

DEC 1 1999

Honorable Ernest L. Stensgar
Chairman, Coeur d'Alene Tribal Council
P.O. Box 463
Worley, Idaho 83876

Dear Chairman Stensgar:

This letter responds to your request to review and approve the amendment to the Coeur d'Alene Tribe's (Tribe) gaming ordinance submitted on October 11, 1999. The amendment to the ordinance was adopted by the Tribe by Resolution No. 358 (99) on September 17, 1999, and initially approved by the Chairman of the National Indian Gaming Commission (NIGC) on July 20, 1994. This letter constitutes approval under the Indian Gaming Regulatory Act (IGRA).

Thank you for submitting the amendment to the tribal gaming ordinance of the Coeur d'Alene Tribe. The NIGC staff and I continue to look forward to working with you and the Community in implementing the IGRA. If you have any questions or require further assistance, please contact Ms. Frances Fragua at 202/632-7003.

Sincerely yours,



Montie R. Deer
Chairman

cc: David Zarate, Coeur d'Alene Tribal Gaming Board

**AMENDMENT TO CDA CHARITABLE GAMING CODE,
CHAPTER 30, SECTIONS 4.01 AND 9.04**

CDA Resolution 358 (99)

001014-0-19

WHEREAS, the Coeur d'Alene Tribal Council has been empowered to act for and on behalf of the Coeur d'Alene Tribe pursuant to the Revised Constitution and By-Laws adopted by the Coeur d'Alene Tribe by referendum November 10, 1984, and approved by the Secretary of the Interior, Bureau of Indian Affairs, December 21, 1984; and

WHEREAS, the Coeur d'Alene Tribal Charitable Gaming Code, Chapter 30, under Section 4.01 entitled "Establishment of the Board" presently states that, "The Board shall consist of three (3) members who shall be enrolled members of the Coeur d'Alene Tribe"; and

WHEREAS, the 1992 Class III Gaming Compact, Article 8, Tribal Gaming Board, Section 8.2 states that, "The Board shall consist of five (5) members with staggered three (3) year terms, appointed by and under the direct authority of the Tribal Council"; and

WHEREAS, the National Indian Gaming Commission notes a potential violation of the Coeur d'Alene Tribal Charitable Gaming Code 30-4.01 because it is not consistent with the Compact and the Board presently has five (5) members; and

WHEREAS, in addition, the Tribal Council has directed per capitas to be distributed twice annually and the Code currently reflects an annual cut-off date for enrollment instead of two cut-off dates per year.

NOW THEREFORE BE IT RESOLVED, that the Tribal Code, Chapter 30, Section 4.01 be revised as follows:

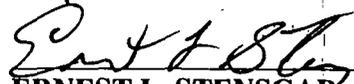
The Coeur d'Alene Tribal Charitable Gaming Board is hereby established. The Board shall consist of ~~three (3)~~ five (5) members who shall be enrolled members of the Coeur d'Alene Tribe. The Board members shall serve staggered three (3) year terms with one member being appointed by the Council each year. When the Council appoints the initial Board, one member shall be appointed for one year, one member for two years and one member for three years. Thereafter, all members shall be appointed for three-year terms. The Tribal Council shall serve as the Gaming Board until the full board is appointed.

AND, BE IT FURTHER RESOLVED, that the Tribal Code, Chapter 30, Section 9.04 be revised to include April 30 for the cut-off date for the summer per capitas in addition to September 30 and that it be clarified that September 30 is the cut-off date for the winter per capitas; and

BE IT FINALLY RESOLVED, that the attached Chapter 30 be adopted as the revised Chapter 30 and be distributed (once the Resolution number is included in the footer) to the appropriate departments within the Tribe.

CERTIFICATION

The foregoing resolution was adopted by the Coeur d'Alene Tribal Council at the Tribal Administration Building, 850 A Street, Plummer, Idaho on September 17, 1999, with the required quorum present by a vote of 4 FOR, 0 AGAINST 0 ABSTAIN.


**ERNEST L. STENSGAR, CHAIRMAN
COEUR D'ALENE TRIBAL COUNCIL**


**RICHARD J. MULLEN, SECRETARY
COEUR D'ALENE TRIBAL COUNCIL**