

NATIONAL
INDIAN
GAMING
COMMISSION

MAY 11 1994

Deborah Doxtator, Chairperson
Oneida Tribe of Indians of Wisconsin
P.O. Box 365
Oneida, Wisconsin 54155

Dear Chairperson Doxtator:

This letter responds to your request to review and approve the tribal gaming ordinance adopted by the Oneida Tribe of Indians of Wisconsin (the Tribe) on July 6, 1992 and amended by resolution dated April 27, 1994. 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 Oneida Tribe of Indians of Wisconsin 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



Oneidas bringing several hundred bags of corn to Washington's starving army at Valley Forge, after the colonists had consistently refused to aid them.

Oneida Tribe of Indians of Wisconsin

Post Office Box 365

Phone: 869-2214

Oneida, WI 54155



UGWA DEMOLUM YATEHE
Because of the help of this Oneida Chief in cementing a friendship between the six nations and the Colony of Pennsylvania, a new nation, the United States, was made possible.

RESOLUTION # 4-27-94B

WHEREAS, the Oneida Tribe of Indians of Wisconsin is a federally recognized Indian Government and a treaty tribe recognized by the laws of the United States, and

WHEREAS, the Oneida General Tribal Council is the governing body of the Oneida Tribe of Indians of Wisconsin, and

WHEREAS, the Oneida Business Committee has been delegated the authority of Article IV, Section 1 of the Oneida Tribal Constitution by the Oneida General Tribal Council, and

WHEREAS, the Oneida General Tribal Council has adopted the Oneida Nation Administrative Procedures Act, Resolution 08-19-91A, to ensure the consistency of law and rule-making procedures, and

WHEREAS, the Oneida Nation Administrative Procedures Act, Resolution 08-19-91A, Section VI, allows the adoption of an emergency ordinance or amendment by the Oneida Business Committee, where an emergency requires such an adoption because of a threat to the general welfare of the Oneida Tribe of Indians of Wisconsin, and

WHEREAS, the Oneida Tribe of Indians of Wisconsin has received a letter from the National Indian Gaming Commission outlining fourteen (14) deficiencies within the Comprehensive Oneida Gaming Ordinance of 1992 and other submissions to the Commission, and

WHEREAS, said letter states that all deficiencies must be cured on or before May 6, 1994, and

WHEREAS, the gaming operations of the Oneida Tribe of Indians of Wisconsin are a vital resource that provides for the general welfare of the Tribe, and

Resolution 4-27-94B

WHEREAS, the loss of the gaming operations and the resulting loss of revenue would cause irreparable harm and undue hardship on the Oneida People, and

WHEREAS, the Oneida Tribe of Indians of Wisconsin, in consideration of the foregoing statements, desires that the following actions be implemented;

THEREFORE, BE IT RESOLVED: that, in order to protect the integrity of gaming, the Oneida Business Committee is hereby invoking their authority under the Administrative Procedures Act, Resolution 8-19-91A, Section VI, to provide for interim measures, the following of which will be in effect for a period not to exceed six months.

BE IT FURTHER RESOLVED: the Oneida Gaming Commission shall commence with their regulatory function, ensuring both compliance with applicable Tribal, local, state and federal laws and uniform application of said laws.

BE IT FURTHER RESOLVED: that the Oneida Gaming Commission shall consist of three full-time members, to be responsible for the development of regulatory policy and commencement of the regulatory function. The remaining members of the Commission shall be apprised of any policies developed and actions taken by full-time members, and must approve any new policies before they go into effect.

BE IT FURTHER RESOLVED: that, the General Manager is directed to oversee the day to day operations of the Gaming Enterprises through supervision of the Gaming Manager and Gaming Management, and that Gaming Management shall cooperate with the General Manager regarding these oversight responsibilities.

BE IT FURTHER RESOLVED: that the following amendments be inserted into the Comprehensive Oneida Gaming Ordinance of 1992 superseding the existing sections of the Comprehensive Oneida Gaming Ordinance where indicated, and that such amendments shall be valid for a period of not more than six months from the date of their passage.

BE IT FINALLY RESOLVED: the General Manager, Gaming Management, the Oneida Gaming Commission, and the Office of the Chief Counsel shall participate in the drafting of a new Gaming Ordinance, which addresses the present and anticipated future needs of the gaming enterprises, and will become effective when the six month period lapses or a new ordinance is passed.

CERTIFICATION

I, the undersigned, as Secretary of the Oneida Business Committee, hereby certify that the Oneida Business Committee is composed of nine members, of whom 5 members constitute a quorum. 8 members were present at a meeting duly called, noticed and held on the 27th day of April, 1994; that the foregoing resolution was duly adopted at such meeting by a vote of 7 members for; 0 members against, and 0 members not voting; and that said resolution has not been rescinded or amended in any way.


Julie Barton, Tribal Secretary
Oneida Business Committee



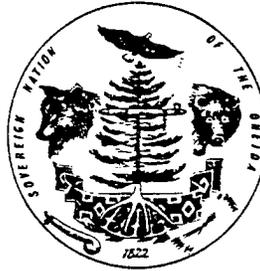
Oneidas bringing several hundred bags of corn to Washington's starving army at Valley Forge after the British had consistently refused to aid them.

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GENERAL TRIBAL COUNCIL RESOLUTION # GTC-7-6-92-B

WHEREAS, the Oneida General Tribal Council is the duly recognized governing body of the Oneida Tribe of Indians of Wisconsin,

WHEREAS, the Oneida Business Committee may be delegated duties and responsibilities by the Oneida General Tribal Council and is at all times subject to the review powers of the Oneida General Tribal Council, and

WHEREAS, the General Tribal Council has been delegated the authority of Article IV, Section I of the Oneida Tribal Constitution, and

WHEREAS, the Oneida Business Committee has determined that due to expansion of the Oneida Gaming enterprise, also known as the First American Games, to include games denominated as Class III games under the Indian Gaming Regulatory Act of 1988 (P.L. 100-4097), which federal law also provided for Compacts between Tribal and State governments governing the regulation of Class III games on reservations, and

WHEREAS, the Oneida Tribe and the State of Wisconsin entered into a Class III Gaming Compact on November 7, 1991 which was approved by the Secretary of the Interior, Manual Lujan, on January 24, 1992. Said Compact addresses the conduct of the game known as Blackjack and gaming machines with video, or electronic displays and sets forth a system of joint regulation of these Class III games by the Tribe and the State, and

WHEREAS, the Oneida Gaming Ordinance adopted by the Oneida Business Committee on April 21, 1989 has been revised by subsequent directives of the Oneida General Tribal Council which includes amending the composition of the Oneida Gaming Commission and the manner of their selection, as well as 8 recommendations of the Bingo Investigation Committee, and

WHEREAS, these revisions and others have been incorporated into the proposed Comprehensive Oneida Gaming Ordinance, and

WHEREAS, more than three public hearings have been held to allow the general membership and elected entities of the Oneida Tribe to comment and offer proposed revisions to this Ordinance, and

NOW THEREFORE BE IT RESOLVED: that the attached Comprehensive Oneida Gaming Ordinance is hereby approved by the Oneida General Tribal Council for adoption by the Oneida Business Committee. It is specifically intended

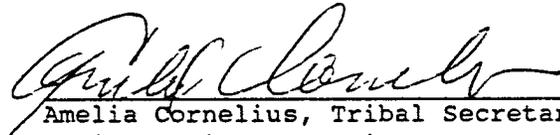
that this ordinance conforms to the requirements of the Oneida Constitution, the Indian Gaming Regulatory Act of 1988, the Oneida Tribe of Wisconsin Class III Gaming Compact, regulations of the Federal Indian Gaming Commission as well as directives of the Oneida General Tribal Council. It is also intended that specific regulations as required by Oneida Administrative Procedure Act authorized by and for the purpose of implementing this Ordinance be promulgated, published and maintained in a Oneida Gaming Standard Operating Procedures Manual.

BE IT FURTHER RESOLVED, that this Ordinance be published in the Kalihwisaks and copies available to the general membership and the public at their request. This ordinance shall also be provided to all Managers and Directors who shall insure that all employees are familiar with its requirements, and

BE IT FINALLY RESOLVED, this Ordinance and its implementing regulations shall be presented to the U. S. Department of the Interior, the Federal Indian Gaming Commission, the State of Wisconsin.

C E R T I F I C A T I O N

I, the undersigned, as Secretary of the Oneida Business Committee, hereby certify that the Oneida General Tribal Council in session with a quorum of 128 members present at a meeting duly called, noticed, and held on the 6TH day of JULY, 1992; that the foregoing resolution was duly adopted at such meeting by a unanimous vote of those present and that said resolution has not been rescinded or amended in any way.



Amelia Cornelius, Tribal Secretary
Oneida Business Committee

COMPREHENSIVE ONEIDA GAMING ORDINANCE

PREAMBLE

It is the intent of the Ordinance to clearly set forth the laws and requirements of promulgation of regulations of the Oneida Tribe regarding all gaming conducted on the Oneida Indian Reservation. It is intended to govern the gaming activities of all persons, employees, consultants, and vendors as well as the Oneida Gaming Commission. It is further intended that all internal departments, enterprises and officials and employees of the Oneida Tribe shall work cooperatively to advance the best interests of the Oneida Tribe in protecting its gaming resources as well as its patrons.

ARTICLE I.

A. TITLE

This Ordinance shall be known as the
COMPREHENSIVE ONEIDA GAMING ORDINANCE

B. DEFINITIONS

1. "BACKGROUND CHECK" means a standard and thorough investigation conducted by Oneida Gaming Security, Oneida Public Safety or other authorized delegate of the Oneida Tribe pursuant to applicable federal laws or regulations. Said checks may be in cooperation with federal, state or other tribal law enforcement agencies.
2. "BINGO" means a game of chance in which 75 numbered objects are available for random selection and in which each player participates by means of cards sold, rented or used only the time and place of game. Each card contains five rows of five spaces each, each space printed with a number from 1 to 75, except the central space which is marked "FREE". Winners are determined and prizes awarded on the basis of possessing a bingo card on which some combination of numbers are printed and conform to the numbered objects selected at random based on a predetermined winning arrangement. Winners are determined by covering publicly announced squares, by card to reveal a prize won, or by drawing a name or number from a container. This includes all bingo games conducted pursuant to the Ordinance whether transmitted by cable, satellite or any other manner.
3. "BINGO OCCASION" means a single gathering or session at which a series of successive bingo games are played.

4. "BINGO SUPPLIES & EQUIPMENT" means all cards, boards, sheets, markers, pads or other supplies, devices or equipment designed for use in the play of bingo.
5. "BUSINESS PLAN" means a plan extended over a period of years to be determined by the Oneida Business Committee or Oneida Gaming Commission with narratives and financial projections including operating budgets which serve as a planning guideline for all gaming operations. The plan includes sections devoted to management, organization, legal background, operations, market, financial analysis, and contingency planning.
6. "CONDUCT OF GAMES" means all games of chance conducted pursuant to this Ordinance.
7. "CONFLICTS OF INTEREST" means personal, financial, family nepotism or any other circumstances in which a person has an interest in the outcome of a decision or action.
8. "CUSTOMIZED TRAINING PROGRAM" means training specifically related to the employee duties and responsibilities as gaming employees, i.e. customer relations, operation of equipment, accounting procedures and other training.
9. "EMPLOYEE" means a person employed by the Oneida Tribe.
10. "EXTRA REGULAR CARD" means an indispensable card which affords additional opportunities to play in a regular bingo game at a bingo occasion.
11. "FELONY" means a crime which has been proven in a court of competent jurisdiction which is more than a misdemeanor and for which the convicted person may be subject to fines or imprisonment.
12. "FRAUD" means any act of trickery or deceit used to gain control or possession of the property of another.
13. "GAMES" means all games of chance authorized and/or conducted by the Oneida Tribe. Classes of games shall be as defined in IGRA and the Tribal/State Compact.
14. "GAMING EXPANSION PLAN" means a plan for any future gaming activities not defined

- or provided for in the annual Business Plan.
15. "GAMING MANAGEMENT" means the Gaming Manager, Directors of individual games, Supervisors and all personnel involved in the processing of Lotto tickets for sale or selection of winners.
 16. "GAMING RETAIL LICENSE" means the license the Commission shall issue to each authorized retailer. Each retailer shall conspicuously display the certificate of authority, on the premises where lottery tickets are sold, for public inspection.
 17. "GROSS RECEIPTS" means total receipts received from the conduct of each gaming operation.
 18. "INCENTIVE SYSTEM" means a reward/recognition system that will encourage good employee morale in the gaming area.
 19. "INCIDENT" means an accident or event involving any person on the premises where gaming is conducted which results in injuries, damages to property or any unusual occurrence in the conduct of any game or machine.
 20. "INSTANT TICKETS" means factory covered tickets which are purchased and opened by customers revealing predetermined winning arrangement.
 21. "KEY PERSONNEL" means a primary management official, or any person who is a custodian of cash or other things of value or any person in a supervisory position.
 22. "LOTTERY" means a game in which numbers are randomly selected for a predesignated total in combinations determined by the Oneida Tribe as winners. This shall include scratch off tickets.
 23. "LOTTERY GAME RETAILER" means a person and/or business with whom the Gaming Commission has contracted for the purpose of selling Lotto tickets to the public.
 24. "MACHINES" means all devices, mechanical or electronic, used by the Oneida Gaming enterprise to facilitate gaming operations. This includes Class III games of chance defined in the Oneida/Wisconsin Class III Gaming Compact.
 25. "NEW GAME" means any game not specifically set forth in Article V, or any variation of an existing game for

which additional expenditures will be required which have not been previously provided for in the Business Plan or Approved Budget.

26. "ONEIDA BUSINESS COMMITTEE" means the elected representatives of the Oneida General Tribal Council, composed of nine (9) Oneida Tribal members who perform duties authorized by the Oneida General Tribal Council.
27. "ONEIDA GENERAL TRIBAL COUNCIL" means the governing body of the Oneida Tribe of Indians of Wisconsin composed of all the qualified voters of the Oneida Tribe of Indians of Wisconsin as determined by Article III, Section 2 of the Oneida Tribal Constitution.
28. "ON-LINE LOTTERY" means Point of Sale, the online system is a series of computer terminals which are similar in appearance to cash registers and are geographically dispersed. The terminals are linked up by dedicated phonelines to a central computer. A player picks six numbers out of a specified array of numbers, the agent enters the digits at their terminal and that play is recorded at the central site via a dedicated phone line. A player may select to have the computer randomly select the numbers.
29. "OVERSEE" means to review, investigate, hold hearings, find facts, report, review and recommend amendments to the Gaming Ordinance, rules and regulations, the annual gaming budget, recommendation on prosecution if necessary.
30. "PARI-MUTUEL" means of system of betting on races in which the winners divide the total amount bet after deducting management expenses in proportion to the sums they have wagered individually.
31. "PLAN OF OPERATIONS" means of comprehensive document of operating authorities including all codes, resolutions, policies, regulations, and a summary of operating procedures.
32. "PREMISES" means any building, room, hall, enclosure, tent, or outdoor area in which gaming is being conducted.
33. "RAFFLES" refers to games that result in random winners, whereby each person purchasing a raffle ticket is afforded an

- equal opportunity to win a prize whether cash or merchandise.
34. "REGULAR BINGO CARD" means a card issued to a person upon payment of the admission fee which affords a person the opportunity to participate in all regular bingo games played at a bingo occasion.
35. "REGULAR BINGO GAME" means a bingo game in which a person, upon payment of the admission, is issued a regular bingo card and may purchase or rent extra regular cards.
36. "REMOVAL FOR CAUSE" means suspension or terminating the employment of any person connected with any aspect of the Oneida gaming operations for:
- a. Behavior or conduct which may in any way affect local perceptions of the Oneida Gaming Enterprises in a negative manner, causing suspicion to be raised as to the actual conduct of said games, and which may lead to an inordinate decline in revenues actually received from the gaming operations.
 - 1) Such behavior shall include theft, embezzlement, conversion and/or fraud.
 - 2) Such behavior shall include under the influence of drugs or alcohol.
 - b. Direct noncompliance with any rule or regulation pertaining to gaming control or causing another either directly or indirectly to disregard such rules and regulations.
 - c. Violation of any rule or policy of the Oneida Tribe as set forth in the Oneida Personnel Policies and Procedures.
 - d. All procedures under this provision shall be as provided for in the Tribe's Personnel Policies and Procedures.
37. "REVENUES" means the gross receipts collected from one or more gaming occasions, less sums necessarily and actually expended for conducting said games, supplies, equipment, prizes or utilities.
38. "REVIEW PROCESS" means a process whereby gaming management is evaluated on

- performance criteria.
39. "SECURITY" means the protection of the equipment, money, anything of value and the premises and the occupants thereof for all gaming activities, and personnel policies and procedures used to assert such protection.
 40. "SPECIAL BINGO CARD" means a disposable, specially marked bingo card which affords a person the opportunity to participate in a special bingo game to be played with special bingo cards for special prizes.
 41. "SPECIAL BINGO GAME" means any bingo game which is not a regular bingo game and which is played with special bingo cards for special prizes.
 42. "STANDARD OPERATIONAL PROCEDURES" means rules and processes set forth separately but deriving from authority stated in this Ordinance.
 43. "TRIBAL LAND" means all lands within the exterior boundaries of the Oneida Indian reservation as defined by the 1838 Treaty, or otherwise possessed by the Oneida Tribe.

ARTICLE II. GENERAL PRINCIPLES

- A. The purpose of this Ordinance is to regulate the conduct of all gaming operations of the Oneida Tribe of Indians of Wisconsin. All gaming operations of the Oneida Tribe shall be conducted pursuant to this Ordinance. All gaming operations shall be conducted in accordance with Article V below and duly authorized regulations set forth in a Standard Operational Procedures Manual.
- B. This Ordinance shall supersede all previous Ordinance, Resolutions and any and all Memorandum of Agreements or other tribal law governing the conduct of gaming by the Oneida Tribe. All provisions are effective upon enactment by the Oneida Business Committee.
- C. Licenses shall be required of the Gaming Manager, Key Personnel, vendors and/or contractors in accordance with the duly enacted license policy and procedure.
- D. Gaming addiction disorders are recognized as a potential hazard to a successful gambling operation. There will be provided referrals and educational services addressing this issue. Annual reporting of the incidence and

prevalence of this malady will be by the various departments and programs who address it and made directly to the Commission.

ARTICLE III. AUTHORITY

- A. This Ordinance is authorized by the Oneida Constitution, Article IV which has been delegated by the Oneida General Tribal Council to the Oneida Business Committee.
- B. The Oneida Business Committee, subject only to review of the Oneida General Tribal Council, may further delegate responsibilities under the Oneida Constitution to subordinate organizations which have been directed by the General Tribal Council or which in the discretion of the Business Committee are in the best interests of the Oneida Tribe.
- C. This Ordinance addresses as required all provisions of the Indian Gaming Regulatory Act of 1988, P.L. 100-497.
- D. The Oneida Tribe shall be the sole operator, conductor, manager and owner of all gaming enterprises on the Oneida Indian Reservation.
- E. The Oneida Business Committee shall retain the exclusive power to enter into agreements or compacts with states, any other governments or any other entity for gaming purposes.
- F. The Oneida Business Committee shall retain the exclusive power to enter into contracts and agreements effecting any sale, disposition, leases or encumbrances of tribal lands, interests in lands, or other assets of the Tribe.
- G. The Oneida Business Committee delegates to the Oneida Gaming Commission duties and responsibilities as set forth in Article IV of this Ordinance.
- H. This Ordinance authorizes the Standard Operational Procedures Manual which shall set forth the various procedures required by this Ordinance.

ARTICLE IV. COMMISSION; POWERS, DUTIES AND LIMITATIONS

- A. There shall be a Commission to insure the integrity of all games authorized by this Ordinance. Seven (7) members of the Gaming Commission shall be elected by the Oneida General Tribal Council for a term of three (3) years. The terms shall be staggered pursuant to a procedure duly enacted by the Oneida

Business Committee. Vacancies shall be filled by appointment by the Oneida Business Committee until the next election.

1. Purpose

The purpose of the Commission is to provide the basis for regulation and operation of gaming pursuant to this Ordinance.

2. Qualifications for Election

a. Must be an enrolled tribal member, 21 years of age or older.

b. Must meet one (1) of the following criteria: Experience of at least one (1) year in;

1) Marketing

2) Accounting

3) Business Management

4) Previous Tribal Board, Committee, or Commission,

5) Gaming,

6) Law Enforcement and/or

7) Formal training in any of the above areas

c. No individual shall be eligible for election to, or to continue services on, the Commission, who:

1) Has been convicted of a felony or crime of fraud as defined in this Ordinance or gaming offense unless pardoned by the Business Committee

2) Has any financial interest in, or management responsibility for any gaming activity that would be in direct competition with gaming authorized by this Ordinance.

3) Has any Conflict of Interest as defined in this Ordinance and the Tribal policy defining Conflicts of Interest.

d. Compensation, if any, shall be paid for attendance at each meeting and consistent with common tribal practice and policy as set forth in the Standard Operational Procedures by the Commission and approved by the Business Committee.

B. Election of Commission

1. All candidates shall submit to a thorough background investigation initiated by the Gaming Security Director or Oneida Public

Safety Department and completed prior to election as required pursuant to the Election Ordinance.

2. All candidates shall complete a form requiring disclosure of conflicts of interest prior to the election as required by the Oneida Election Ordinance.
3. Elections shall be made by the Oneida General Tribal Council pursuant to the Oneida Election Ordinance and the requirements of this Ordinance.
4. Installation shall be administered by oath at a regular meeting of the Oneida Business Committee.
5. Upon installation, all Commission members shall be issued a Tribal Gaming Security Card setting forth their title and term of office.
6. There shall be an annual meeting within thirty (30) days after the election at which the Commission shall select from amongst its members a chairperson, a vice-chairperson and a secretary and shall inform the Business Committee, Gaming Manager and Kalihwisaks of its membership.

C. Responsibilities of Commission

1. No Commissioner shall act independently of the Commission. Any such acts may be grounds for removal.
2. Shall promulgate such rules, regulations, procedures, and guidelines as it deems appropriate to implement and enforce the provisions of this Ordinance to be approved by the Business Committee, including and consistent with all directives of the Oneida General Tribal Council. These shall be set forth in the Standard Operational Procedures, specifically including meeting rules and internal elections for officers. These may be amended at the discretion of this Commission and approved by the Business Committee.
3. The Commission shall review and approve all contracts and agreements prior to execution deemed necessary in implementing the annual business plan according to the approved budget following the same general policies and contract review procedures used by the

- Oneida Business Committee for all other contracts and agreements.
4. The Commission shall meet quarterly unless otherwise required.
 5. Report activities to Business Committee to coordinate corrective measures.
 6. Monitor and regulate gaming activities on a continuing basis as it relates to this Gaming Ordinance.
 7. May inspect and examine all premises where gaming is conducted.
 8. May conduct such hearings, sit and act at such times and places, take such testimony and receive such evidence as the Commission deems necessary.
 9. Shall submit a report semi-annually to the Secretary of the General Tribal Council.
 10. May review licenses as may be deemed necessary as well as the licensing procedure.
 11. Shall review the investigation of the background of and issue a license to the Gaming Manager.
 12. Monitor and review all activities of gaming management plans, budgets, projects, and progress and implementation of all directives of the Oneida Business Committee and provisions of this Ordinance.
- D. Commission Reports to Business Committee or Oneida General Tribal Council:
1. Approved minutes of all meetings shall be sent to the Secretary of the Oneida General Tribal Council within thirty (30) days.
 2. Financial reports referred to in Article X of this Ordinance shall be reported as set forth in that Article.
 3. Summary reports of investigations or matters shall be made at the discretion of the Commission or as requested, provided that confidentiality is not breached in criminal investigations or otherwise.

ARTICLE V. GAMING MANAGEMENT; POWERS, DUTIES AND LIMITATIONS

- A. There is hereby authorized a Gaming Management Structure as set forth under Article IV, Sec. 1, (G) of the Oneida Tribal Constitution which shall be defined in the Standard Operational

Procedures Manual.

1. All Primary Management personnel and designated Key Employees shall be enrolled members of the Oneida Tribe of Indians of Wisconsin, 18 years of age or over. These positions shall be listed by job title in the Standard Operational Procedures Manual. All other gaming personnel shall be employed pursuant to the Standard Operational Procedures, specifically Gaming Personnel Policies and Procedures which will provide for Oneida and Indian preference.
 2. Gaming management must be licensed as provided for in this Ordinance and Standard Operational Procedures.
 3. Any gaming management member or employee may be removed for cause as provided for in the tribe's Personnel Policies and Procedures or this Ordinance.
 4. All management and employees must be bondable under the Tribe's policy.
 5. Background checks will be made on all applicants prior to employment and on employees as necessary as set forth in the Standard Operational Procedures Manual.
 6. Conflicts of Interest are to be avoided, but in any case require full disclosure.
 7. Gaming Management shall cooperate with the Gaming Commission in all investigations whether criminal or otherwise and other responsibilities.
 8. All management and employees shall execute necessary disclosure statements regarding conflicts of interest.
- B. Powers of Gaming Manager
1. The Gaming Manager shall have full jurisdiction for daily operations of gaming conducted under this Ordinance as well as corollary services provided to patrons.
 2. The Gaming Manager shall draft and propose regulations and rules governing licenses. Such regulations and rules are to be reviewed by the Commission with recommendations, if any, and subject to approval of the Oneida Business Committee. Such rules and regulations shall be set forth in the Standard Operational Procedures Manual.
 3. Conduct gaming operations by personal

supervision as set forth in Article VI, below and the Standard Operational Procedures.

- a. Personnel policies shall conform to Tribal Personnel Policies and Procedures unless otherwise required.
 - b. All such policies shall be reviewed by the Gaming Commission and approved by the Business Committee.
4. The Gaming Manager shall supervise the receipt and deposit of monies realized as revenues from gaming operations in the Oneida Gaming account as directed at banks designated by the Oneida Business Committee.

ARTICLE VI. GAMING SECURITY; POWERS, DUTIES AND LIMITATIONS

- A. A Director of Security will supervise a separate arm of the Public Safety Department which shall have jurisdiction over all security activities including all surveillance equipment. This person shall have a background as a police officer, federal officer, criminal investigator, and/or gaming security specialist. As a condition of employment, the candidate shall receive training in all of the above areas in which he is not fully qualified at the time of employment.
- B. The Director of Security shall report directly to the Oneida Gaming Commission on a monthly basis or as required. The Director of Security shall communicate with the Chief of Public Safety on daily matters, if any, for security, and with the Gaming Manager on daily requirements, if any, for operational purposes.
- C. The Director of Security shall maintain written policies and procedures for the conduct of security operations. These policies and procedures shall be reviewed by the Chief of Public Safety, the Oneida Gaming Commission, and Gaming Manager for approval by the Oneida Business Committee.
- D. The Director of Security shall conduct or cause to be conducted such background investigations of contractors and vendors, as may be necessary prior to the accomplishment of any contracts and agreements by Gaming Management. Procedures governing for

obtaining, recording and reporting background investigations shall be promulgated by the Director of Security, approved by the Oneida Gaming Commission and set forth in the Standard Operational Procedures.

- E. Reports of incidents shall be the responsibility of the Director of Security. Procedures governing the use or release of reports or investigations shall be promulgated by the Director of Security and approved by the Gaming Commission and included in the Standard Operational Procedures Manual.

ARTICLE VII. GAMES

- A. All games of chance shall be designated as class II or class III games and consistent with agreements or compacts executed by the Oneida Tribe or the Indian Gaming Regulatory Act or other federal law determined by the federal courts.
- B. The following games are hereby authorized by this Ordinance:
 - 1. Bingo
 - 2. Raffles
 - 3. Lottery
 - 4. Machines
 - 5. Table Games
 - a. Black Jack
 - 6. Parimutuel wagering
- C. The following games shall be authorized and designated as class III games if permitted by federal and state laws:
 - 1. Table Games
 - a. Craps
 - b. Roulette
 - 2. Card Games
 - a. Poker style games
 - b. Other games authorized and defined by the Gaming Commission as set forth in the Standard Operational Procedures.
 - 3. Electronic games of chance with video facsimiles or mechanical displays.
 - 4. Pull-tab or break open tickets, if not played at the same location where bingo is played.
- D. New Games: New games shall not be commenced unless and until such game has specifically met the following criteria:
 - 1. New games must be proposed by the Gaming Manager, reviewed by the Oneida Gaming

Commission and approved by the Business Committee.

2. Rules for each new game must be included in the Standard Operational Procedures Manual.
3. The Gaming Business Plan must be amended as required.
4. The gaming budget for the fiscal year shall be amended as necessitated by the new game.
5. If the new game is defined as Class III, such games may not be commenced unless and until the Compact has been amended to provide therefore.

E. Standard of Gaming Procedure

1. Standard Operational Procedures Manual
 - a. This Manual shall specify detailed rules and procedures for the conduct of each game. The Manual shall also include necessary procedures for security, reporting and any other related areas.
2. All games shall be separately operated with rules for each set forth in the Standard Operational Procedures Manual.
3. The Standard Operational Procedures shall be drafted by the Gaming Manager or responsible entity or department and reviewed by the Gaming Commission and approved by the Business Committee.
4. Revision of rules for any reason shall conform to the same process.

F. Prohibitions:

1. Gaming may not be conducted by any Indian or Oneida Tribal member, not employed by the Oneida Tribe of Indians of Wisconsin to specifically conduct gaming on the Oneida Indian Reservation
2. No person who has been convicted of a felony or a violation of any provision of the Personnel Policies and Procedures Manual resulting in dismissal or any misdemeanor crime of fraud or theft of any kind may be employed in the conduct of any game defined in this Ordinance unless such person has been formally pardoned by the Oneida Business Committee upon the recommendation of the Gaming Commission. Provided, however, that V.A.4. requirements of this Ordinance are adhered to.
3. Prohibited Prizes: There shall be no

- prize consisting of alcoholic or fermented malt beverage or an interest in real estate or securities.
4. Alcohol and Drugs: No alcoholic beverages and/or illegal drugs shall be allowed on tribal premises where gaming is conducted. Anyone caught possessing and/or using alcoholic beverages or illegal drugs shall be removed from the premises and barred from participating in any gaming activity on tribal premises. Violators may be subject to criminal prosecution.
 5. Sale of Supplies and Refreshments:
 - a. No person shall sell any merchandise on the premises where bingo is being conducted unless authorized by the bingo management. This does not include the sale of food or refreshments.
 - b. Customers are prohibited from bringing food and refreshments onto the premises where bingo is conducted other than what is purchased on the premises.
 6. WHO MAY NOT PLAY
 - a. No member of the Oneida Business Committee, Oneida Gaming Commission, Gaming Security and surveillance personnel, Machine Technicians or Repair persons, Accounting Personnel, Key Personnel or Primary Gaming Management employees or Professional Advisors or consultants may play.
 - b. Except as provided elsewhere in this Ordinance, any person 18 years of age or over may participate as a player in games conducted by the Oneida Tribe.
 - c. Age Limitations:
 - 1) No person under the age of 18 shall play any game authorized by this Ordinance.
 - 2) No person under the age of 18 shall be present on or in tribal premises where games are conducted, unless otherwise authorized.
 - d. No Tribal employee may participate or be a patron alone or in partnership with any other person or

employee during their normal hours of employment.

e. No consultant or vendor, their associates or members of their immediate families shall be a patron or player at any game authorized by this Ordinance.

7. No manager or employee of the Oneida Tribe or for one (1) year following employment may participate in any personal business venture or other endeavor which competes with any enterprise governed by this Ordinance or undermines said enterprise, or utilizes expertise gained by virtue of their employment by the Oneida Tribe, except by prior disclosure and approved by the Oneida Business Committee.

F. Rules for All Games

1. Sufficient space to Play: Each play is entitled to a place with sufficient room in which to play.

2. Limitation on Players: Limited to the capacity of the premises/facility as defined by applicable safety standards.

3. Payouts: Shall be as authorized and as set forth in the Standard Operational Procedures Manual. Limitations on payouts shall be conspicuously posted and specific notice of such provided to all persons to whom such limitations apply. Payouts by annuities shall be as set forth in the annuity agreement.

4. Advertisement of Games: All gaming advertising shall be consistent with this Ordinance, the provisions of the Indian Gaming Regulatory Act, and the Compact and shall be set forth in the Standard Operational Procedures Manual.

5. Bus Regulations: Shall be promulgated by the Manager and reviewed by the Gaming Commission to insure the following:

a. Applications for permits including IRS taxpayer I.D. numbers

b. Orderly procedures for the bus patrons, parking.

c. Consistency with the laws and policies of the Oneida Tribe and this Ordinance.

d. Compliance with the Ordinance, the IGRA and the Oneida/Wisconsin Compact.

ARTICLE VIII. INVESTIGATIONS

- A. General
 - 1. All investigations shall be coordinated pursuant to procedures set forth in the Standard Operational Procedures Manual.
- B. All management personnel shall be trained in appropriate investigative processes.

ARTICLE IX. ENFORCEMENT AND PENALTIES

- A. No Indian shall conduct gaming operations within the borders of the Oneida Indian Reservation except as prescribed above.
- B. Violations/Prosecutions:
 - 1. Violators of these rules may be subject to disciplinary action and civil/criminal prosecutions where circumstances so indicate.
- C. Remedies:
 - 1. Any person violating any provision of this Ordinance may be subject to:
 - a. Forfeit not more than \$2,000.00 per each violation to the Oneida Tribe.
 - b. Make restitution for all losses as may be indicated.
 - c. The Oneida General Tribal Council or other authorized body shall conduct a hearing to enforce this provision consistent with due process and equal protection to tribal law.
 - d. The Oneida Business Committee shall direct and authorize commencement of an action in any court of competent jurisdiction to recover losses, restitution and forfeitures previously adjudged by the Oneida Business Committee or appropriate tribal forum, and invoke other appropriate tribal remedies.

ARTICLE X. REPORTS AND PROCEDURES FOR RECEIPT AND HOLDING OF MONEY

- A. A monthly financial report shall be submitted to the Oneida Gaming Commission and the Oneida Business Committee.

ARTICLE XI. AUDITS

- A. Annual audits shall be conducted pursuant to the financial policies of the Oneida Tribe.

1. Special audits as set forth in the Standard Operational Procedures Manual, including surprise cash counts and other unannounced verification procedures may be authorized at any time by:
 - a. Oneida General Tribal Council, or
 - b. Oneida Business Committee, or
 - c. Oneida Gaming Commission, or
 - d. Audit Committee.

ARTICLE XII. ALLOCATION OF GAMING FUNDS

The Oneida Business Committee may directly appropriate gaming revenues for the purposes set out in Article IV, Section 1 (F) of the Oneida Tribal Constitution.

ARTICLE XIII. AGREEMENTS

Pursuant to this Ordinance, the Oneida Tribe may enter into agreements or compacts to further its gaming interests with any of the following:

- A. Other tribes, this shall mean cooperative gaming with other tribe on their reservations or trust lands, or consultation on gaming issues.
- B. State and local governments, this shall mean Tribal-State Compacts pursuant to this Indian Gaming Regulatory Act, (P.L. 100-497).
- C. Other private or corporate entities, this shall mean any private company, business or group and such agreements may be subject to provisions of the Indian Gaming Regulatory Act.

ARTICLE XIV. AMENDMENTS

This Ordinance may be revised only by the Oneida Business Committee and reviewed by the General Tribal Council pursuant to procedures duly enacted for the purpose of enacting, revising, amending, or revocation of the laws of the Oneida Tribe. Such revisions and amendments shall be based upon Gaming Commission recommendations.

Adopted by Oneida General Tribal Council July 6, 1992 by Resolution