

NATIONAL
INDIAN
GAMING
COMMISSION

JAN 21 1994

L. David Jacobs, Head Chief
St. Regis Mohawk Tribe
Community Building
Hogansburg, New York 13655

Dear Chief Jacobs:

This letter responds to your request to review and approve the tribal gaming ordinance submitted on January 3, 1994, for the St. Regis Mohawk Tribe (the Tribe). This letter constitutes such approval under the Indian Gaming Regulatory Act (IGRA).

Under the IGRA and the regulations of the National Indian Gaming Commission (NIGC), the Chairman is directed to review ordinances with respect to the requirements of the IGRA and the implementing regulations. Thus, the scope of the Chairman's review and approval is limited to the requirements of the IGRA and the NIGC regulations. Provisions other than those required under the IGRA or the NIGC regulations that may be included in a tribal ordinance are not subject to review and approval. Also, 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.

With the Chairman's approval of the Tribe's gaming ordinance, the Tribe is now required to conduct background investigations on its key employees and primary management officials. The NIGC expects to receive a completed application for each key employee and primary management official pursuant to 25 C.F.R. § 556.5(a) and an investigative report on each background investigation before issuing a license to a key employee or primary management official pursuant to 25 C.F.R. § 556.5(b).

Thank you for submitting the ordinance of the St. Regis Mohawk Tribe for review and approval. The NIGC staff and I look forward to working with you and the Tribe in implementing the IGRA.

Sincerely yours,

Anthony J. Hope

Anthony J. Hope
Chairman

cc: John S. Loran, Tribal Chief
Arthur J. Gajarsa, Esq.



St. Regis Mohawk Tribe

Tribal Chiefs
L. David Jacobs
John S. Loran
Norman J. Tarbell

Community Building
Hogansburg, New York 13655
Tel 518-358-2272
Fax 518-358-3203

Tribal Clerk
Carol Herne
Tribal Administrator
Angus N. McDonald

Tribal Council Resolution

93 -102

WHEREAS, the St. Regis Mohawk Tribe, a federally recognized Indian Tribe pursuant to the Treaty with the Seven nations of Canada, 7 Stat. 55 (May 31, 1796) and possess sovereign governmental power over the St. Regis Reservation;

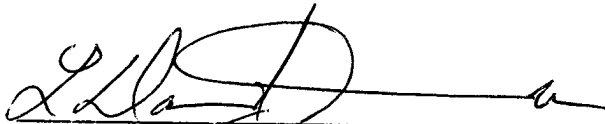
WHEREAS, the Tribal Council is the federally recognized governing body on behalf of the St. Regis Mohawk Tribe with authority to issue ordinances and regulations;

WHEREAS, the Tribe has executed a Compact with the State of New York which has been approved by the Secretary of the Interior on December 4, 1993;

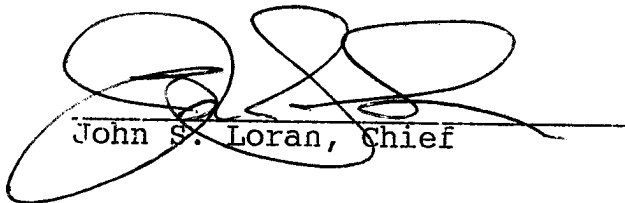
WHEREAS, the Tribe wishes to establish a Tribal Gaming Commission to supervise and license the operation of Class II and Class III gaming facilities on its reservation;

WHEREAS, the Tribal Council, in order to supervise and extend the governmental authority over the Tribal gaming operations has adopted and ratified a Gaming Ordinance which establishes the Tribal Gaming Commission and other regulatory structures to coordinate Tribal gaming on the Reservation;

NOW, THEREFORE, BE IT RESOLVED that the Tribal Council hereby adopts and ratifies the Tribal Gaming Ordinance attached hereto and hereby authorizes it to be submitted to the Indian Gaming Commission for its review and approval.


L. David Jacobs, Head Chief

12/16/93
Date


John S. Loran, Chief

12-16-93
Date

Norman J. Tarbell, Chief

Date

APPROVED

Tribal Council Resolution

93 - 102

CERTIFICATION: This is to certify that the above resolution was duly passed by the Saint Regis Mohawk Tribal Council pursuant to the authority vested therein.

Carol Herne
Carol Herne, Tribal Clerk

Dec. 16, 1993
Date

**ST. REGIS MOHAWK TRIBAL
GAMING ORDINANCE**

Pursuant to the authority vested in the St. Regis Mohawk Tribe (hereinafter referred to as the "Tribe") and its Tribal Council, by virtue of the Tribe's inherent powers of self-government recognized by the federal government in the Treaty with the Seven Nations of Canada, 7 Stat. 55 (May 31, 1796) and the power of a majority of the Tribal Council to act on behalf of the Tribe pursuant to the customs and traditions of the Tribe, the Tribe hereby authorizes the operation of a variety of Class II and Class III games (as defined by IGRA and this Ordinance) as a means to promote the Tribe's economic development, self-sufficiency, and strong Tribal government, and establishes a public body known as the St. Regis Mohawk Tribal Gaming Commission (hereinafter referred to as the "Tribal Gaming Commission") to regulate such gaming.

Article I. - Declaration of Need

It is hereby declared that

A. There is a high level of poverty and unemployment among members of the Tribe;

B. Economic development, self-sufficiency and strong Tribal government improve the health, safety and welfare of the Tribe, and serve to preserve its unique culture; and

C. The Tribe is committed to economic development, self-sufficiency and strong Tribal government.

Article II. - Purposes

A. Gaming is a means of generating Tribal revenue and full employment.

B. The Federal courts and Congress have declared that Indian gaming operations are a lawful and valid means of promoting economic development, self-sufficiency, and strengthening Tribal governments.

C. Congress has established Federal regulatory authority and standards for gaming on Indian lands in order to protect such gaming from organized crime and other corrupting influences and to preserve such gaming as a means of generating Tribal revenue.

D. The Tribe enacts this Ordinance to set the terms for Class II and Class III gaming operations, as defined herein, on Tribal lands.

Article III. - Definitions

The following terms, wherever used or referred to in this Ordinance, shall have the following respective meanings, unless a different meaning clearly appears from the context:

"Class II gaming" means Class II gaming as defined in IGRA, 25 U.S.C. Section 2703(7)(A) and the regulations promulgated by the National Indian Gaming Commission at 25 C.F.R. § 502.3.

"Class III gaming" means Class III gaming as defined in 25 U.S.C. § 2703(8) and regulations promulgated by the National Indian Gaming Commission at 25 C.F.R. § 502.4.

"Compact" means the compact and any modifications or amendments thereto, entered into between the Tribe and the State of New York to govern Class III gaming operated by or on behalf of the Tribe, effective upon the approval of the Secretary of the Interior.

"Enterprise" shall have the meaning set forth in Section 2(f) of the Compact.

"Gaming employee" means any natural person employed in the operation or management of Class II or Class III gaming authorized by this Ordinance or as defined in Section 2(g) of the Compact, whether employed by the Tribe or by any enterprise or management contractor providing on-site services to the Tribe within a Class II or Class III gaming facility.

"Gaming facility" means any place, facility or location in which Class II or Class III gaming is conducted on Tribal land.

"Gaming operation" means any business or activity operated by or for the Tribe on Tribal lands for the purpose of conducting any form of Class II or Class III gaming in any Class II or Class III gaming facility.

"Gaming services" shall have the meaning set forth in Section 2(k) of the Compact.

"IGRA" means the Indian Gaming Regulatory Act, Pub. L. 100-497, 102 Stat. 2467, codified at 25 U.S.C. §§ 2701-21 and 18 U.S.C. §§ 1166-68.

"Net revenues" means gross revenues of a Class II or Class III gaming activity less amounts paid out as, or paid for, prizes and total operating expenses, excluding management fees.

"Ordinance" means this St. Regis Mohawk Tribal Gaming Ordinance.

"St. Regis Mohawk Tribal Gaming Commission" means the Tribal Gaming Commission established pursuant to IGRA, which is the same as the "Tribal Gaming Agency" or "Commission" as defined in Section 2(s) of the Compact.

"State" shall mean the State of New York.

"Tribal Council" means the official governmental body of the St. Regis Mohawk Tribe recognized by the United States federal government as the governmental body of the Tribe.

"Tribal Gaming Commission" means the St. Regis Mohawk Tribal Gaming Commission established by this Ordinance, and is the same as the "Tribal Gaming Agency" or "Commission as defined" in Section 2(s) of the Compact.

"Tribal lands" means the reservation lands of the Tribe or lands over which the Tribe exercises governmental power and which are either (i) held by the Tribe or an individual member of the Tribe subject to restriction by the United States against alienation; or (ii) held in trust by the United States for the benefit of the Tribe or an individual member of the Tribe.

"Tribe" means the St. Regis Mohawk Tribe.

Article IV. - Authorized Games

The following forms of Class II and Class III gaming shall be lawful if operated by the Tribe as a Tribal enterprise or by any other person or entity authorized by the Tribe:

A. Any Class II game; and

B. Any Class III game authorized by the Compact and any amendments or modifications thereto executed by the State and the Tribe and approved by the Secretary of the Interior.

Article V. - Tribal Ownership

The Tribe shall have the sole proprietary ownership of and responsibility for the conduct of any gaming operation authorized by this Ordinance. This shall not preclude the Tribe from entering into a management or service agreement with persons or firms to provide management or professional services to the gaming activity, including the appointment or licensing of persons or firms to act as the licensees or agents of the Tribe in the conduct of a specific gaming activity.

Article VI. - Use of Revenue from Gaming

The net revenues received by the Tribe for any gaming activity shall be used solely for the following purposes:

- A. To fund Tribal government operations or programs;
- B. To provide for the general welfare of the Tribe and its members, but not including direct per capita distributions to the general membership;
- C. To promote Tribal economic development; and
- D. To help fund operations of local government agencies.

Article VII. - Audits

A. The Tribe shall require an annual independent audit by a certified public accounting firm of gaming operations, with results of each such audit to be provided to the National Indian Gaming Commission pursuant to 25 C.F.R. § 522.4(b)(3) subject to terms that shall protect the confidentiality of the results;

B. All contracts for supplies, services or concession for a contract amount in excess of \$25,000 annually (except contracts for professional, legal, or accounting services) relating to such gaming shall be specifically included within the scope of such independent audits as described in Paragraph A, above.

Article VIII. - Public Health and Safety

The construction and maintenance of all gaming facilities and the operation of all gaming activities shall be conducted in a manner which adequately protects the environment and the public health and safety of all individuals.

Article IX. - Licenses for Key Employees and Primary Management Officials

The Tribe shall ensure that the policies and procedures set out in this Article are implemented with respect to key employees and primary management officials employed at any Class II gaming enterprise operated on Indian lands, and at any Class III gaming enterprise operated on Indian lands to the extent required by IGRA:

A. Definitions

For the purposes of this Article, the following definitions apply:

1. Key employee means

- a. A person who performs one or more of the following functions:
 - (1) Bingo caller;
 - (2) Counting room supervisor;
 - (3) Chief of security;

- (4) Custodian of gaming supplies or cash;
- (5) Floor manager;
- (6) Pit boss;
- (7) Dealer;
- (8) Croupier;
- (9) Approver of credit; or
- (10) Custodian of gambling devices including persons with access to cash and accounting records within such devices.

- b. If not otherwise included, any other person whose total cash compensation is in excess of \$50,000 per year; or
- c. If not otherwise included, the four most highly compensated persons in the gaming operation.

2. Primary management official means

- a. The person having management responsibility for a management contract;
- b. Any person who has authority:
 - (1) To hire and fire employees; or
 - (2) To set up working policy for the gaming operation; or
- c. The chief financial officer or other person who has financial management responsibility.

B. Application Forms

- 1. The following notice shall be placed on the application form for a key employee or a primary management official before that form is filled out by an applicant:

In compliance with the Privacy Act of 1974, the following information is provided: Solicitation of the information on this form is authorized by 25 U.S.C. 2701 et seq. The purpose of the requested information is to determine the eligibility of individuals to be employed in a gaming operation. The information will be used by National Indian Gaming Commission members and staff who have need for the information in the performance of their official duties. The

information may be disclosed to appropriate Federal, Tribal, State, local, or foreign law enforcement and regulatory agencies when relevant to civil, criminal or regulatory investigations or prosecutions or when pursuant to a requirement by a tribe or the National Indian Gaming Commission in connection with the hiring or firing of an employee, the issuance or revocation of a gaming license, or investigations of activities while associated with a tribe or a gaming operation. Failure to consent to the disclosures indicated in this notice will result in a tribe's being unable to hire you in a primary management official or key employee position.

The disclosure of your Social Security Number (SSN) is voluntary. However, failure to supply a SSN may result in errors in processing your application.

2. Existing key employees and primary management officials shall be notified in writing that they shall either:
 - a. Complete a new application form that contains a Privacy Act notice; or
 - b. Sign a statement that contains the Privacy Act notice and consent to the routine uses described in that notice.
3. The following notice shall be placed on the application form for a key employee or a primary official before that form is filled out by an applicant.

A false statement on any part of your application may be grounds for not hiring you, or for firing you after you begin work. Also, you may be punished by fine or imprisonment. *
(U.S. Code, title 18, section 1001.)

4. The Tribe shall notify in writing existing key employees and primary management officials that they shall either:

- a. Complete a new application form that contains a notice regarding false statements; or
- b. Sign a statement that contains the notice regarding false statements.

C. Background Investigations

1. The Tribe shall request from each primary management official and from each key employee all of the following information:
 - a. Full name, other names used (oral or written), social security number(s), birth date, place of birth, citizenship, gender, all languages (spoken or written);
 - b. Currently and for the previous five years: business and employment positions held, ownership interests in those businesses, business and residence addresses, and drivers license numbers;
 - c. The names and current addresses of at least three personal references, including one personal reference who was acquainted with the applicant during each period of residence listed under subparagraph (1)(b) of this Article;
 - d. Current business and residence telephone numbers;
 - e. A description of any existing and previous business relationships with Indian tribes, including ownership interests in those businesses;
 - f. A description of any existing and previous business relationships with the gaming industry generally, including ownership interests in those businesses;
 - g. The name and address of any licensing or regulatory agency with which the person has filed an application for a license or permit related to gaming, whether or not such license or permit was granted;
 - h. For each felony for which there is an ongoing prosecution or a conviction, the charge, the name and address of the court involved, and the date and disposition if any;

- i. For each misdemeanor conviction or ongoing misdemeanor prosecution (excluding minor traffic violations), within 10 years of the date of the application, the name and address of the court involved and the date and disposition;
 - j. For each criminal charge (excluding minor traffic charges), whether or not there is a conviction, if such criminal charge is within 10 years of the date of the application and is not otherwise listed pursuant to subparagraph (1)(h) or (1)(i) of this Article, the criminal charge, the name and address of the court involved and the date and disposition;
 - k. The name and address of any licensing or regulatory agency with which the person has filed an application for an occupational license or permit, whether or not such license or permit was granted;
 - l. A current photograph;
 - m. Any other information the Tribe deems relevant; and
 - n. Fingerprints consistent with procedures adopted by the Tribe according to 25 C.F.R. § 522.2(h).
2. The Tribe shall conduct an investigation sufficient to make a determination under Paragraph D. below. In conducting a background investigation, the Tribe or its agent shall promise to keep confidential the identity of each person interviewed in the course of the investigation.

D. Eligibility Determination

The Tribe shall review a person's prior activities, criminal record, if any, and reputation, habits and associations to make a finding concerning the eligibility of a key employee or primary management official for employment in a gaming operation. If the Tribe determines that employment of the person poses a threat to the public interest or to the effective regulation of gaming, or creates or enhances dangers of unsuitable, unfair, or illegal practices and methods and activities in the conduct of gaming, a Tribal gaming operation shall not employ that person in a key employee or primary management official position.

E. Procedures for Forwarding Applications and Reports for Key Employees and Primary Management Officials to the National Indian Gaming Commission.

1. When a key employee or primary management official begins work at a gaming operation authorized by this Ordinance, the Tribe shall forward to the National Indian Gaming Commission a completed application for employment and conduct the background investigation and make the determination referred to in Paragraph D of this Article.
2. The Tribe shall forward the report referred to in Paragraph F of this Article to the National Indian Gaming Commission within 60 days after an employee begins work or within 60 days of the approval of this Ordinance by the Chairman of the National Indian Gaming Commission.
3. The gaming operation shall not employ as a key employee or primary management official a person who does not have a license after 90 days.

F. Report to the National Indian Gaming Commission

1. Pursuant to the procedures set out in Paragraph E of this Article, the Tribe shall prepare and forward to the National Indian Gaming Commission an investigative report on each background investigation. An investigative report shall include all of the following:
 - a. Steps taken in conducting a background investigation;
 - b. Results obtained;
 - c. Conclusions reached; and
 - d. The bases for those conclusions.
2. The Tribe shall submit, with the report, a copy of the eligibility determination made under Paragraph D of this Article.
3. If a license is not issued to an applicant, the Tribe:
 - a. Shall notify the National Indian Gaming Commission; and
 - b. May forward copies of its eligibility determination and investigative report (if

any) to the National Indian Gaming Commission for inclusion in the Indian Gaming Individuals Records System.

4. With respect to key employees and primary management officials, the Tribe shall retain applications for employment and reports (if any) of background investigations for inspection by the Chairman of the National Indian Gaming Commission or his or her designee for no less than three (3) years from the date of termination of employment.

G. Granting a Gaming License

If, within a thirty (30) day period after the National Indian Gaming Commission receives a report, the National Indian Gaming Commission notifies the Tribe that it has no objection to the issuance of a license pursuant to a license application filed by a key employee or a primary management official for whom the Tribe has provided an application and investigative report to the National Indian Gaming Commission, the Tribe may issue a license to such applicant.

1. The Tribe shall respond to a request for additional information from the Chairman of the National Indian Gaming Commission concerning a key employee or a primary management official who is the subject of a report. Such a request shall suspend the thirty (30) day period under this paragraph G of this Article until the Chairman of the National Indian Gaming Commission receives the additional information.
2. If, within the thirty (30) day period described above, the National Indian Gaming Commission provides the Tribe with a statement itemizing objections to the issuance of a license to a key employee or to a primary management official for whom the Tribe has provided an application and investigative report to the National Indian Gaming Commission, the Tribe shall reconsider the application, taking into account the objections itemized by the National Indian Gaming Commission. The Tribe shall make the final decision whether to issue a license to such applicant.

H. License Suspension

1. If, after the issuance of a gaming license, the Tribe receives from the National Indian Gaming Commission reliable information indicating that a key employee or a primary management official is not eligible for employment under Paragraph D.

above, the Tribe shall suspend such license and shall notify in writing the licensee of the suspension and the proposed revocation.

2. The Tribe shall notify the licensee of a time and a place for a hearing on the proposed revocation of a license.
3. After a revocation hearing, the Tribe shall decide to revoke or to reinstate a gaming license. The Tribe shall notify the National Indian Gaming Commission of its decision.

Article X. - Class III Background Investigations/Licensing

With regard to Class III gaming, background investigations and the issuance of licenses/registrations to gaming employees and to gaming service enterprises shall be conducted pursuant to Sections 5 and 6 of the Compact.

Article XI. - Licensing Locations

The Tribe shall issue a separate license to each place, facility, or location on Tribal land where it elects to allow Class II or Class III gaming to be conducted under this Ordinance.

Article XII. - Establishment of the St. Regis Mohawk Tribal Gaming Commission

A. The St. Regis Mohawk Tribal Gaming Commission ("Tribal Gaming Commission") shall be composed of five (5) persons, each of whom shall carry the title "Tribal Gaming Commissioner."

B. The Tribal Gaming Commissioners shall be appointed, and may be reappointed, by majority vote of the Tribal Council. A Resolution of the Tribal Council as to the appointment or reappointment of any Tribal Gaming Commissioner shall be conclusive evidence of the due and proper appointment of the member.

C. A Tribal Gaming Commissioner may be a member or non-member of the Tribe who must be twenty-one (21) years of age or older. However, during the Tribal Gaming Commissioner's term of office or for a period of one year following the expiration of such term, no Tribal Gaming Commissioner shall (i) be a gaming employee of any Tribal gaming operation, or (ii) have any direct or indirect financial interest in or management responsibility for any Tribal gaming facility or operation.

D. The term of office shall be five years and staggered. When the Tribal Gaming Commission is first established, the Tribal Gaming Commissioners' terms shall be designated to expire in one, two, three, four and five years, respectively. Thereafter, all

appointments shall be for five years, except that in the case of a prior vacancy, an appointment shall be only for the length of the unexpired term. If physically able, each Tribal Gaming Commissioner shall hold office until his/her successor has been appointed.

E. The Tribal Council shall name one of the Tribal Gaming Commissioners as the Chairman of the Tribal Gaming Commission. The Chairman of the Tribal Gaming Commission shall have the authority to call meetings of the Tribal Gaming Commission and shall preside over such meetings. The Tribal Gaming Commission shall select from among its Tribal Gaming Commissioners a Vice Chairman, a Secretary and a Treasurer; a member may not hold two of these positions, and no Tribal Gaming Commissioner may hold the positions of both Chairman and Vice Chairman. In absence of the Chairman, the Vice Chairman shall preside.

F. A Tribal Gaming Commissioner may be removed before the end of his/her term only for good cause shown by the Tribal Council after appropriate notice and hearing.

G. No Tribal Gaming Commissioner or employee of the Tribal Gaming Commission shall participate as a player in any gaming activity conducted by the Tribe.

H. The Tribal Gaming Commissioners may receive compensation for their services and shall be entitled to compensation for their expenses, including travel expenses, incurred in the discharge of their duties.

I. A majority of the full Tribal Gaming Commission shall constitute a quorum for the transaction of business, taking into account any vacancies which may exist.

J. The Secretary shall keep complete and accurate records of all meetings and actions taken by the Tribal Gaming Commission.

K. The Treasurer shall keep full and accurate financial records, prepare the Tribal Gaming Commission's annual budget, make quarterly reports to the Tribal Council, and assist in the preparation of the annual report to the Tribal Council as required by Paragraph Q of Article XIII of this Ordinance.

L. Meetings of the Tribal Gaming Commission shall be held at regular intervals as provided in the by-laws. Emergency meetings may be held upon 24 hours actual notice and business transacted, provided that at least a quorum exists and that there is a majority vote of those Tribal Gaming Commissioners present with respect to the proposed action.

M. Any action required or permitted to be taken at a meeting of the Tribal Gaming Commission may be taken without a meeting if all of the members sign written consents setting forth the action taken or to be taken, at any time before or after the intended effective date of such action. Such consents shall be filed with

the minutes of the Tribal Gaming Commission and shall have the same effect as consent obtained at a meeting.

N. Tribal Gaming Commissioners may participate in a meeting of the Tribal Gaming Commission by means of conference telephone or similar communications equipment by means of which all persons participating in the meetings can hear each other, and participation in a meeting in such manner by any Tribal Gaming Commissioner who does not object at the beginning of such meeting to the holding thereof in such manner shall constitute presence in person of that Tribal Gaming Commissioner at such meeting.

Article XIII. - Powers and Duties of the Tribal Gaming Commission

The Tribal Gaming Commission shall be responsible for the regulation of any gaming activity authorized by this Ordinance, shall perform in place of the Tribe the duties of the Tribal Council set forth in Articles IX and XI of the Ordinance, and shall have the following powers that it may exercise consistent with the purposes for which it is established and in compliance with the Compact:

A. To adopt written standards of operation and management as provided in the Compact to govern all authorized gaming which shall include:

1. the rules of each game of chance operated by the Tribe;
2. permissible methods of payment;
3. procedures to license gaming employees, to conduct or cause to be conducted background investigations on employees and management officials, and to train and instruct gaming employees;
4. internal organization and management of the gaming operations;
5. security and surveillance methods;
6. accounting and cash control procedures; and
7. other record keeping requirements.

Such standards shall protect the public interest in the integrity of the gaming operations, and shall reduce the dangers of unsuitable, unfair or illegal practices and methods in the conduct of gaming.

B. To investigate any aspect of a gaming operation; and, in doing so, to require and review any records of or concerning any

gaming operation and to compel any person employed by any such operation, or doing business with such operations to appear before it and to provide such information, records or other materials as may be in their possession to assist in any investigation.

C. To license any gaming facility on Tribal land where the Tribe elects to allow Class II or Class III gaming and to enter and inspect at any time such gaming facility in which games are operated pursuant to this Ordinance. Such inspections may be conducted by non-uniformed inspectors employed by and under the direction of the Tribal Gaming Commission.

D. To require an annual audit by a certified public accounting firm of all gaming activities and gaming facilities and such other audits as it deems necessary.

E. To license any gaming employee.

F. To acknowledge the registration of gaming service enterprises by the state for purposes of contracting with the Tribe and to assist the State in the registration of gaming service enterprises that seek to do business with a Tribal gaming operation.

G. To ensure that background investigations and licensing procedures are conducted on primary management officials and key employees of the gaming operations in accordance with IGRA and the Compact, and to oversee such officials and their management on an ongoing basis.

H. To prohibit undesirable conduct from occurring in, and undesirable persons from admission to, any gaming facility.

I. To coordinate and cooperate with any legitimate law enforcement effort to protect the Tribe and its gaming operations from harm.

J. To provide information to the federal and state governments in accordance with IGRA and the Compact.

K. To ensure that the construction and maintenance of all gaming facilities and the operation of all gaming activities is conducted in a manner that adequately protects the environment and the public health and safety of all individuals.

L. To carry out each responsibility and duty of the Tribal Gaming Agency set forth in IGRA and the Compact not otherwise set forth in this Ordinance.

M. To receive any complaint from an employee of any gaming operation or any member of the public who is or claims to be adversely affected by an act or omission of a gaming operation that is asserted to violate this Ordinance, the Act, the Compact, or the

standards of management and operation adopted pursuant to this Ordinance or any management or service agreement with a third party, and may upon consideration of such complaint recommend to the Tribal Council such remedial action as it deems appropriate to bring the Tribal gaming operation into compliance with such provisions. The Tribal Gaming Commission may for this purpose, in its sole discretion, conduct a hearing and receive evidence with regard to such complaint if it deems an evidentiary proceedings useful in the resolution of such complaint. In addition, the Tribal Gaming Commission may receive any suggestions from any employee of any Tribal gaming operation or any member of the public regarding ways in which a gaming operation may be improved.

N. The Tribal Gaming Commission may adopt an annual operating budget and may in accordance with that budget employ such staff from time to time as it deems necessary to fulfill its responsibilities under this Ordinance. The Tribal Gaming Commission shall appoint an individual to serve as a full-time Executive Director of the Tribal Gaming Commission to administer its responsibilities on a day to day basis and to oversee inspectors appointed by the Tribal Gaming Commission as well as such other staff as the Tribal Gaming Commission may from time to time employ. The Tribal Gaming Commission may delegate to the Executive Director those powers not expressly limited to the Tribal Gaming Commission. The Tribal Gaming Commission may also enlist legal counsel and other professional services, including investigative services, available to the Tribe, to assist the Tribal Gaming Commission with respect to any of the issues over which the Tribal Gaming Commission exercises jurisdiction.

O. To undertake and carry out studies and analyses of Tribal gaming operations.

P. To adopt such by-laws as the Tribal Gaming Commission deems necessary and appropriate.

Q. The Tribal Gaming Commission shall submit an annual report, in written form, signed by the Chairman of the Tribal Gaming Commission, to the Tribal Council showing (a) a summary of the year's activities, (b) the financial condition of the gaming operations, (c) any significant problems and accomplishments, (d) plans for the future, (e) such other information as the Tribal Gaming Commission or the Tribal Council may deem pertinent.

R. To oversee and implement any responsibilities of the Tribe or Tribal Gaming Commission pursuant to any management or service agreement with a third party for the management of Tribal gaming operations.

S. To take such further actions as are commonly engaged in by public bodies of this character as the Tribal Gaming Commission may deem necessary and desirable to effectuate its purposes, including without limitation the power to adopt rules and regulations governing the procedures for the meetings of the Tribal Gaming Commission.

Article XIV. - Prior Ordinance Repealed

Upon execution of this Ordinance, any ordinance or any part thereof which is not consistent with this Ordinance are hereby repealed.

Article XV. - Interpretation

The provisions of this Ordinance, being necessary for the benefit of the Tribe and its members, shall be liberally construed to effect the purposes and objectives thereof.

Article XVI. - Effective Date

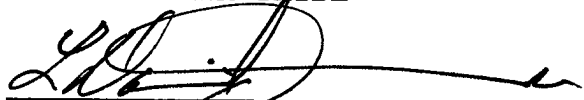
This Ordinance is effective upon enactment.

Article XVII.- Enforcement


This Ordinance shall be enforced by the Tribe.

ADOPTED THIS 16 DAY OF DECEMBER, 1993.

ST. REGIS MOHAWK TRIBE

By: 
Chief L. David Jacobs

By: 
Chief John S. Loran

By: 
Chief Norman J. Tarbell

APPROVED this _____ day of _____, 199__.

NATIONAL INDIAN GAMING COMMISSION

By: _____
Chairman of the Commission