

NATIONAL
INDIAN
GAMING
COMMISSION

FILE COPY

JUN 21 1995

Alex Lujan, Governor
Pueblo of Sandia
Box 6008
Bernalillo, NM 87004

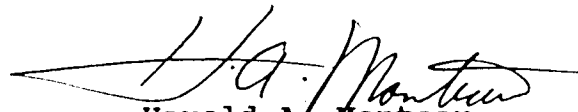
Dear Governor Lujan:

This letter responds to your request to review and approve the amendment to the tribal gaming ordinance of the Pueblo of Sandia (Pueblo). The amendment to the ordinance was adopted by the Tribe by Resolution No. 95-21 on May 31, 1995. 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 amendments to 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.

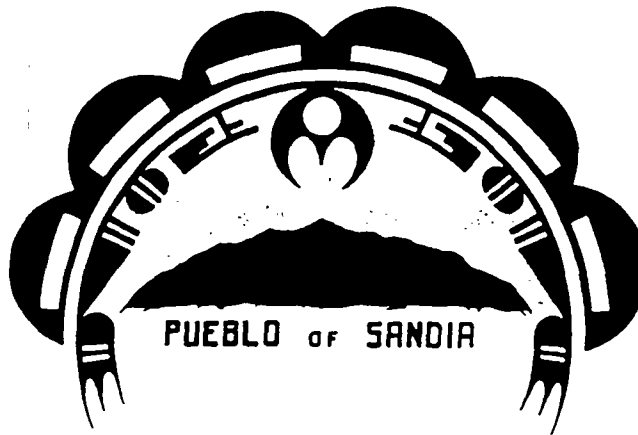
Thank you for submitting the amendment to the tribal gaming ordinance of the Pueblo of Sandia. The NIGC staff and I continue to look forward to working with you and the Tribe in implementing the IGRA.

Sincerely yours,



Harold A. Monteau
Chairman

Alex Lujan
Governor
Patrick G. Baca
Lt. Governor
Lucia T. Benalli
Treasurer



Box 6008
Bernalillo, New Mexico 87004
(505) 867-3317

**RESOLUTION NO. 95- 21
AUTHORIZING THE ISSUANCE OF
TEMPORARY GAMING LICENSES**

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

WHEREAS certain licensing requirements exist in connection with tribal gaming operation for Class III gaming conducted at Casino Sandia by virtue of the Indian Gaming Regulatory Act, regulations promulgated thereunder, and the Tribal-State Compact executed on February 13, 1995, and approved by the Secretary on March 22, 1995, and

WHEREAS the Tribal Gaming Agency for the Pueblo of Sandia has been authorized pursuant to Tribal Council action and is being constituted, organized, and funded, but is not yet fully operational, and the duties and oversight of tribal gaming operations have been undertaken largely by the Owner-Monitor of the Pueblo of Sandia, and

WHEREAS the process precedent to the issuance of licenses to primary management officials, key employees, and certain others, including the portion involving applications, background investigations with attendant fingerprint submissions, has been undertaken and are being completed, and

WHEREAS there is a vital need that operations of the gaming facility continue unabated while this licensing process is proceeding, and, pursuant to the Compact, a temporary licensing procedure is established and should be instituted to place the Tribal Gaming Agency or the Owner-Monitor in a position to grant temporary licenses (or, alternatively, to decline to grant temporary licenses) to appropriate persons and entities, and

WHEREAS the Owner-Monitor, whose function now is largely regulatory, will work closely in connection with the Pueblo of Sandia Gaming Commission and now has the opportunity to observe generally the on-going operations and employees and entities engaged in those operations, must be in a position to continue in those functions while the final licensing process is underway,

NOW, THEREFORE, BE IT RESOLVED by the Tribal Council of the Pueblo of Sandia that a temporary licensing procedure be established, as set out in the Tribal State Compact, and that the Owner-Monitor be authorized to fill the responsibilities of the Tribal Gaming Agency in that connection until the Pueblo of Sandia Gaming Commission is fully operational.

BE IT FURTHER RESOLVED that, in order to carry out the intent of the Indian Gaming Regulatory Act, regulations promulgated thereunder, and the Tribal-State Compact, the Owner-Monitor is granted the authority to issue temporary licenses to primary management officials, key employees, and certain others, as appropriate, until the Pueblo of Sandia Gaming Commission, as the Tribal Gaming Agency, or another acting on its behalf, is in a position to make a determination with respect either to the granting of a license or the refusal to grant a license, at which time either a license will be granted to the applying person or entity or a determination will be made that a license should not be granted, in which case the temporary license will be rescinded. Such temporary licenses will be in a form and of a type prescribed by the Owner-Monitor.

BE IT FURTHER RESOLVED that the granting of such temporary licenses, by the Owner-Monitor or by the Commission, does not change or diminish the responsibility of the Tribal Gaming Agency or others in carrying out fully the licensing process, does not create an obligation on the part of the Tribal Gaming Agency or others to grant a permanent or any other license to any individual or entity, and does not create any expectancy of any other license to such individual or entity, and a temporary license may be withdrawn and become void and of no effect upon issuance of a permanent license, issuance of a notice of denial of license, or ninety (90) days after the temporary license is issued, whichever occurs first. A temporary license may be withdrawn without notice and without cause at any time.

BE IT FURTHER RESOLVED that the Owner-Monitor will have the authority to carry out the intent of this resolution

CERTIFICATION

The foregoing resolution was considered by the Tribal Council of the Pueblo of Sandia at a duly called meeting and was adopted by the Council with a quorum being present at a meeting on the 31st day of MAY, 1995.

C. J. [Signature]
Governor

Attest:

Margaret J. [Signature]
Secretary

George M. [Signature]
Tribal Councilman

Phillip L. [Signature]
Tribal Councilman

Donald M. [Signature]
Tribal Councilman

Ray [Signature]
Tribal Councilman

Silbert [Signature]
Tribal Councilman

Joe M. [Signature]
Tribal Councilman