



Via U.S. Mail

December 12, 2011

Chairman William Iyall
Cowlitz Indian tribe
PO Box 2547
Longview, WA 98632

Re: Amendments to the Cowlitz Tribal Gaming Ordinance

Dear Chairman Iyall:

This letter responds to your request on behalf of the Cowlitz Indian Tribe for the National Indian Gaming Commission to review and approve amendments to the Cowlitz Tribal Gaming Ordinance. We received the Cowlitz Tribal Council Ordinance No. 11-02 amendments on September 13, 2011.

The Tribal Council voted to amend the Cowlitz Tribal Gaming Ordinance on August 6, 2011, making two changes. First, these amendments repeal Sections 6 through 10 of the Cowlitz Tribal Gaming Ordinance which established the Cowlitz Gaming Authority, a body responsible for managing the gaming operations. Second, the amendments modify the Privacy Act and false statement notice requirements, to comply with NIGC regulations, 25 C.F.R. §§ 556.2 and 556.3.

Thank you for bringing these amendments to my attention. The amendments are approved as they are consistent with the requirements of the Indian Gaming Regulatory Act and NIGC regulations. This approval is limited to the amendments received on September 13, 2011. To be clear, the approval of these amendments does not constitute approval or re-approval of any other sections of the Cowlitz Tribal Gaming Ordinance except the amendments described herein.

If you have any questions, please contact Senior Attorney Melissa Schlichting at (202) 632-7003.

Sincerely,

A handwritten signature in blue ink that reads "Stevens".

Tracie L. Stevens
Chairwoman

Tribal Council Ordinance No. 11-02

Short Title: Gaming Ordinance Amendment

WHEREAS, the Cowlitz Indian Tribe is Acknowledged as a Sovereign Indian Nation by the United States Government; and

WHEREAS, the Tribal Council is the governing body of the Cowlitz Indian Tribe as authorized by the tribe's Constitution and By-laws; and

WHEREAS, at a duly-called meeting of the Tribal Council on August 22, 2005, the Tribal Council adopted Tribal Council Ordinance No. 05-2, entitled "Gaming Ordinance" and

WHEREAS, at a duly-called meeting of the Tribal Council on October 6, 2007, the Tribal Council adopted Tribal Council Ordinance No. 07-3, entitled "Gaming Ordinance Amendment," and

WHEREAS, at a duly-called meeting of the Tribal Council on August 6, 2011, the Tribal Council adopted Tribal Council Ordinance No. 11-01, entitled "Cowlitz Tribal Gaming Authority" establishing the Cowlitz Tribal Gaming Authority and transferring the powers and duties of the Tribal Gaming Board of Directors established in Sections 6 through 10 of Tribal Gaming Ordinance to the Cowlitz Tribal Gaming Authority; and

WHEREAS, the Tribal Council wishes to amend the Tribe's *gaming ordinance* to to update notice requirements consistent with federal regulations, and to repeal Sections 6, 7, 8, 9, and 10 of the Tribal Gaming Ordinance;

NOW, THEREFORE BE IT ENACTED by the Tribal Council of the Cowlitz Indian Tribe, that Sections 6, 7, 8, 9, and 10 of the Tribal Gaming Ordinance are hereby repealed; and

BE IT FURTHER ENACTED that Section 30 of the Tribal Gaming Ordinance is amended to read as follows:

"Section 30. License Application Forms – Notices.

(A) The following notice shall be placed on the application form for a key employee or a primary management official:

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 granted ~~(employed in)~~ a gaming license ~~(operation)~~. The information will be used by the Tribal gaming regulatory authorities ~~(the Tribe)~~ and by the 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 ~~(necessary)~~ 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, denial or revocation of a gaming license, or investigation 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 license (hire) you for (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.

- (B) The following additional notice shall be placed on the application form for a key employee or a primary official:

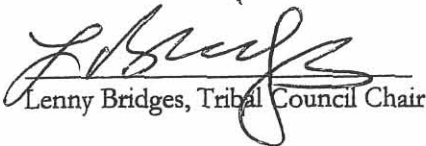
A false Statement on any part of your license application may be grounds for denying a license or the suspension or revocation of a license (not hiring you, or firing you after you begin work). Also, you may be punished by fine or imprisonment. (U.S. Code, Title 18, section 1001).

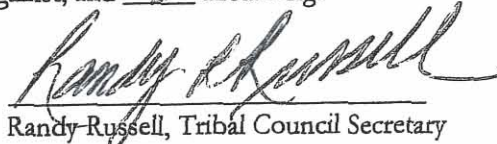
(C) The Commission shall notify in writing existing key employees and primary management officials who have not completed an application containing the notices set forth above that they shall either:

- (1) Complete a new application form that contains both the Privacy Act and false statement notices; or
- (2) Sign a statement that contains the Privacy Act and false statement notices and consent to the routine uses described in that notice."

--- CERTIFICATION ---

The foregoing ordinance was adopted on August 06, 2011 at a duly called meeting of the Cowlitz Tribal Council by a vote of 17 for, 0, against, and 2 abstaining.


Lenny Bridges, Tribal Council Chair


Randy Russell, Tribal Council Secretary