

**NATIONAL  
INDIAN  
GAMING  
COMMISSION**

DEC 7 1998

Honorable Charles Dawes  
Chief, Ottawa Tribe of Oklahoma  
P.O. Box 110  
Miami, Oklahoma 74355

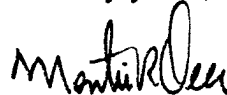
Dear Chief Dawes:

We are in receipt of a letter, dated September 1, 1998, by Margie Ross, Tribal Administrator for the Ottawa Tribe of Oklahoma (Tribe). This letter responds to her request to review and approve the corrections submitted to the Act Relating to the Tribe regarding Regulation and Licensing of Gaming on Indian Lands and the act relating to the Tribe regarding terms of Class Gaming on Indian Lands, adopted on June 20, 1997, by the Tribe. We have reviewed the necessary corrections requested and find that it is in compliance with Indian Gaming Regulatory Act (IGRA) and the National Indian Gaming Commission (NIGC) requirements and is accordingly approved under the IGRA.

Under the IGRA and the regulations of the 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 by 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.

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

Sincerely yours,



Montie R. Deer  
Chairman

cc: Margie Ross, Program Director

of a plan submitted to the Secretary of the Interior Under 25 U.S.C. §2710(b)93).

**ARTICLE V**  
**Audit**

A. The Ottawa Tribe shall cause to be conducted annually an independent audit of gaming operations and shall submit the resulting audit reports to the National Indian Gaming Commission.

B. All gaming related contracts that result in the purchase of supplies, services, or concessions in excess of \$25,000 annually, except contracts for professional legal and accounting services, shall be specifically included within the scope of the audit that is described in subsection A above.

**ARTICLE VI**  
**Protection of the Environment and**  
**Public Health and Safety**

Class II gaming facilities shall be constructed, maintained and operated in a manner that adequately protects the environment and the public health and safety.

**ARTICLE VII**  
**Licenses for Key Employees and**  
**Primary Management Officials**

The Ottawa 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.

A. Definitions

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

1. Key Employee -

(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

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Section 1-3

Definitions

1. "Act" means this Ottawa Tribe Gaming Act.
2. "Business Committee" means the Ottawa Tribe Business Committee.
3. "Chairman" means the Chairman of the Ottawa Tribe Gaming Commission established pursuant to this Ordinance.
4. "Class I gaming" means social games solely for prizes of minimal value or traditional forms of Indian gaming engaged in by individuals as a part of, or in connection, with tribal ceremonies or celebrations.
5. "Class II gaming" means the game commonly known as bingo (whether or not electronic, computer or other technology are used in connection therewith) and which is played with prizes including monetary prizes with cards bearing numbers or other designations, and in which the holder of the card covers such numbers or designations when objects, similarly numbered or designated, are drawn or are electronically determined, and in which the game is won by the first person covering a previously designated arrangement of numbers or designations on such cards, including pull tabs, lotto, punch boards, tip jars, instant bingo, and other games similar to bingo. This class of gaming also includes card games that are explicitly authorized by state laws or are not explicitly prohibited by state laws and are played at any location in the state.

Class II gaming does not include any banking card games, including baccarat, chemindefer, or black jack (21) or electronic or electromechanical facsimiles of any games of chance or slot machines of any kind.

6. "Class III gaming" means all forms of gaming that are not Class I gaming or Class II gaming.
7. "Commission" means the Ottawa Tribe Gaming Commission established by this Ordinance.
8. "Compact" means the agreement between the Ottawa Tribe and any State of the United States, pursuant to 25 U.S.C. § 2710(b)(iv), as further approved in accordance with the Indian Gaming Regulatory Act, as the procedures under which Class III gaming may be conducted on Indian lands over which the Ottawa Tribe has jurisdiction.

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9. "Executive Director" means the Executive Director of the Ottawa Tribe Gaming Commission established pursuant to this ordinance.
10. "IGRA" means the Indian Gaming Regulatory Act of 1988, P.L. 100-497.
11. "Indian Lands" means (a) Land within the limits of an Indian reservation; or (b) Land over which an Indian tribe exercises governmental power and that is either - (1) Held in trust by the United States for the benefit of any Indian tribe or individual; or (2) Held by an Indian tribe or individual subject to restriction by the United States against alienation.
12. "State" means any State of the United States.
13. "Tribe" means the Ottawa Tribe of Oklahoma.

## Chapter 2

### Administration and Enforcement

#### Section 2-1

#### Establishment of the Ottawa Tribe Gaming Office and Commission

There is hereby established the Ottawa Tribe Gaming Office (hereinafter "Gaming Office") and the Ottawa Tribe Gaming Commission (hereinafter "Commission") which shall have the duties and powers as hereinafter described.

The Commission shall constitute no less than three (3) nor more than five (5) members to be appointed by the Chief acting as the Chairman of the Ottawa Business Committee. Commission members will serve for a period of two (2) years. However, for the first appointments, the names shall be placed in a receptacle with the first name drawn serving a term of two (2) years. The second name drawn shall serve a term of one (1) year, and terms shall alternate accordingly with each subsequent name drawn. The Commission shall elect a chairman from among its members. The Commission shall have the power to generally oversee the Chairman and Gaming Office and review its actions for approval or ensure compliance with this Act and any regulations adopted and orders issued by the Commission. The Commission members shall submit to a conflict of interest provision to disclose potential unethical situations.