



United States Department of the Interior

OFFICE OF THE SECRETARY
Washington, DC 20240

MAR 13 2019

The Honorable Eugene A. Greene, Jr.
Chairman, Confederated Tribes of
the Warm Springs Reservation of Oregon
P.O. Box C
Warm Springs, Oregon 97761

Dear Chairman Greene:

On January 28, 2019, the Confederated Tribes of the Warm Springs Reservation of Oregon (Tribe) and the State of Oregon (State) submitted the Amendment to the Amended and Restated Tribal-State Compact for Regulation of Class III Gaming, Amendment I (Amendment) providing for the conduct of class III gaming activities by the Tribe.

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). The 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).

A similar letter is being sent to the Honorable Kate Brown, Governor of Oregon.

Sincerely,

John Tahsuda
Principal Deputy Assistant Secretary – Indian Affairs

Enclosure

**AMENDMENT TO THE AMENDED AND RESTATED (HIGHWAY 26)
TRIBAL-STATE COMPACT FOR REGULATION OF CLASS III GAMING BETWEEN
THE CONFEDERATED TRIBES OF THE WARM SPRINGS AND THE STATE OF
OREGON**

AMENDMENT I

This amendment is made to the Amended and Restated (Highway 26) Class III Gaming Compact between the Confederated Tribes of the Warm Springs Reservation of Oregon (“Tribe”) and the State of Oregon (“State”) executed in August 26, 2011, approved by the Secretary of the Interior on October 14, 2011, and effective October 20, 2011 (hereinafter the “Compact”). The terms of this Amendment are in addition to and, except as specifically provided herein, do not supersede any of the provisions of the existing Compact.

WHEREAS, the Tribes and State wish to update the definition of video lottery terminal to reflect changes in video lottery terminal technology; and

WHEREAS, the Tribes and State further wish to provide procedures for offering new video lottery terminals.

NOW THEREFORE, the Tribe and the State hereby approve the following amendment to the Compact:

1. The definition of “Video Lottery Terminal” (Section EE) is revised as follows:
EE. “Video Lottery Terminal,” “VLT” or “Terminal” means any electronic or other device, ~~contrivance~~ or machine:
 - (1) ~~where the game outcome decision making portion of the overall assembly is microprocessor controlled wherein the ticket or game outcome is displayed on a video display screen, electronically controlled physical reels, or other electronic or electromechanical display mechanism and that is available for consumer play at the device upon payment of any consideration, with winners is determined predominantly by the application of the element of chance and with the amount won determined by the possible prizes displayed on the device. The game outcome may involve skill, as long as the element of chance plays a predominant role;~~
 - (2) which is available for consumer play at the device upon payment of any consideration and which awards game credits. Such device shall also display both:
 - (3) which displays game outcome, win amounts and current credits available for play to the player; on an electronic or video display mechanism;
 - (4) which employs game outcome decision making technology that can be tested by an independent gaming test laboratory for conformance with this definition, and the Tribal-

State Minimum Internal Control Standards for Video Lottery Terminals, as may be amended; and

(5) which operates on the computerized Casino Management System, as defined in the Tribal-State Minimum Internal Controls.

2. The following provision is added to the Compact as Section 4(B)(5):

Before a new Video Lottery Terminal is offered for play, the Tribal Gaming Commission shall ensure that the Tribal Gaming Operation develops appropriate internal controls for the new Video Lottery Terminal that meet the Tribal-State MICS. A new Video Lottery Terminal is one in which the basic structure, including sensitive components as defined in the Tribal-State MICS, is different than a previously offered Video Lottery Terminal. The Tribal Gaming Commission shall notify the State of the Tribe's intent to offer such new Video Lottery Terminal and provide related internal controls, sent by certified mail, for review. Within fourteen (14) days of receipt of internal controls, the State shall respond to the Tribal Gaming Commission with its agreement or disagreement.

EXECUTED as of the date and year written below.

Signature Page Follows

STATE OF OREGON

Dated: 1/3/19

Kate Brown
Kate Brown, Governor

CONFEDERATED TRIBES OF THE WARM SPRINGS

Dated: 12/12/18

Eugene A. Greene Jr.
Eugene A. Greene Jr. Tribal Council Chair

APPROVED FOR LEGAL SUFFICIENCY

Adrianne M DelCotto

Adrianne M DelCotto
Government Services Section, General Counsel
Oregon Department of Justice

Dated: 12/17/18

APPROVED BY THE ASSISTANT SECRETARY – INDIAN AFFAIRS

By: _____

Dated: _____