



JUL 16 2002

Honorable Denny Gutierrez  
Governor, Pueblo of Santa Clara  
P.O. Box 580  
Española, New Mexico 87532

RE: Approval of the Santa Clara Tribal Gaming Code

Dear Governor Gutierrez:

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 Santa Clara's (Pueblo) Tribal Gaming Ordinance (Ordinance Amendment) submitted on May 23, 2002. The Pueblo by Resolution No. 02-11 on May 14, 2002, adopted the Ordinance Amendment. 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 Ordinance Amendment is approved for gaming only on Indian lands, as defined in the IGRA, over which the Pueblo exercises jurisdiction.

Thank you for submitting the Ordinance Amendment of the Pueblo of Santa Clara for review and approval. The NIGC staff and I continue to look forward to working with you and the Community 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". The signature is written in a cursive style.

Montie R. Deer  
Chairman

cc: Paul Spruhan, Attorney at Law

# SANTA CLARA

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# INDIAN PUEBLO

ESPANOLA, NEW MEXICO  
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OFFICE OF GOVERNOR

## PUEBLO OF SANTA CLARA TRIBAL COUNCIL

### RESOLUTION NO. 02 - 11

#### AMENDING THE SANTA CLARA TRIBAL GAMING CODE

**WHEREAS**, by Resolution No. 98-02, adopted by the Tribal Council on January 29, 1998, the Tribal Council adopted a revised Gaming Code, which Code, as subsequently amended, was approved by the National Indian Gaming Commission; and

**WHEREAS**, the Tribal Council has concluded the Code as amended requires further amendment to clarify that persons who are employed by the enterprise that operates the tribal gaming facility but are not involved in any respect in gaming activities need not be licensed by the Pueblo of Santa Clara Gaming Commission, and to clarify the relationship of the Gaming Commission to the tribal government;

**NOW, THEREFORE BE IT RESOLVED**, by the Tribal Council of the Pueblo of Santa Clara, as follows:

1. The Santa Clara Tribal Gaming Code, as amended, is hereby further amended as follows:

A. Section 65.1(H) is amended by deleting such provision in its entirety, and inserting the following in its place:

“Gaming Enterprise” means the tribally-owned business entity that conducts Class II or Class III gaming on Santa Clara Lands, whether directly or through a management contract, except that where such entity also conducts other business activities, that are administratively and physically separate from any Class II or Class III gaming, the term “Gaming Enterprise” shall refer only to that operating division of the entity involved in, or whose operations are physically located in the same place as, the operation or management of Class II or Class III gaming.

B. Section 65.6(B)(7) is amended by changing the final period to a comma, and adding the following text: “and to expend for its authorized purposes such funds as are appropriated by the Tribal Council in accordance with its approved budget.”

C. Section 65.6(B)(8) is amended by changing the final period to a comma, and adding the following text: "which fees shall be deposited into the general funds of the Pueblo."

D. Section 65.7(A)(1) is amended by deleting the first sentence thereof and inserting the following in its place:

Every person employed in any position, whether part-time or full-time, temporarily or permanently, by the Gaming Enterprise, whose position has any connection with the conduct of gaming, the handling of any gaming device or any proceeds of gaming or the accounting therefor, any security or surveillance activities focused on gaming activities, or whose duties require such person to regularly be in the area where gaming activities occur, and any person who supervises any such person.

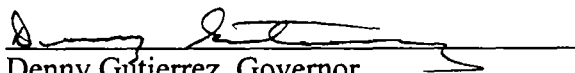
E. Section 65.7(A)(3) is amended by inserting, before the word "service", the words, "good or".

2. In all other respects, the Gaming Code as amended shall remain in full force and effect.

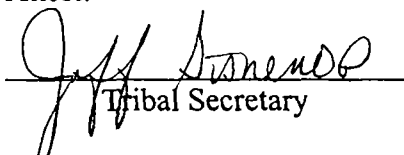
3. The Pueblo's general counsel is authorized and directed to submit this Resolution to the National Indian Gaming Commission forthwith, for approval in accordance with the requirements of the Indian Gaming Regulatory Act.

### CERTIFICATION

I, the undersigned, as Governor of the Pueblo of Santa Clara, hereby certify that the Santa Clara Tribal Council, at a duly called meeting that was convened with proper notice and was held on the 14 day of May, 2002, at the Santa Clara Pueblo, New Mexico, a quorum being present, approved the foregoing Resolution with 5 members voting in favor, 3 opposed, 1 abstaining and 3 being absent.

  
Denny Gutierrez, Governor

Attest:

  
Tribal Secretary