



APR 29 2004

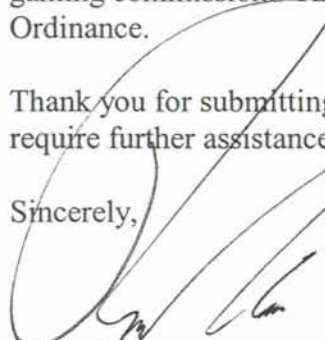
Honorable Fred Matt  
Chairman, Confederated Salish and Kootenai Tribes  
of the Flathead Reservation  
P.O. Box 278  
Pablo, Montana 59855

Dear Chairman Matt:

This letter responds to the request to review Amendment No. 5 to Tribal Gaming Ordinance 92-D of the Confederated Salish and Kootenai Tribes of the Flathead Reservation (Tribe), enacted by the Tribal Council on March 2, 2004, and received at the National Indian Gaming Commission on March 23, 2004. Amendment No. 5 concerns the establishment of the Tribal gaming commission. This letter constitutes approval of the amendment to the Gaming Ordinance.

Thank you for submitting the Tribes' document for review. If you have any questions or require further assistance, please contact staff attorney Sandra Ashton at 202-632-7003.

Sincerely,



Philip N. Hogen  
Chairman

cc: Director, NIGC Region IV, St. Paul, MN

MAR 23 2004

**Ordinance 92-D  
Amendment No. 5**

**ORDINANCE  
OF THE GOVERNING BODY OF THE  
CONFEDERATED SALISH AND KOOTENAI TRIBES  
OF THE FLATHEAD RESERVATION**

**BE IT ENACTED BY THE TRIBAL COUNCIL OF THE CONFEDERATED SALISH AND KOOTENAI TRIBES THAT AMENDMENT NO. 5 SHALL AMEND ORDINANCE 92-D AS FOLLOWS:**

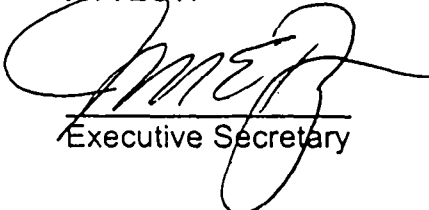
Section 2.01, Establishment of Commission, is rescinded in its entirety and replaced with a new Section 2.01 as follows:

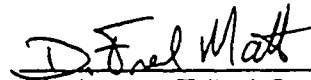
The CS&KT Tribal Gaming Commission shall consist of five (5) Commissioners. A Commissioner shall serve for three (3) years. All five (5) Commissioners must be enrolled tribal members who physically reside within the exterior boundaries of the Reservation during the three (3)-year term and must be at least twenty-one (21) years of age. Vacancies on the Commission shall be filled within thirty (30) days by nominations and a majority vote of the Tribal Council. On an annual basis the Commission shall select a chairperson from its membership by majority vote. The chairperson shall have the ability to appoint an acting chairperson from the remaining membership of the Commission in the event that the chairperson will be absent from the reservation for more than forty-eight (48) hours.

**CERTIFICATION**

The foregoing Amendment No. 5 to Ordinance 92-D was adopted by the Tribal Council on March 2, 2004, with a vote of 8 for; 0 opposed; and 1 not voting, pursuant to authority vested in it by Article VI, Section 1 (i), (n) and (u) of the Tribes' Constitution and Bylaws; said Constitution adopted and approved under Section 16 of the Act of June 18, 1934 (48 Stat. 984), as amended.

**ATTEST:**

  
Executive Secretary

  
Chairman, Tribal Council

**R E C E I V E D**  
MAR 03 2004

CS & KT TRIBAL  
GAMING COMMISSION