



United States Department of the Interior

OFFICE OF THE SECRETARY
Washington, D.C. 20240

DEC 01 2000

Honorable Lovelin Poncho
Tribal Chairman
Coushatta Tribe of Louisiana
P.O. Box 818
Elton, Louisiana 70532

Dear Chairman Poncho:

We have completed our review of the Extension for the Conduct of Class III Gaming between the Coushatta Tribe of Louisiana (Tribe) and the State of Louisiana (State), executed on November 17, 2000. Pursuant to my delegated authority and Section 11 of the Indian Gaming regulatory Act (IGRA), we approve the Extension. The Extension shall take effect when notice of our approval, pursuant to Section 11(d)(3)(B) of IGRA, 25 U.S.C. § 2710(d)(3)(B), is published in the FEDERAL REGISTER.

However, please note that we will not approve any further extensions of the Tribal-State compact because of the inclusion in the original compact of a provision, Section 12(C), that requires the Tribe to make quarterly financial contributions to the State to offset and defray the expenses of Allen Parish resulting from the conduct of Class III gaming. Although this provision was included in the compact originally approved by the Department, we now believe that it violates IGRA's prohibition on the imposition of any tax, fee, charge, or other assessment by the State or any of its political subdivisions, unless supporting documentation is provided to indicate that the payment is made to defray the costs of new or expanded governmental programs and services that are necessitated as a direct result of the Class III gaming activities approved under the Compact.

Sincerely,

Assistant Secretary - Indian Affairs

Similar Letter sent to: Honorable Murphy Foster
Governor of Louisiana
P.O. Box 94004
Baton Rouge, Louisiana 70804

**EXTENSION OF THE TRIBAL-STATE COMPACT FOR
THE CONDUCT OF CLASS III GAMING
BETWEEN THE
COUSHATTA TRIBE OF LOUISIANA
AND THE STATE OF LOUISIANA**

- WHEREAS:** in 1988, the Congress of the United States of America enacted the Indian Gaming Regulatory Act, which provided a statutory basis for the operation and regulation of gaming by Indian Tribes; and
- WHEREAS:** pursuant to the Indian Gaming Regulatory Act, the Tribal-State Compact for the conduct of Class III Gaming Between the **Coushatta Tribe of Louisiana** and the **State of Louisiana** was executed and signed by Chairman Lovelin Poncho on September 4, 1992 (and as amended on October 28, 1992) and by Governor Edwin W. Edwards on September 2, 1992 (and as amended on October 29, 1992); and became effective upon publishing of approval by the Secretary of the Interior of the United States of America, in the *Federal Register* on November 4, 1992;
- WHEREAS:** in accordance with the relevant provisions of this Compact, the **State of Louisiana**, through Governor Murphy J. Foster, Jr., gave the **Coushatta Tribe of Louisiana** notice of non-renewal of the Compact on its present terms;
- WHEREAS:** the original compact was previously extended, until November 17, 2000, by the mutual agreement of the parties with the approval of the Secretary of the Interior, and was duly published in the *Federal Register*;
- WHEREAS:** the **Coushatta Tribe of Louisiana** and the **State of Louisiana** continue to mutually desire to negotiate for an amended and extended Class III Gaming Compact, without any alteration or interruption in the terms of the existing Compact;
- WHEREAS:** the **Coushatta Tribe of Louisiana** and the **State of Louisiana** desire to extend the existing and original Tribal-State Compact, which had previously been extended until November 17, 2000, and which extension will expire on or about November 17, 2000, for a period of time sufficient to permit the parties a reasonable opportunity to complete the ongoing negotiations, to amend and extend the original compact for a period of an additional seven (7) years or such other period of time as the parties may agree upon;

NOW THEREFORE WE, the **Coushatta Tribe of Louisiana** and the **State of Louisiana**, by virtue of the authority vested through the Constitution and laws of the United States of America and of the State of Louisiana, and of the laws and Resolutions of the Tribal Council of the **Coushatta Tribe of Louisiana**, and in order to preserve and protect the health, safety, and welfare of our people, do hereby extend the existing, and hereinabove described Tribal-State Compact for the conduct of Class III gaming, until 5:00 o'clock P.M. Central Standard Time, on the 15th day of December, 2000, or until an amended and extended compact is agreed upon and becomes effective, whichever occurs first. This agreement is entered into solely for the purpose of extending the existing compact, for the time specified in this agreement, and not for the purpose of renewing the existing compact beyond the date herein specified.

IN WITNESS WHEREOF, as duly authorized representatives of the **Coushatta Tribe of Louisiana** and the **State of Louisiana**, we have hereunto set our hands officially and caused to be affixed the Great Seals of the **Coushatta Tribe of Louisiana** and the **State of Louisiana**.

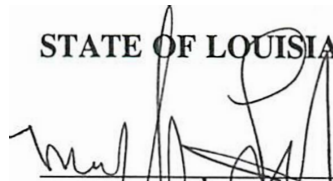
COUSHATTA TRIBE OF LOUISIANA



LOVELIN PONCHO
TRIBAL CHAIRMAN

DATE: 11/12/00

STATE OF LOUISIANA



MURPHY J. FOSTER, JR.
GOVERNOR

DATE: 11/16/00

UNITED STATES OF AMERICA



KEVIN GOV
ASSISTANT SECRETARY - INDIAN AFFAIRS

DATE: DEC 01 2000