



**MAR - 6 2002**

John G. Baca, Executive Director  
Pueblo of Isleta Gaming Regulatory Agency  
P.O. Box 700  
Isleta, New Mexico 87022

RE: Approval of Amendment to the Pueblo of Isleta's Tribal Gaming Ordinance

Dear Mr. Baca:

This letter responds to your request to the National Indian Gaming Commission (NIGC) for the review and approval of the amendment to the Pueblo of Isleta's (Pueblo) tribal gaming ordinance submitted on February 4, 2002. The amendment to the ordinance was adopted by the Pueblo on January 16, 2002, by Resolution No. 01-006.

This letter constitutes approval of your submission under the Indian Gaming Regulatory Act (IGRA). 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, over which the Pueblo exercises jurisdiction.

Thank you for submitting the amendment to the tribal gaming ordinance of the Pueblo for review and approval. The NIGC staff and I look forward to working with you and the Pueblo in implementing the IGRA. If you have questions or require further assistance, please contact Maria Getoff at 202/632-7003.

Sincerely yours,

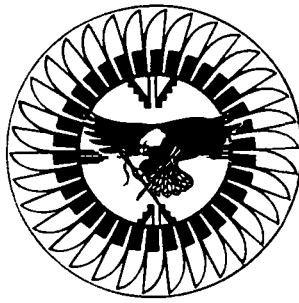
A handwritten signature in black ink that reads "Montie R. Deer".

Montie R. Deer  
Chairman

RECEIVED

TRIBAL COUNCIL OFFICE  
JAN 17 2002

ISLETA GAMING COMMISSION



505-869-0457  
FAX: 505-869-0454

PUEBLO OF ISLETA  
P.O. BOX 1270 ISLETA, NM 87022

**RESOLUTION NO. 01- 006**

**Pueblo of Isleta Gaming Regulatory Agency**

At a duly called meeting of the Tribal Council of the Pueblo of Isleta, the following resolution was passed:

**WHEREAS** the Pueblo of Isleta Tribal Council has by Resolution 95-03, as subsequently amended by Resolution 00-108, established the Pueblo of Isleta Gaming Commission to exercise tribal regulatory authority over Gaming activities conducted upon the sovereign lands of the Pueblo of Isleta, including those conducted by the Pueblo's gaming enterprise, the Isleta Casino & Resort ("Pueblo Gaming");

**WHEREAS**, based upon the experience of the Pueblo of Isleta, Tribal Council has determined that the Gaming Commission Model provided for in Resolution 95-03 and 00-108 is no longer the most effective and efficient way in which to exercise the sovereign governmental authority of the Pueblo of Isleta over Pueblo Gaming;

**WHEREAS**, in view of the Pueblo's newly approved Compact for Class III Gaming with the State of New Mexico (the "Compact"), the adoption of the Pueblo of Isleta Gaming License Review Procedures by Resolution 01-104, and other events and circumstances, this is an opportune time at which to restructure the regulatory entity through which the Pueblo of Isleta's sovereign regulatory authority over Pueblo Gaming is exercised.

**NOW, THEREFORE, BE IT RESOLVED** by the Tribal Council of the Pueblo of Isleta:

**Article I – Gaming Regulatory Agency**

1. There is hereby established the Pueblo of Isleta Gaming Regulatory Agency (the "Isleta Gaming Regulatory Agency"). For purposes of maintaining familiarity of reference to regulated parties, consuming existing stationary, forms, supplies and other materials, and to allow the Isleta Gaming

Regulatory Agency to amend all relevant forms, documents and materials in an orderly fashion, the Isleta Gaming Regulatory Agency may identify and refer to itself as the Pueblo of Isleta Gaming Commission until June 30, 2002.

2. The Isleta Gaming Regulatory Agency shall be composed of an Executive Director and such staff as shall be necessary and appropriate to carry out the duties and responsibilities delegated to the Isleta Gaming Regulatory Agency by this resolution.
3. The Executive Director shall be appointed by the Tribal Council; provided, however, that the Executive Director may be removed at any time if a majority of the total number of members of the Pueblo of Isleta Tribal Council find that such removal is in the interest of effective regulation of Pueblo Gaming.
4. Tribal Council shall annually approve a budget for the Isleta Gaming Regulatory Agency and appropriate such funds as may be necessary to allow the Agency to effectively regulate Pueblo Gaming.

#### **Article II – Authority and Duties of General Executive Director**

1. All of the authority, responsibility and duties delegated to the Isleta Gaming Regulatory Agency by this Resolution shall be exercised by the Executive Director. Executive Director may delegate any of such authority, responsibilities and duties to members of the Isleta Gaming Regulatory Agency staff, provided that the Director shall remain responsible to ensure that said responsibilities and duties are effectively carried out.
2. The Executive Director shall supervise all Isleta Gaming Regulatory Agency staff in accordance with the Pueblo of Isleta Personnel Policies and Procedures and such other laws, policies and procedures that may apply to employees of the Pueblo of Isleta generally or the staff of the Isleta Gaming Regulatory Agency specifically.
3. The Executive Director shall annually propose a budget to Tribal Council for the Isleta Gaming Regulatory Agency and provide appropriate justification for all budgeted items and their necessity for the effective regulation of Pueblo Gaming. The Executive Director shall be responsible for authorizing all expenditures from the approved budget. The Executive Director may delegate to staff personnel of the Isleta Gaming Regulatory Agency such authority over the expenditure of budgeted funds as he or she may determine necessary or appropriate for the Isleta Gaming Regulatory Agency to carry out its responsibilities and duties pursuant to this Resolution.

#### **Article III – Authority, Responsibilities and Duties**

1. The Isleta Gaming Regulatory Agency shall on behalf of the Pueblo of Isleta exercise any and all regulatory authority and duties of the Tribe specified in Pueblo of Isleta Ordinance: Permitted Gaming 94-02, as amended, and Pueblo

of Isleta Ordinance of Tribal Law: Permitted Gaming, adopted September 23, 1997, including the backgrounding and licensure of all employees and other persons requiring to be licensed under said ordinances, and shall assure compliance with such ordinances by the Pueblo of Isleta, its Gaming enterprise and any and all other persons involved in or associated with Pueblo Gaming.

2. The Isleta Gaming Regulatory Agency shall perform on behalf of the Pueblo of Isleta any and all gaming regulatory duties required by, and shall assure compliance with, the Indian Gaming Regulatory Act, the regulations and authoritative rulings of the National Indian Gaming Commission, and the minimum internal control standards established by the National Indian Gaming Commission.
3. The Isleta Gaming Regulatory Agency shall act as the Tribal Gaming Agency described in the Pueblo of Isleta's Class III Gaming Compact with the State of New Mexico, shall exercise the authority, carry out the responsibilities and perform the duties of the Tribal Gaming Agency specified in the Compact, and shall ensure that Class III Pueblo Gaming is conducted in accordance with the Compact.
4. The Isleta Gaming Regulatory Agency shall exercise the authority, carry out the responsibilities and perform the duties of the Pueblo of Isleta Gaming Commission described in the existing regulations of the Pueblo of Isleta Gaming Commission, Chapters 1-21. Any and all references within said regulations to the authority, responsibilities and duties of the Gaming Commission or individual Commissioners shall henceforth be deemed to refer to the Executive Director. Executive Director may delegate such authority, responsibilities and duties specified in said regulations to members of the Isleta Gaming Regulatory Agency staff as necessary and appropriate to carry out the Isleta Gaming Regulatory Agency's responsibilities and duties with respect to the regulation of Pueblo Gaming.
5. The Isleta Gaming Regulatory Agency shall ensure that the Pueblo's Gaming enterprise establishes internal controls that are at least as restrictive as the National Indian Gaming Commission minimum internal controls, and shall provide regulatory oversight to assure compliance with established internal controls.
6. On or before June 30, 2002, the Isleta Gaming Regulatory Agency shall propose such revisions to the Isleta Gaming Commission Regulations currently in effect as shall be necessary and appropriate to reflect the assumption of gaming regulatory responsibilities and duties by the Isleta Gaming Regulatory Agency and the delegation of gaming regulatory authority to the Isleta Gaming Regulatory Agency by Tribal Council. The Isleta Gaming Regulatory Agency may also propose from time to time such amendments, supplements and deletions from the regulations as the Executive Director may determine to be necessary or appropriate for the effective regulation of Pueblo Gaming. All amendments, supplements and deletions

from the regulations shall be approved by Tribal Council prior to their effectiveness.

7. The Isleta Gaming Regulatory Agency shall exercise such other authority, carry out such other responsibilities and perform such other duties as may be necessary to assure that the conduct of Pueblo Gaming is in compliance with all applicable laws affecting the conduct of gaming.

#### **Article IV – Miscellaneous**

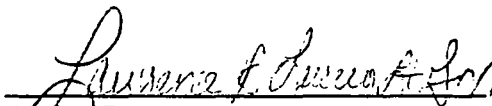
1. The Isleta Gaming Regulatory Agency shall act as the independent gaming regulator of all Pueblo Gaming and shall maintain the highest standards of integrity and diligence in its work. No member of Tribal Council shall serve as Executive Director or be employed by the Isleta Gaming Regulatory Agency during the term of his or her service as a Tribal Council person. Neither the Executive Director nor any staff member of the Isleta Gaming Regulatory Agency shall receive any compensation or other valuable consideration from the Gaming enterprise of the Pueblo of Isleta as an employee, agent or vendor, or as an employee, agent or owner of any such vendor. The Executive Director and the staff of the Isleta Gaming Regulatory Agency are employed by the Pueblo of Isleta Tribal Government and are not employed by the Gaming enterprise. Neither the Executive Director nor staff of the Isleta Gaming Regulatory Agency shall participate in any form of Pueblo Gaming during the period of their employment with the Isleta Gaming Regulatory Agency.
2. Unless expressly authorized by Pueblo of Isleta Tribal Council Resolution, the Isleta Gaming Regulatory Agency may not:
  1. Enter agreements of any kind for the Pueblo.
  2. Pledge the credit of the Pueblo.
  3. Dispose of or encumber real or personal property of the Pueblo.
  4. Waive any right of, or release any obligation owed to the Pueblo of Isleta.
  5. Waive any other rights, privileges, or immunities of the Pueblo of Isleta.
  6. Approve unbudgeted expenditures.
3. Actions of the Isleta Gaming Regulatory Agency with respect to the denial, suspension or revocation of any gaming license of any employee of, or vendor doing business with, the Pueblo's Gaming enterprise shall be subject to review under the Gaming License Review Procedures established by Resolution 01-104.
4. The Isleta Gaming Regulatory Agency as an integral part of the Tribal Government of the Pueblo of Isleta shall possess sovereign immunity of the Pueblo from suit, except as may otherwise be specifically approved by the Tribal Council of the Pueblo of Isleta.

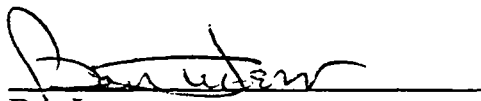
**Article V – Repeal of Resolutions**

1. By adoption of this Resolution, the Tribal Council hereby revokes and rescinds Resolutions 95-03 and 00-108 effective upon adoption of this Resolution.


**CERTIFICATION**

We, the undersigned officials of the Pueblo of Isleta, hereby certify that the foregoing Resolution was duly adopted by the Pueblo of Isleta Tribal Council at a regular meeting held on Jan 16, 2002, a quorum present, with 8 voting for, 0 voting against, and 1 abstaining.

  
\_\_\_\_\_  
**Alvino Lucero**  
Governor

  
\_\_\_\_\_  
**Ben Lucero**  
President of the Council

**Attest:**

  
\_\_\_\_\_  
**Secretary**