



United States Department of the Interior

OFFICE OF THE SECRETARY
Washington, DC 20240

JUL 16 2014

The Honorable Brian Cladoosby
Chairman, Swinomish Indian Tribal Community
11404 Moorage Way
La Conner, Washington 98257

Dear Chairman Cladoosby:

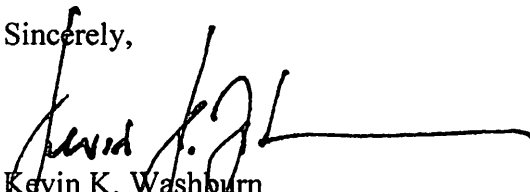
On June 2, 2014, the Department of the Interior received the Fifth Amendment (Amendment) to the Tribal State Compact for Class III Gaming between the Swinomish Indian Tribal Community (Tribe) and the State of Washington (State).

We have completed our review of the Amendment and conclude that it does not violate the Indian Gaming Regulatory Act (IGRA), any other provision of Federal law that does not relate to jurisdiction over gaming on Indian lands, or the trust obligations of the United States to Indians. *See* 25 U.S.C. § 2710(d)(8)(B). Therefore, pursuant to my delegated authority and Section 11 of IGRA, I approve the Amendment. *See* 25 U.S.C. § 2710(d)(8)(A). This Amendment shall take effect when the notice of this approval is published in the *Federal Register*. *See* 25 U.S.C. § 2710(d)(3)(B).

Notwithstanding our approval, we note that this amendment has the effect of placing minors in proximity to alcoholic beverages. We understand that strict measures will be taken to abide by the Tribe's criminal prohibition against the consumption or possession of alcohol by persons under the age of 21.

A similar letter is being sent to the Honorable Jay Inslee, Governor of the State of Washington.

Sincerely,



Kevin K. Washburn
Assistant Secretary – Indian Affairs

Enclosure

FIFTH AMENDMENT TO THE TRIBAL/STATE COMPACT
FOR CLASS III GAMING BETWEEN
SWINOMISH INDIAN TRIBAL COMMUNITY
AND THE STATE OF WASHINGTON

WHEREAS, on December 21, 1992, the State of Washington ("State") and the Swinomish Indian Tribal Community ("Tribe") executed a Class III Gaming Compact ("Compact"), pursuant to the Indian Gaming Regulatory Act of 1988, P.L. 100-407, codified at 25 U.S.C. Section 2701 *et. seq.* and 18 U.S.C. Sections 1166-1668; and

WHEREAS, the Compact executed by the State and the Tribe, as well as any amendments thereto, were approved by the Secretary of the Interior and are in full force and effect; and

WHEREAS, the State and Tribe have now agreed to amend the Tribe's Compact to permit persons between the age eighteen and twenty-one years of age to participate in Class III gaming activities offered by the Tribe so long as they do not purchase or consume alcoholic beverages in the gaming facility.

NOW, THEREFORE, the Compact shall be, and hereby is amended to read and state as follows:

Section III. Nature, Size, And Scope Of Class III Gaming

M.e Prohibition on Minorse

No person under the age of eighteen (18) shall participate in any gaming operation, or be allowed on the gaming floor authorized by this Compact during actual hours of operation. Persons between the age of eighteen (18) and twenty (20) years of age may patronize and participate in Class III gaming activities offered by the Tribe in its gaming facility, so long as such patrons do not purchase or consume alcoholic beverages on the premises. Should alcoholic beverages be offered on the gaming floor pursuant to applicable law, then no patron under the age of twenty one (21) shall be permitted on the gaming floor during actual hours of operation.

IN WITNESS WHEREOF, the Swinomish Indian Tribal Community and the State of Washington have executed this amendment to the Compact.

SWINOMISH INDIAN TRIBAL COMMUNITY

BY:

Brian Cladoosby
BRIAN CLADOOSBY
Chairman

DATED:

4-17-14

STATE OF WASHINGTON

BY:


Jay Insee
JAY INSLEE
Governor

DATED:

5/1/14

Consistent with 25 U.S.C.A. §2710(d)(8)(A), “The Secretary is authorized to approve any Tribal-State compact entered into between an Indian tribe and a State governing gaming on Indian lands of such Indian tribe.” Therefore, the Fifth Amendment to the Tribal-State Compact for Class III Gaming between the Swinomish Indian Tribal Community and the State of Washington is hereby approved on this 16th day of July, 2014.

UNITED STATES DEPARTMENT OF THE INTERIOR



Kevin K. Washburn
Assistant Secretary – Indian Affairs