Wagering” means the business of accepting wagers on any of the following sporting events, athletic events, or competitions as defined herein by any system or method of wagering:

- (i) A Professional Sport or Athletic Event;
- (ii) A Collegiate Sport or Athletic Event;
- (iii) An Olympic or international sports competition or event;
- (iv) An electronic sports or Esports competition or event (Electronic Event or Esport Event);
- (v) A combination of sporting events, athletic events, or competitions listed in (i) through (iv) of this provision; or

A portion of any sporting event, athletic event, or competition listed in (i) through (iv). Sports Wagering does not include the business of accepting wagers on horse racing authorized pursuant to RCW 67.16.

“Sports Wagering Account” means an electronic account that may be established by a patron for the purpose of Mobile Sports Wagering, including deposits, withdrawals, wagered amounts, payouts on winning wagers, or similar adjustments.

“Sport Wagering Kiosk” means a self-service automated device used by patrons to make wagers on sporting events, obtain betting information, redeem sports betting vouchers and betting tickets, and any other automated functions, as controlled by this Appendix.

“Sports Wagering Net Win” means the total amount wagered or played less the amounts repaid to winners. The amount of wagers placed by a Sports Wagering Operation and amounts received by the Sports Wagering Operation as payments on Layoff Wagers shall also not affect the computation of gross gaming revenue.

“Sports Wagering Operation” means the organization/vendor or department that manages wagers/bets placed on approved sports events through any approved system or method of betting onsite or through mobile applications.

“Sports Wagering System” means any combination of Components and communications used to manage, administer, or control Sports Wagering that comprise the system used for the purpose of offering Sports Wagering by electronic means, including, but not limited to: (1) sports betting interactive Components that comprise the sports betting platform used in a Sportsbook or used for Mobile Sports Wagering through mobile applications accessed via a Mobile Device, (2) Sports Wagering Kiosks, and (3) ticket or voucher redemption devices. Sports Wagering equipment does not include any Mobile Device owned and used by a patron to place a Wager.

“Sports Wagering Vendor” means an organization that provides any gaming goods or services to the Tribe directly or indirectly in connection with the operation of Sports Wagering and/or affects the conduct of Sports Wagering.

“Sportsbook” means designated areas within the Gaming Facility where a patron can Wager on various approved sports competitions.

"Suspicious Wagering Activity" means Unusual Wagering Activity that cannot be explained and is indicative of match fixing, manipulation of an event, misuse of inside information, or other activity prohibited by federal, state, tribal, or local law.

"Unusual Wagering Activity" means abnormal betting or pattern of behavior exhibited by one or more patrons and deemed by the Sports Wagering Operation as a potential indicator of suspicious activity. Abnormal betting activity may include, but is not limited to, the size

of a patron's Wager or increased betting volume on a particular event or Wager type and/or other deviations readily apparent based on prior betting history.

“**Wager**” or “**Bet**” means Cash or Cash Equivalent that is deposited and risked on an uncertain outcome of a sporting event or contest. It is a contract or agreement between two parties that a payout “will” occur after the event.

1.2 Intent

This Appendix is not intended to change the existing government-to-government relationship governed under the existing Compact or expand or diminish either party’s regulatory authority or responsibility. It is the intent of the parties, for the Tribe to operate Sports Wagering that will enhance the Tribe’s existing Gaming Operations and draw customers into regulated Sports Wagering and away from illegal sports betting. Tribes in Washington State have more than twenty years' experience with, and a proven track record of, successfully operating Gaming in accordance with their Compacts. Tribes in Washington and the State Gaming Agency have a proven track record of successful regulation of Gaming in accordance with respective Compacts. Sports Wagering must be fair, secure, auditable, and maintain the highest integrity to ensure public confidence. Sports Wagering will further assist in the mitigation of problem gambling through ongoing/continuing awareness, education, and treatment and implementation of a responsible gaming program.

Sports Wagering is unique from other authorized activities in the Compact because it provides patrons the opportunity to place a contract type Wager on an authorized sporting event which is not under the control of the Tribe, Gaming Facility, or patron, and winning Wagers are paid based on the odds stated at the time the Wager was placed. Payout odds for Sports Wagering are based on many different and complex factors which may change frequently and with each Wager placed.

The Tribe and the State agree that Sports Wagering, by the nature of the activity, may be at risk of being used by criminals or criminal enterprises as a mechanism to launder illicit proceeds. It is the interest of both sovereign governments to discourage the laundering of ill-gotten gains through legalized Sports Wagering.

The Tribe and State agree that identifying patrons prior to engaging in Sports Wagering activity discourages the laundering of illicit proceeds and the retention of, and access to, transactional data will enable both the Tribal Gaming Agency and the State Gaming Agency in future investigations.

Both the State and Tribe recognize that cooperation and sharing of information preserves the integrity of Sports Wagering. The State recognizes the Tribe's unique ability to observe and report on such activities as they may occur within the boundaries of their Tribal Lands. The Tribe recognizes the State's unique ability to observe and report on such activities as they may occur within the boundaries of the State. Therefore, the Tribe and State agree to share information about significant events that reflect on the conduct of Sports Wagering to keep informed of such events in this highly regulated environment.

Sports Wagering conducted under this Appendix S is authorized bookmaking and is not subject to civil or criminal penalties under RCW 9.46.

Gambling information transmitted over the internet for any Sports Wagering conducted and operated under this Appendix S is authorized, provided that the Wager may be placed and accepted within the Premises pursuant to the terms of this Appendix. Mobile Sports Wagering does not constitute online gambling when operated within the limitations of this Appendix and restrictions and requirements of the Federal Wire Act, 18 U.S.C. § 1084, as now or hereafter amended.

2 LOCATION OF SPORT WAGERING

- 2.1 The Sportsbook must be located within a Gaming Facility.
- 2.2 The Sports Wagering System servers or other equipment used for Sports Wagering must be located within a Gaming Facility.
- 2.3 Cloud Storage may be used for duplicate or backup data. Any Cloud Storage facilities must be located in Washington State.
- 2.4 All Mobile Sports Wagering must occur within the Premises, will be operated pursuant to this Appendix, and within the Geofenced permitted boundary.
- 2.5 The Tribe shall provide a layout map of where Sports Wagering will occur through a Sportsbook and Mobile Sports Wagering, including areas to be Geofenced, to the State Gaming Agency for concurrence at least thirty (30) days prior to the scheduled opening to the public. Expansions or substantial changes to the original layout map will be submitted thirty (30) days prior to being implemented. If the State takes no action within the thirty (30) days, the Tribe may implement the proposed layout map. The thirty (30) day period shall be extended for the first nine (9) months after the effective date of this Appendix and, during that first nine (9) month period, the proposed layout map shall only be deemed approved if no action is taken within sixty (60) days.

2.6 Pre-Operational Inspection for New Sports Wagering Location or Expansion of Sports Wagering Location.

Verification that the Compact and Gaming Code requirements have been met for any new or additional Sportsbook or Mobile Sports Wagering location/area, or for expansion of an existing Sportsbook or Mobile Sports Wagering location, shall be made by the Tribal Gaming Agency and State Gaming Agency, through a joint pre-operation inspection scheduled at least thirty (30) days prior to the scheduled opening to the public. If the Sports Wagering location fails to meet such requirements, the Tribal or State Gaming Agency must send a written and detailed non-compliance letter and report to the Tribe and the manager, if any, within seven (7) working days after completion of the inspection. If the Tribal and State Gaming Agencies do not agree on whether a Sports Wagering location meets the requirements, the agencies will meet within seven (7) working days from receipt of the non-compliance letter and work together to resolve concerns. If a dispute regarding this inspection cannot be resolved by the Gaming Agencies within sixty (60) days, the parties may seek resolution pursuant to Section 12 of this Compact.

3 PERSONNEL ASSIGNED TO THE OPERATION AND CONDUCT OF SPORTS WAGERING

The Internal Controls for the Sports Wagering Operation shall include an organizational chart and position descriptions of all employees involved in the Sports Wagering Operations.

4 SPORTS WAGERING LICENSING AND CERTIFICATION

The Tribe and State will continue sharing information about significant licensing and certification matters that reflect on the conduct of Sports Wagering so that either party is informed of such events in this highly regulated environment.

The State recognizes the Tribe has conducted suitability investigations of Class III Gaming Employees for many years, and the Tribe is the primary investigative authority for these suitability investigations. The State Gaming Agency strengthens the Tribal suitability determinations with its lawful authority to conduct criminal history record investigations.

The Tribe recognizes that the State Gaming Agency has been conducting background investigations of Gaming vendors and vendor representatives since its formation in 1973 in accordance with RCW 9.46.010 and 9.46.070. The State Gaming Agency conducts such investigations in an efficient but thorough manner. The State Gaming Agency recognizes that each vendor is different and that each investigation will be tailored to each individual vendor. Various factors can influence each investigation. Examples include but are not limited to: 1) The application is incomplete, inaccurate or intentionally misleading; 2) The applicant is evasive or nonresponsive; 3) The applicant is not timely in providing

information; and 4) The applicant's business operations change during the application process.

4.1 Applicability of Compact Provisions for Gaming Employees. All Gaming Employees will be licensed and certified, determined eligible or registered in accordance with Compact Section 4 and Section 5.

4.2 Applicability of Compact Provisions for Manufacturers and Suppliers of Gaming Services and Financiers. All manufacturers and suppliers of Gaming Services and Financiers not expressly identified in this Appendix will be licensed and certified in accordance with Compact Section 4 and Section 5.

4.3 Sports Wagering Vendor Licensing and Certification Provisions. Section 5 of the Compact will also apply to this Appendix for Sports Wagering Vendors, as applicable.

4.4 Licensure and Certification of Sports Wagering Vendors.
Each Sports Wagering Vendor must be licensed by the Tribal Gaming Agency and certified by the State Gaming Agency prior to the sale or delivery of any Sports Wagering System goods or Sports Wagering services to the Tribe. If a Sports Wagering Vendor is certified by the State Gaming Agency to supply Sports Wagering System goods or Sports Wagering services to any other tribe in Washington State, it shall be deemed certified to supply the same goods or services to the Tribe for the purposes of this Appendix. Vendors who provide goods or services that are used primarily for purposes other than Sports Wagering, such as monitors and computer operating systems, and are not identified under a definition in this appendix or Compact, such vendors are not required to be certified by the State Gaming Agency.

4.4.1 Major Sports Wagering Vendor. Any person or entity that provides goods or services integral to Sports Wagering must be licensed as a Major Sports Wagering Vendor by the Tribal Gaming Agency and certified by the State Gaming Agency. The following vendors are integral to Sports Wagering:

- 4.4.1.1 Manager of the Tribe's Sports Wagering activities pursuant to an agreement approved by the National Indian Gaming Commission;
- 4.4.1.2 When the Tribe manages its own Sports Wagering activities, the Tribe's primary consultant who provides substantial Sports Wagering related services;
- 4.4.1.3 Any manufacturer or distributor of Sports Wagering Equipment;
- 4.4.1.4 Provider of book-making services; or
- 4.4.1.5 Provider of Sports Wagering risk management services.

4.4.2 Mid-Level Sports Wagering Vendor. Any entity that provides security or integrity services directly related to Sports Wagering must be licensed as a Mid-Level Sports Wagering Vendor by the Tribal Gaming Agency and certified by the State Gaming Agency. For the purpose of this subsection, security or integrity services include the following:

- 4.4.2.1 Integrity monitoring services;
- 4.4.2.2 Services related to compilation, furnishing, or storage of official data for use in Sports Wagering;
- 4.4.2.3 System security testing or certification services related to initial or annual testing or assessment of the Sports Wagering System security;
- 4.4.2.4 Services related to the creation and maintenance of a Geofence to ensure that wagers are placed within the Premises;
- 4.4.2.5 Sports Wagering Account management services, including Software-as-a-Service (SaaS); or
- 4.4.2.6 Similar Sports Wagering services.

4.4.3 Ancillary Sports Wagering Vendors. Any entity that provides necessary support services that contribute to Sports Wagering must be licensed as an Ancillary Sports Wagering Vendor by the Tribal Gaming Agency and certified by the State Gaming Agency. For the purpose of this subsection, support services include the following:

- 4.4.3.1 Services related to the offering of mobile payment processing for use in Mobile Sports Wagering;
- 4.4.3.2 Know your customer services for use in Mobile Sports Wagering;
- 4.4.3.3 Marketing services in which compensation for such services is, by contract, determined by the Tribe's Sports Wagering revenue; or
- 4.4.3.4 Similar Sports Wagering support services.

4.4.4 Sports Wagering Vendor representatives. Any individual who sells, markets, represents, services, or otherwise works for a Sports Wagering Vendor.

4.5 Fees for Sports Wagering Vendors

The fees for initial and renewal State certification shall be determined pursuant to Washington Administrative Code (WAC) Title 230 for Sports Wagering Vendors and their representatives. Provided, should actual costs incurred by the State Gaming Agency exceed the stated fees, those costs will be assessed to the applicants during the investigation process. Payment in full to the State Gaming Agency will be required prior to beginning the investigation for the issuance of State Certification. The State Gaming

Agency may modify any of the above by giving the Tribe sixty (60) days' notice of intent to modify fees. Should a dispute arise under this Section it shall be resolved pursuant to Section 12 of this Compact.

5 RESERVE REQUIREMENTS

In addition to the minimum bankroll required by Compact Appendix A, each Sports Wagering Operation must have the ability to cover all outstanding Sports Wagering liabilities.

6 HOUSE RULES AND POSTING REQUIREMENTS

6.1 Sports Wagering Operation Rules.

The Sports Wagering Operation shall submit house rules governing wagering transactions with patrons in accordance with Compact Section 11. At a minimum the rules must specify:

- 6.1.1 Types of wagers accepted;
- 6.1.2 How patrons will be notified of odds or line changes;
- 6.1.3 The effect of event schedule changes;
- 6.1.4 How and when wagers may be cancelled or voided;
- 6.1.5 What occurs when an event or market is cancelled, including the handling of wagers with multiple wagers;
- 6.1.6 How winning wagers will be paid events, such as parlays, where one or more of these legs are cancelled. If a single event or market is cancelled for any reason, all wagers are to be refunded in full as soon as reasonably possible.
- 6.1.7 How to redeem winning wagers;
- 6.1.8 Expiration period for winning wagers;
- 6.1.9 Amounts to be paid on winning;
- 6.1.10 Description of Prohibited Sports Betting Participants;
- 6.1.11 Explanation of the lost/destroyed ticket policy;
- 6.1.12 How to redeem winning tickets by mail;
- 6.1.13 Maximum payouts; however, such limits shall only be established through limiting the amount wagered and cannot be applied to reduce a winning Wager amount.

6.2 Posting Locations

In addition to the submission and posting requirements in the Compact Section 11, the house rules shall be posted on the Tribal Casino website, Sports Wagering Kiosk menu, included in the terms and conditions of the Sports Wagering Account and copies shall be made readily available to patrons upon request.

6.3 Additional Posting

All available wagers shall be displayed in a manner visible to the public and the Closed Surveillance System. The display shall include the event number, odds, and a brief

description of the event. A Sports Wagering Operations may not accept wagers on a sporting event unless the wagering proposition is posted. Propositions may be posted by electronic or manual means including printed media.

7 PROCEDURES FOR OPENING AND CLOSING BETTING WINDOWS

Sportsbook window banks shall be used for the purpose of facilitating Sports Wagering transactions. The Cashier's Cage may also be used for redemption of winning Wagers. The Internal Controls will have detailed procedures detailing the opening and closing procedures, which will be as stringent as the requirements of Appendix A, Accounting Controls Within the Cashier's Cage, where applicable. The Internal Controls will also include bank check-out and check-in procedures, required documentation, reconciliation procedures, dual verification, variance procedures, and supervisory responsibilities. Unresolved variances will be detailed in writing and include date, shift, window number, Ticket Writer, supervisor, amount of discrepancy, and variance amount where the Tribal Gaming Agency will be notified.

8 SPORTS WAGERING SYSTEM REQUIREMENTS

8.1 System Requirements.

The Sports Wagering System must meet or exceed Gaming Laboratories International's GLI-33: Standards for Event Wagering Systems, and its appendices, as amended or modified (GLI-33), or equivalent standards, and the standards established by this Appendix and set forth in the Internal Controls. In general the Sports Wagering System risk management framework includes, but is not limited to:

- 8.1.1 User access controls for all Gaming Employees;
- 8.1.2 Information regarding segregation of duties;
- 8.1.3 Information regarding automated risk-management procedures;
- 8.1.4 Information regarding identifying and reporting fraud and suspicious activity;
- 8.1.5 Controls for ensuring regulatory compliance;
- 8.1.6 A description of AML compliance standards;
- 8.1.7 A description of all software applications that comprise the system;
- 8.1.8 A description of all types of wagers available to be offered by the system;
- 8.1.9 A description of all types of third-party systems proposed for utilization;
- 8.1.10 A description of the method proposed by the Sports Wagering Operations to prevent acceptance of any Wager upon an event whose outcome has already been determined (past posting); and
- 8.1.11 A description of all the reports available on the system.

8.2 Future technology. Future technology may be considered if the following is met:

- 8.2.1 Proposals for technologies not specifically authorized in the compact may be reviewed on a case-by-case basis at the sole discretion of the Tribe/Tribal Gaming Agency and State Gaming Agency.

- 8.2.2 As technology changes after the Sports Wagering Systems have been developed, the vendor shall submit for review and consideration to the testing standards for any new technology utilized.
- 8.2.3 Demonstrate in writing how the proposed technology will protect, maintain, or enhance current integrity and security standards in the compact or this Appendix.

8.3 Backup, Data Retention, and Cloud Storage Requirements

- 8.3.1 The Sports Wagering Operation will submit detailed Internal Controls for Cloud Storage/backup data prior to the implementation of Cloud Storage.
- 8.3.2 Data necessary to audit compliance with the standards set forth in this Appendix shall be retained on the Sports Wagering System server for a minimum of 12 months. A duplicate backup must also be maintained, in Cloud Storage or in a location other than where the physical Sports Wagering System servers reside for a minimum of 12 months.

- 8.4 A Sports Wagering System shall have controls in place to review the accuracy and timeliness of any data feeds used to offer or settle wagers. In the event that an incident or error occurs that results in a loss of communication with data feeds used to offer or redeem wagers, such error shall be recorded in a log capturing the date and time of the error, the nature of the error and a description of its impact on the system's performance. Such information shall be maintained for a period of not less than two (2) years.

8.5 Security Testing

- 8.5.1 Before beginning operations and annually thereafter, each casino shall perform an annual system integrity, vulnerability and security assessment conducted by an independent licensed Sports Wagering Vendor selected by the casino. The testing shall be performed pursuant to GLI-33 standard.
- 8.5.2 The independent professional's report on the assessment shall be submitted to the Tribal Gaming Agency and State Gaming Agency annually. The report shall include, at a minimum, the:
 - 8.5.2.1 Scope of review;
 - 8.5.2.2 Name and company affiliation of any individual who conducted the assessment;
 - 8.5.2.3 Date of assessment;
 - 8.5.2.4 Findings;
 - 8.5.2.5 Recommended corrective action, if any; and
 - 8.5.2.6 Casino's response to the findings and recommended corrective action.

8.6 System Reports

8.6.1 Required Reports. In addition to the reports in GLI-33, the Sports Wagering System must be capable of generating those reports necessary to record the Sports Wagering Net Win, wagering liability, ticket redemption, and such other information relating to Sports Wagering as deemed necessary by the Tribal or State Gaming Agencies or as required by Internal Controls. These reports will include, but are not limited to: (1) Gaming Operation Revenue reports; (2) Gaming Operation Liability reports; (3) Future Events reports; (4) Significant Events and Alterations reports; (5) Wager Record Information reports; (6) Market Information reports; (7) Contest/Tournament Information reports; (8) Sports Wagering Account Information reports; (9) Sports Wagering System Information reports; (10) Significant Event Information reports; (11) User Access Information reports; (12) Wagering Device Information reports; (13) Promotion/Bonus Information reports; (14) Event Game Play reports; (15) Expired tickets reports; and (16) any other reports required by the Tribal or State Gaming Agencies.

9 GENERAL CONDUCT OF WAGERING

- 9.1 The Sports Wagering Operation shall only accept wagers on sports events and other events for which:
- 9.1.1 The outcome can be verified;
 - 9.1.2 The outcome can be generated by a reliable and independent process;
 - 9.1.3 The outcome is not affected by any Wager placed; and
 - 9.1.4 The event is conducted in conformity with all applicable sections of this Appendix.
- 9.2 Any Wager placed is not transferrable between patrons.
- 9.2.1 If a Sports Wagering Operation has reason to believe a Wager ticket has been transferred, they shall immediately report it to the Tribal Gaming Agency.
 - 9.2.2 Prior to the redemption of a wager, if Tribal Gaming Agency determines that a Wager ticket has been transferred, then they may cancel that specific wager.
- 9.3 No Gaming Employee of the Sports Wagering Operation shall advise or encourage an individual patron to place a Wager of any specific type, kind, subject, or amount. This restriction does not prohibit general advertising, promotional activities, or answering general questions about wagers.
- 9.4 A Sports Wagering Operation must offer both possible outcomes of any Wager when only two outcomes are possible, including but not limited to:

- 9.4.1 Any wager, placed before the event has begun, that is based on the final score or final outcome of a contest in which there are only two participating teams or individuals; or
- 9.4.2 Any Wager on whether a specific individual or team achieves a specific statistical outcome.

10 TYPES OF BETS ALLOWED

- 10.1 To offer a sports league, association, organization, event, or Wager type not included on the Authorized Sports Wagering Menu, a Sports Wagering Operation must submit a complete application to Tribal Gaming Agency, and Tribal Gaming Agency must notify State Gaming Agency at least 5 business days prior to any new scheduled event requested. In limited circumstances Gaming Operations may request a waiver of the five (5) business days. The Tribal Gaming Agency and State Gaming Agency may agree to accept such waiver at their discretion. The application shall be on a Tribal Gaming Agency prescribed form that includes:
 - 10.1.1 The underlying sport and sports league, association or organization upon which the type of Wager is based;
 - 10.1.2 Provide rules for the Wager and demonstrate that the new type of Wager will comply with this Appendix;
 - 10.1.3 The Gaming Operation/Sports Wagering Operation shall comply with Tribal Gaming Agency and State Gaming Agency requests for information; and
 - 10.1.4 Incomplete applications will not be considered until all required information is received.

- 10.2 The State Gaming Agency shall post on their website a list of authorized sports leagues, organizations, and types of wagers.
 - 10.2.1 The initial list of authorized wagers can be taken from an approved list, in whole or in part, from mutually agreed upon jurisdictions.

 - 10.2.2 For new requests the Tribal Gaming Agency and State Gaming Agency will consider the following factors prior to authorizing any organization, league and/or type of Wager of a sport or athletic event:
 - 10.2.2.1 Who is the Sports Governing Body;
 - 10.2.2.2 Any relevant information from the Sports Governing Body or conductor of the sports event;
 - 10.2.2.3 Whether the outcome is determined solely by chance;
 - 10.2.2.4 Whether the outcome can be verified by a reliable and independent process;

- 10.2.2.5 Whether the event generating the outcome is conducted in a manner that ensures sufficient integrity controls exist, so the outcome can be trusted;
 - 10.2.2.6 That the outcome is not affected by any Bet placed;
 - 10.2.2.7 Whether the event is conducted in conformity with all applicable laws, Compact and this Appendix;
 - 10.2.2.8 The event is conducted in conformity with the Sports Governing Body rules and regulations; and
 - 10.2.2.9 Whether the event is offered for wagering in other jurisdictions.
- 10.2.3 Following review and concurrence or denial of the proposed Wager type, the State Gaming Agency will update the Authorized Sports Wagering Menu within five (5) business days.
- 10.2.4 Any Wager types posted on the Authorized Sports Wagering Menu are considered approved for all Sports Wagering Operations. The Gaming Operation will determine the Wagers to be made available at their Premises.
- 10.3 Temporary or Conditional wagers. The Tribal Gaming Agency and State Gaming Agency may conditionally approve a Wager type or the use of a Wager type for a particular sport, league, association or organization, such as establishing a limited trial period for a type of Wager or imposing limits on a particular wager, to protect the wagering public, the integrity of wagers, and the integrity of the sports event upon which a Wager is based.
- 10.4 Denial of wagers. The Tribal Gaming Agency or State Gaming Agency may deny proposed wagering types that directly or indirectly violates any requirement for permissible wagers or that the Tribal Gaming Agency or State Gaming Agency determines to be contrary to public policy.
- 10.5 Rescission of approval. The Tribal Gaming Agency or State Gaming Agency may rescind a wagering type that may directly or indirectly violate any of the provisions of this Appendix or the Tribal Gaming Agency or State Gaming Agency determines to be contrary to public policy.
- 10.6 Disputes will be handled in accordance with dispute resolution Compact Section 12.

11 PROHIBITED BETS

- 11.1 Each Sports Wagering Operation must take steps to prevent the acceptance of prohibited bets as outlined in this section and provide specific details outlining these steps in their Internal Controls.
- 11.2 A Sports Wagering Operation shall not accept any Wager not specifically authorized in the Authorized Sports Wagering Menu.
- 11.3 A Sports Wagering Operation shall adopt procedures to prevent persons who are prohibited from wagering on sports events from doing so.
- 11.4 A Sports Wagering Operation shall make all reasonable efforts to confirm that the patron is not a Prohibited Sports Betting Participant. Prohibited Sports Betting Participant means any person whose participation may undermine the integrity of wagering on a sports event or the conduct of such sports event itself, or any person who is prohibited for other good cause, including, but not limited to:
 - 11.4.1 Any individual placing a Wager as an agent or proxy;
 - 11.4.2 Any athlete whose performance may be used to determine, in whole or in part, the outcome of such wagering;
 - 11.4.3 Any person who is an athlete, player, coach, manager, referee or other game official, physician, trainer, team employee or Sports Governing Body employee, in any sports event overseen by such person's Sports Governing Body;
 - 11.4.4 Any person with access to material, exclusive, non-public confidential information about a sports event that is the subject of such wagering;
 - 11.4.5 A person identified to the Tribal Gaming Agency and State Gaming Agency by a Sports Governing Body that the Tribal Gaming Agency and State Gaming Agency agrees is a person who should be a Prohibited Sports Betting Participant;
 - 11.4.6 Any person who holds a position of authority or influence sufficient to exert influence over the participants in a sports event that is the subject of a wager;
 - 11.4.7 Any person which the Sports Wagering Operation knows or reasonably should know, is placing a Wager by, or on behalf of a Prohibited Sports Betting Participant; or
 - 11.4.8 Any person on the barring list, self-exclusion list or otherwise prohibited from Sports Wagering.
- 11.5 Sports Wagering may not be conducted on a Collegiate Sport Event or Collegiate Athletic Event involving a collegiate institution that is located within the state of Washington.
- 11.6 Sports Wagering may not be conducted on any Minor League Sport.

- 11.7 Sports Wagering may not be conducted on any high school sport event, high school athletic event, equivalent level club event, specialty sports events or any similar event that involves participants that are underaged minors unless regulated or overseen by a Sports Governing Body and authorized in this Appendix.
- 11.8 No Sports Wagering Operation employee may accept a Wager from a person who the employee knows or reasonably should know is placing the Wager for the benefit of another for compensation, or is placing the Wager in violation of state or federal law.
- 11.9 No Sports Wagering Operation may hold a patron's money or its equivalent on the understanding that the Sports Wagering Operation will accept the money as a Wager only upon the occurrence of a specified, future contingency, unless a betting ticket documenting the Wager and contingency is issued immediately when the Sports Wagering Operation receives the money or its equivalent.

12 ACCEPTANCE OF WAGERS, REDEMPTION OF WAGERS, CANCELLED OR VOIDED WAGERS

- 12.1 The Gaming Operations Internal Controls will detail the following procedures:
 - 12.1.1 Acceptance of wagers,
 - 12.1.2 Level of wagering that require Tribal Gaming Agency pre-approval
 - 12.1.3 Redemption of winning wagers,
 - 12.1.4 Cancelled or voided wagers,
 - 12.1.5 Forms and supervisory approval for certain level of wagers,
 - 12.1.6 Paying winning wagers if the Sports Wagering System malfunctions
 - 12.1.7 Ticket expiration time period,
 - 12.1.8 Payment of any expired tickets
- 12.2 Payment for Sports Wagers will be made in accordance with Compact Section 3(d) as amended.
- 12.3 A Sports Wagering Account may be established by a patron and an initial verification of the account must be done in-person at the Sports Wagering Operation before the acceptance of any Wager using that Sports Wagering Account.
- 12.4 A Sports Wagering Operation shall accept wagers only on its Gaming Facility Premises, and only at Sportsbook cashier stations or Sports Wagering Kiosks or through Mobile Sports Wagering that has been approved by Tribal Gaming Agency and State Gaming Agency.

- 12.5 Patron identification must be documented before a patron is allowed to place a single Wager at the Sportsbook cashier stations of \$2,000 or more, unless the patron is using a Sports Wagering Account to place the wager.
- 12.6 A Sports Wagering Operation shall not knowingly accept any Wager upon an event whose outcome has already been determined (past posting).
- 12.7 A Sports Wagering Operation shall not accept a Wager on an event unless the date and time at which the outcome of the event is determined and can be confirmed from reliable sources satisfactory to Tribal Gaming Agency and State Gaming Agency or from records created and maintained by the Sports Wagering Operation in such manner as the Tribal Gaming Agency and State Gaming Agency may approve.

13 SPORTS WAGERING KIOSKS

- 13.1 Sports Wagering Kiosks. For Sports Wagering, kiosks may be operated through a physical connection such as cabling or through mobile Geofence technology such as Wi-Fi, RFID, or GPS.
 - 13.1.1 Sports Wagering Kiosks operated in the Gaming Facility (on the gaming floor):
 - 13.1.1.1 May allow the use of a Sports Wagering Account to place Sports Wagers;
 - 13.1.1.2 Must not accept more than \$2,000 per Wager without a Sports Wagering Account; and
 - 13.1.1.3 Must have the same level of surveillance coverage as Tribal Lottery System Kiosks.
 - 13.1.2 Sports Wagering Kiosks operated on the Premises (off the gaming floor):
 - 13.1.2.1 Must require the use of a Sports Wagering Account to place Sports Wagers;
 - 13.1.2.2 Must not allow payouts of Sports Wagers at the Sports Wagering Kiosk; and
 - 13.1.2.3 Will have surveillance coverage sufficient to monitor activity at the Sports Wagering Kiosk.

14 SPORT WAGERING ACCOUNTS

- 14.1 Account Requirements. In order to establish a Sports Wagering Account, a Sports Wagering Operation shall:
 - 14.1.1 Create an electronic patron file, which shall include at a minimum:

- 14.1.1.1 The patron's legal name;
 - 14.1.1.2 The patron's date of birth;
 - 14.1.1.3 The patron's Social Security number, or the last four digits thereof, or an equivalent identification number for a noncitizen patron, such as a passport or taxpayer identification number;
 - 14.1.1.4 The patron's Sports Wagering Account number or username;
 - 14.1.1.5 The patron's residential address; a post office box is not acceptable;
 - 14.1.1.6 The patron's email address, if applicable;
 - 14.1.1.7 The patron's telephone number;
 - 14.1.1.8 Any other information collected from the patron used to verify identity;
 - 14.1.1.9 The method used to verify the patron's identity; and
 - 14.1.1.10 The date of verification.
- 14.1.2 The Sports Wagering Operation shall record and maintain the information submitted to initially create a Sports Wagering Account.
- 14.1.3 Protect from unauthorized access all of the following information contained in an electronic patron file:
- 14.1.3.1 Any portion of the patron's Social Security Number or equivalent identification number for a noncitizen patron, such as a passport or taxpayer identification number;
 - 14.1.3.2 The patron's passwords and PINs; and
 - 14.1.3.3 The patron's personal financial information.
- 14.1.4 Verify the patron's identity in accordance with:
- 14.1.4.1 Reliable forms of personal identification specified in this Compact and associated Appendices; or
 - 14.1.4.2 A licensed third-party service provider may be used for age and identity verification of patrons.
- 14.1.5 Record the document number of the government issued identification credential examined, if applicable. If a government issued identification credential is not required for registration, the electronic record that details the process used to confirm patron identity must be recorded.
- 14.1.6 Verify the player is not self-excluded from participating in Sports Wagering by participation in the self-exclusion program.

- 14.1.7 Require the patron to establish a password or other access security feature as approved by the Tribal Gaming Agency and advise the patron of the ability to utilize strong authentication log in protection.
 - 14.1.8 Record the patron's acceptance of the Sports Wagering Operation's terms and conditions to participate in betting through Mobile Sports Wagering or any Tribal Gaming Agency and State Gaming Agency authorized digital platform accepting wagers.
 - 14.1.9 Record the patron's certification that the information provided to the Sports Wagering Operation is accurate and they are not a Prohibited Sports Betting Participant.
 - 14.1.10 Record the patron's acknowledgment that the legal age for sports betting is at least eighteen (18).
 - 14.1.11 Record the patron's acknowledgement that he or she is prohibited from allowing any other person to access or use his or her Sports Wagering Account.
 - 14.1.12 Notify the patron of the opening of the new account via electronic mail or regular mail.
- 14.2 A Sports Wagering Operation shall limit each patron to one (1) active Sports Wagering Account and username. Each Sports Wagering Account shall be:
- 14.2.1 Non-transferable;
 - 14.2.2 Unique to the patron who establishes the account; and
 - 14.2.3 Distinct from any other account number that the patron may have established with the casino.
- 14.3 Account funding.
- A patron's Sports Wagering Account may be funded with Cash through the use of:
- 14.3.1 Cash Equivalent;
 - 14.3.2 A patron's deposit of Cash or vouchers at a Sports Wagering cashier/writer station in the Sportsbook;
 - 14.3.3 Winnings;
 - 14.3.4 Adjustments made by the Sports Wagering Operation with documented notification to the patron;
 - 14.3.5 A transaction at a Sports Wagering Kiosk; or
 - 14.3.6 Any other means approved by the Tribal Gaming Agency and State Gaming Agency.

14.4 Patron to patron transfer of funds prohibited.

A Sports Wagering Operation shall not permit a patron to transfer funds from a patron account to another patron account.

14.5 Account Information.

14.5.1 Sports Wagering Systems shall provide an account statement with account details to a patron on demand, which shall include detailed account activity for at least the prior twelve (12) months. In addition, the Mobile Sports Wagering System shall, upon request, be capable of providing a summary statement of all patron activity during the past two (2) years.

14.5.2 A Sports Wagering Operation shall periodically re-verify a patron's identification upon reasonable suspicion that the patron's identification has been compromised.

14.6 Account closure.

A Sports Wagering System shall provide a conspicuous and readily accessible method for a patron to close his or her account through the account management controls or through the Sports Wagering System's customer support team. Any balance remaining in a patron's Sports Wagering Account closed by a patron shall be refunded pursuant to the Sports Wagering Operation's Internal Controls.

14.7 Dormant Patron Accounts.

A Sports Wagering Operation shall consider a patron account to be dormant if the patron has not logged into the account for at least three (3) years. A dormant account shall be closed by the Sports Wagering Operation.

14.8 Unclaimed Funds in a Dormant Patron Account.

14.8.1 Funds of patrons that remain in a dormant patron account shall be presumed abandoned.

14.8.2 The Sports Wagering Operation shall report and deliver all funds of patrons that are presumed abandoned to an account established by the Tribal Gaming Operation.

14.8.3 At least sixty (60) days prior to reporting any funds of the patron to the Tribal Gaming Operation, the Sports Wagering Operation shall provide notice to the patron's last known physical or email address and conduct due diligence to locate the patron.

14.9 A Sports Wagering Operation shall implement rules and Internal Control procedures to terminate all accounts of any Sports Wagering Account patron that knowingly and

intentionally establishes or seeks to establish multiple active accounts, whether directly or indirectly by use of another person as a proxy.

- 14.10 Unauthorized access to, or use of, a patron's Sports Wagering Account by a person other than the patron for whom the Sports Wagering Account was established is prohibited.

15 MOBILE WAGERING

- 15.1 The transmission of gambling information over the internet for any Sports Wagering conducted and operated per this Appendix is authorized provided that the Wager may only be placed and accepted at a tribe's Gaming Facility only while the patron placing the Wager is physically present on the Premises. However this section does not prevent a patron from managing their Mobile Sports Wagering Account outside of the Geofence as long as a Wager is not being placed.

15.2 Mobile Sports Wagering – General

15.2.1 The patron shall establish a Mobile Sports Wagering Account in-person at the Gaming Facility before they can place any Mobile Sports Wagers.

15.2.2 Mobile Sports Wagering shall only be conducted between a Sports Wagering Operation and a patron with a Sports Wagering Account.

15.2.3 Sports Wagering Systems shall be configured to lock Player Sports Gaming Accounts after three (3) failed login attempts. If the Sports Wagering Operation allows accounts to unlock automatically after a prescribed amount of time has elapsed, Multi-Source Authentication shall be required on the next login.

15.3 Geofence Requirements.

15.3.1 In order to prevent the unauthorized use of a Mobile Device to place a Sports Wager when a patron is not within the Premises, the Sports Wagering Operations shall:

15.3.1.1 Utilize a Geofencing system to reasonably detect the physical location of a patron attempting to access the Mobile Sports Wagering System and place a Wager; and to monitor and block unauthorized attempts to access the Mobile Sports Wagering System in order to place a Wager when an individual is not within the permitted boundary.

15.3.1.2 The Geofencing system must ensure that any patron is located within the permitted boundary when placing any Wager and must be equipped to dynamically monitor the patron's location and block

unauthorized attempts to access the Sports Wagering System in order to place a Wager throughout the duration of the Mobile Sports Wagering patron session.

15.3.2 A Gaming Geofence location/Gaming Facility.

A Sports Wagering Operation shall keep its Geofencing system up-to-date, including integrating the latest solutions in real time that can detect the use of remote desktop software, rootkits, virtualization, or any other programs identified by State Gaming Agency as having the ability to circumvent Geofencing measures.

15.3.2.1 At least every 90 days, a Sports Wagering Vendor or Sports Wagering Operation shall provide the Tribal Gaming Agency and State Gaming Agency evidence that the Geofence system is updated to the latest solution.

15.3.2.2 At least every 90 days, the integrity of the Geofence system shall be reviewed by the Sports Wagering Vendor or Sports Wagering Operation to ensure that the system detects and mitigates existing and emerging location fraud risks.

15.3.2.3 The Tribal Gaming Agency or State Gaming Agency may designate additional Geofence requirements to combat emerging threats to the security of the Geolocation system and verification of the patron's or device location.

16 CHANGE&CONTROL PROCEDURE

The Sports Wagering Operation will have Internal Controls to document change control procedures adequate to ensure that only authorized versions of programs are implemented in accordance with GLI-33.

17 SURVEILLANCE REQUIREMENTS

For purposes of this section, all Components of the Sports Wagering System, shall have the ability to be effectively and clandestinely monitored and recorded by means of a Closed Surveillance System in accordance with the Compact, Appendix S, Appendix A, the Tribe's Internal Controls, and as authorized by Tribal Gaming Agency and State Gaming Agency, in compliance with the requirements of the Compact.

18 ACCOUNTING

- 18.1 In addition to the requirements in the Compact and Appendix A, the Sports Wagering Operation shall comply with the following requirements:
- 18.1.1 Each Sports Wagering Operation shall keep accurate, complete and legible records of any Sports Wagering activity, records or document pertaining to, prepared in, or generated by the Sports Wagering Operation.
 - 18.1.2 The internal controls must establish minimum audit standards.
 - 18.1.3 Documentation (e.g., log, checklist, notation on reports, and tapes attached to original documents) shall be maintained as evidence of the performance of required Sports Wagering Operations audit procedures, the exceptions noted, and the follow-up of all audit exceptions.

19 SPORTS WAGERING INTEGRITY

- 19.1 The Tribal Gaming Agency and State Gaming Agency will work together on an integrity education and enforcement program for the Sports Wagering Operation to:
- 19.1.1 Prevent and detect competition manipulation,
 - 19.1.2 Identify risks associated with Sports Wagering, and
 - 19.1.3 Identify any other applicable state or federal laws associated with the integrity of sporting events, athletic events, or competitions, regarding the use of funds derived from illegal activity, wagers to conceal or launder funds derived from illegal activity, use of agents to place wagers, or use of false identification by patrons.
- 19.2 The Sports Wagering Operation must have Internal Controls for:
- 19.2.1 Identifying suspicious or unusual wagers which may indicate cheating, manipulation, interference with the regular conduct of sport(s), or violations of the integrity of any sport(s) on which wagers were made.
 - 19.2.2 Identifying unusual betting activity and report such activity immediately upon identification to the Tribal Gaming Agency, State Gaming Agency and an Integrity Monitoring Provider (IMP).
- 19.3 To ensure the Tribal Gaming Agency and State Gaming Agency can properly monitor Sports Wagering information, the integrity of sports and to facilitate the collection of aggregate data in a format that can be efficiently utilized, a Sports Wagering Operation will require the comprehensive Sports Wagering information to be analyzed by an approved Integrity Monitoring Provider. The information analyzed by the Integrity Monitoring Provider will include at a minimum but not limited to:
- 19.3.1 Time of wager;
 - 19.3.2 Odds of wager;

- 19.3.3 Location of Wager (while labeling relevant wagers “mobile” if applicable);
 - 19.3.4 Amount of dollars wagered;
 - 19.3.5 Win amount of wager;
 - 19.3.6 Wager type (e.g., straight bet, in-game bet, in-play bet, Parlay Wager, point spread, total, moneyline, etc.);
 - 19.3.7 Team, side or total that the Wager was placed upon.
 - 19.3.8 Unique Wager identifier
- 19.4 Sports Wagering Operations will provide patron wagering account information which may include Personally Identifiable Information of patrons, upon request by State Gaming Agency or the Integrity Monitoring Provider as part of an investigation. The Tribe and State Gaming Agencies may consider additional mechanisms to improve the integrity of Sports Wagering as it develops, as set forth in Section 8.2.
- 19.5 The Sports Wagering Operation shall monitor and review their own reports for suspicious and unusual activity and notify the Integrity Monitoring Provider, Tribal Gaming Agency, and the State Gaming Agency if any events are identified.
- 19.6 When notified by their Integrity Monitoring Provider of any unusual activity that has occurred the Sports Wagering Operation must communicate back to the IMP as to whether or not they have experienced similar activity. If they have then they must notify Tribal Gaming Agency and State Gaming Agency immediately in writing.
- 19.7 If an Integrity Monitoring Provider finds that previously reported unusual betting activity rises to the level of suspicious activity, they shall immediately notify the Tribal Gaming Agency and State Gaming Agency, all other Integrity Monitoring Providers, their member Sports Wagering Operations, the appropriate Sports Governing authority, and all other regulatory agencies.
- 19.8 A Sports Wagering Operation receiving a report of suspicious activity shall be permitted to suspend wagering on events related to the report. The Sports Wagering Operation will immediately notify Tribal Gaming Agency as soon as they are made aware of the report of suspicious activity. Tribal Gaming Agency will then notify State Gaming Agency immediately in writing.
- 19.9 In the event of generating or receiving an alert, the Sports Wagering Operation shall maintain all relevant information regarding the Bet and the bettor.

- 19.10 If the State Gaming Agency deems the threat credible, it may send the alert to other Sports Wagering Operations and may suspend betting or require that wagers be voided on the event(s).
- 19.11 A Sports Wagering Operation, the Tribal Gaming Agency, and the State Gaming Agency will maintain all lists provided to them by sports teams and institutions of persons affiliated with sports teams who are prohibited from wagering due to their participation in a sport or the nature of their position with a team that could provide access to insider information. The Sports Wagering Operation shall not allow those persons to place sports wagers.
- 19.12 A Sports Wagering Operation shall refuse to accept suspicious wagers which may indicate cheating, manipulation, interference with the regular conduct of an event, or violations of the integrity of any event on which wagers were made and report them to Tribal Gaming Agency, State Gaming Agency and the Integrity Monitoring Provider.
- 19.13 A Sports Wagering Operation shall be required to monitor and identify events and/or irregularities in volume or swings in odds/payouts and prices which could signal suspicious activities as well as all changes to odds/payouts and prices and/or suspensions throughout an event which could signal suspicious activities and report them to Tribal Gaming Agency, State Gaming Agency and the Integrity Monitoring Provider.
- 19.14 A Sports Wagering Operation will make reasonable efforts to promptly notify the Tribal Gaming Agency, State Gaming Agency and their Integrity Monitoring Provider of any information relating to:
- 19.14.1 Abnormal wagering activity or patterns that may indicate a concern with the integrity of sports events;
 - 19.14.2 Any potential breach of the relevant Sports Governing Body's internal rules and codes of conduct pertaining to Sports Wagering of which a Sports Wagering Operation has knowledge; and
 - 19.14.3 Any other conduct that corrupts a wagering outcome of sports events for purposes of financial gain, including match fixing
- 19.15 A Sports Wagering Operation will promptly notify Tribal Gaming Agency and State Gaming Agency of any information relating to: Criminal, disciplinary, or regulatory proceedings commenced against any Sports Wagering Vendor or affiliated person in connection with its Gaming Operations in any jurisdiction.
- 19.16 A Sports Wagering Operation shall maintain records of all bets placed, including Personally Identifiable Information of the bettor, amount and type of bet, time the Bet was

placed, location of the bet, including internet protocol address if applicable, the outcome of the bet, and records of unusual and/or suspicious betting activity. A Sports Wagering Operation shall maintain these records for at least three (3) years after the sports event occurs and shall make the records available for inspection upon request of the State Gaming Agency or as required by court order.

20 FEDERAL REQUIREMENTS

The Tribe is responsible for the regulatory oversight of Sports Wagering Accounts and patron funds held on deposit. The Tribe's Internal Controls will detail the requirements of their compliance program(s) and will at least mirror all applicable federal requirements of, at a minimum, the Federal Trade Commission (FTC), Office of the Comptroller of the Currency (OCC), Financial Crimes Enforcement Network (FinCEN), Consumer Financial Protection Bureau (CFPB), Office of Foreign Assets Control (OFAC) and the US Department of Treasury. In the event regulatory oversight or criminal investigations are referred to the State Gaming Agency or cross from Washington State into Indian Lands, the State Gaming Agency will coordinate investigations with the Tribal Gaming Agency and appropriate law enforcement agencies as outlined in Compact Section 8 (Regulatory Jurisdiction Relating to Enforcement or the Provisions of this Compact) and Section 9 (Law Enforcement Jurisdiction Relating to Gambling).

21 TESTING AND APPROVAL

- 21.1 Independent Test Laboratory Requirement to be Licensed. An Independent Test Laboratory shall be licensed by the Tribal and State Gaming Agencies prior to testing any Sports Wagering System.
- 21.2 Designation of Independent Test Laboratory. The Sports Wagering Vendor shall select one or more gaming test laboratories ("Independent Test Laboratory") to perform the testing required in this Appendix. Any Independent Test Laboratory selected shall have demonstrated it is competent and qualified to conduct scientific tests and evaluations of the Sports Wagering System. The State Gaming Agency will maintain a list of licensed Independent Test Laboratories.
- 21.3 Payment of Fees. All Independent Test Laboratory fees related to a Sports Wagering System submission shall be the responsibility of the Sports Wagering Vendor.
- 21.4 Standards to be Met. The Sports Wagering System must meet or exceed GLI-33, and the standards established by this Appendix and applicable provision of the Compact and Appendices, if any. Alternative standards may be agreed to by the Tribal and State

Gaming Agencies if the standards meet or exceed GLI-33 and the standards established by this Appendix and any applicable provision of the Compact and Appendices.

21.5 Independent Test Laboratory Reports and Certification. At the conclusion of testing, the Independent Test Laboratory shall provide to the Tribal Gaming Agency and the State Gaming Agency a report that contains findings, conclusions, and a certification that the Sports Wagering System conforms to the requirements contained in this Appendix.

21.5.1 Modifications. No substantive modification to any Sports Wagering System may be made after testing and Independent Test Laboratory certification of a Sports Wagering System without an additional Independent Test Laboratory certification of the modification by the Independent Test Laboratory.

The following modifications are not considered substantive and do not require notification to the State Gaming Agency: (1) Changes to content not related to any regulated feature; (2) Installation or changes to backup software; (3) Adding or removing users; and (4) any system configuration changes that have no impact on the accuracy of report information including gaming revenue.

21.5.2 Revocation of Independent Test Laboratory System Certification. The State Gaming Agency will confer with the Tribal Gaming Agency to determine the appropriate next steps if the State Gaming Agency determines a certification from the Independent Test Laboratory was issued in error

21.5.3 Emergency fixes. Nothing prevents the immediate resolution of a critically urgent problem as long as documentation is submitted to the Tribal and State Gaming Agencies detailing the steps taken to remedy the emergency and includes any emergency release notes or incident report(s) that detail the specifics of the emergency situation and steps taken to resolve the emergency situation. Once the emergency situation has passed, the emergency fix shall be submitted as a modification in Subsection 21.5.1 above.

21.6 Approval by the Tribal Gaming Agency. No Sports Wagering System may be offered for play unless it has been tested and certified by an Independent Test Laboratory as meeting or exceeding the requirements set forth in this Appendix. The Tribal Gaming Agency shall approve or disapprove the Sports Wagering System thereof after reviewing the certification, technical standards tested, and results of testing from the Independent Test Laboratory and notify the State Gaming Agency of their findings and decision.

- 21.7 Compliance Verification by Sports Wagering Vendor. Prior to system operation, the Sports Wagering Operation shall obtain written verification from the Sports Wagering Vendor that each Sports Wagering System complies with the Independent Test Laboratory certification for Washington State.
- 21.8 Training. The State Gaming Agency will collaborate with the Tribal Gaming Agency to provide training opportunities at the State Gaming Agency's Electronic Gaming Lab or other agreed upon locations for developing regulatory programs to understand system functionality, vulnerability, and performance of Sports Wagering Systems.

22 INSPECTIONS

- 22.1 The Tribe shall allow the State Gaming Agency to inspect any Components of a Sports Wagering System for the purposes of confirming that such Component is operating in accordance with the requirements of the Compact, applicable Appendices, and this Appendix, and that such Component is identical to that tested by a Independent Test Laboratory. Inspections shall be pursuant to the Compact.
- 22.2 The Sports Wagering Operation shall allow the Tribal Gaming Agency and State Gaming Agency to inspect any Components of a Sports Wagering System for the purposes of confirming that such Component is operating in accordance with the requirements of the Compact, applicable Appendices, and this Appendix, and that such Component is identical to that tested by a Independent Test Laboratory.
- 22.3 When the Tribal Gaming Agency or State Gaming Agency determine there is a failure to comply, either will immediately suspend a Sports Wagering System's operation.
- 22.4 Reinstatement of a Sports Wagering System's operation shall occur once the Tribal Gaming Agency and State Gaming Agency agree that a suspended Sports Wagering System complies as determined by follow-up testing by the Independent Test Laboratory.

23 PATRON COMPLAINT

The Tribe/Gaming Operations shall investigate each patron complaint and implement procedures for receiving and responding to complaints in Internal Controls.

24 PROBLEM AND RESPONSIBLE GAMBLING

- 24.1 Monetary Contribution. The Tribe agrees that Sports Wagering Net Win will be included in the calculation of Class III gaming revenues for purposes of Section 14.4 of Appendix X2 and subject to the applicable payment provisions of Section 14.6 of Appendix X2.

- 24.2 Self-Exclusion. The Tribe will consider participating in the State Gaming Agency’s statewide self-exclusion program once it is implemented.
- 24.3 Commitment to Responsible Sports Wagering. The Tribe and State Gaming Agency recognize the importance of responsible gambling as part of the shared responsibility to protect the health, welfare, and safety of the citizens of the Tribe and of the State, and the Tribe currently engages in extensive efforts to uphold this responsibility. If not already implementing, the Tribe agrees to:
- 24.3.1 Training. Annual training and education for all Gaming Employees, with a separate training for management, to cover such topics as how to identify problem gamblers, how to provide assistance when asked, underage prevention, and unattended children;
- 24.3.2 Policy. Create and maintain a responsible gambling policy that, at a minimum, includes information about responsible gambling and identifies resources for individuals seeking information about problem gambling. The policy may include information about how and where to seek treatment, national or local hotline numbers, and a description of self-imposed limits offered by the Gaming Operation, if any.
- 24.3.3 Display Commitment to Responsible Gambling. Each application for Mobile Sports Wagering and each Sports Wagering Kiosk shall display a commitment to responsible gambling and a link to the policy created pursuant to subsection 24.3.2.
- 24.3.4 Offer Self-Imposed Limits. Either through the Mobile Sports Wagering application or through the Mobile Sports Wagering Account the Tribe shall include the option to self-impose limitations for wagering parameters including, at a minimum, (1) limits on the dollar amount of deposits a player can make into his or her Sports Wagering Account within a specified time period, and (2) limits on the total amount of time available for play or wagering during a specified time period.
- 24.4 Problem Gambling Task Force. The Tribe will consider the results of the Problem Gambling Legislative Task Force Final Report when issued.