



APR 29 2004

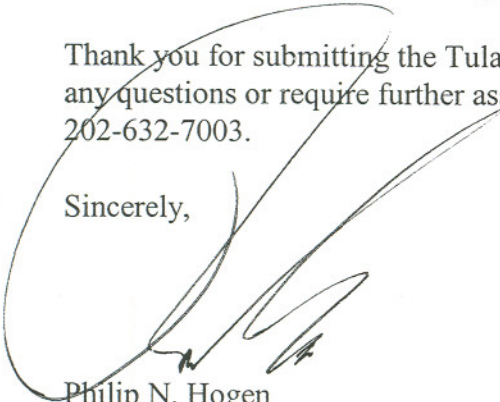
Herman Williams, Jr., Chairman  
Tulalip Tribes of Washington  
6700 Totem Beach Road  
Marysville, WA 98271-9694

Dear Chairman Williams:

This letter responds to your request to review Resolution No. 04-005 enacted by the Tulalip Tribes' Board of Directors on January 9, 2004, received by the National Indian Gaming Commission (NIGC) on March 23, 2004. Resolution No. 04-005 concerns the qualifications of gaming commission members and amends the Tribal Gaming Ordinance approved by the NIGC in 1995. This letter constitutes approval of the amendment to the Gaming Ordinance.

Thank you for submitting the Tulalip Tribes of Washington 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 I, Portland, WA

199 23 2004

BRANCH OF TRIBAL OPERATIONS  
PUGET SOUND AGENCY

THE TULALIP TRIBES  
Resolution No. **04-005**

JAN 14 2004

OFFICIAL TRIBAL ACTION  
**RECEIVED**

**Ordinance 55A Section 2 Commissioner Qualifications and  
7(a) Commissioner & Employees Activities – Prohibited amendments**

WHEREAS the Board of Directors is the governing body of the Tulalip Tribes under the Constitution and Bylaws of the Tribe approved by the United States Commissioner of Indian Affairs and the Secretary of the Interior on January 24, 1936, pursuant to the Act of June 18, 1934 (48 Stat. 984, 25 U.S.C. §476) and exercises authority over the Tulalip Gaming Commission pursuant to Article VI F, K, L and M of that Constitution; and

WHEREAS, the Board of Directors intends to restrict persons eligible to serve on the Tulalip Gaming Commission only to adult Tribal members who have never been convicted of certain crimes and are not employees, vendors, consultants, or contractors of or to the Tulalip Gaming Organization (TGO).

NOW THEREFORE BE IT RESOLVED that Tulalip Ordinance 55A, Section 2 is amended to read as follows:

**2. Qualifications.**

- (a) No employee, vendor, consultant or contractor, of the TGO may be a Commissioner.
- (b) No employee of any gaming operation located outside the boundaries of the Tulalip Indian Reservation may be a Commissioner.
- (c) No person may be a Commissioner unless such person:
  - I. Is a duly enrolled member of the Tribe;
  - ii. Is at least twenty-one (21) years of age; and
  - iii. Has never been convicted of;
    - (1) a felony, or
    - (2) a misdemeanor involving dishonesty.

Any person seeking to become a candidate for the position of Commissioner shall submit to a background investigation and must be qualified to receive a State gaming certificate and a Tribal gaming license pursuant to the Compact. Such proposed candidate shall pay the fees and costs for such background investigation. The Commission's Director shall establish the amount of such fees and costs.

BE IT FURTHER RESOLVED that Tulalip Ordinance 55A, Section 7(a) is amended to read:

- 7(a)** Serve as a n officer, employee , vendor, contractor, consultant, or manager of the Tulalip Gaming Organization or of any natural person ("Person") or any sole proprietorship, corporation, no-for-profit corporation, limited liability company, joint venture,

partnership (general or limited), trust, association, organization, government, tribe, political subdivision, municipal corporation, governmental agency, consortium of Persons, any one or more of the foregoing, or consortium of any of the foregoing ("Entity") which conducts gaming activities outside the boundaries of the Tulalip Indian Reservation.

ADOPTED by the Board of Directors of the Tulalip Tribes of Washington at a regular meeting assembled on the 9<sup>th</sup> of **January, 2004**, with a quorum present, by a vote of 4 for and 0 against.

THE TULALIP TRIBES OF WASHINGTON

Herman A. Williams, Jr.  
Herman Williams, Jr., Chairman

ATTEST:

Marie Zackuse  
Marie Zackuse, Secretary

Superintendent's approval pursuant to authorities to 209 DM 8, Secretary's Order No. 3177, Secretary's Order No. 3150, 10 BIAM Bulletins 13, 14, 15 and Amendments thereto, and Office 10 BIAM Bulletin effective Jan. 1, 2001

Signature Judith H. Joseph  
Date 1/22/04