



# United States Department of the Interior

OFFICE OF THE SECRETARY  
Washington, DC 20240

DEC 20 2012

Honorable Cheryle A. Kennedy  
Chairperson, Confederated Tribes of  
the Grand Ronde Community of Oregon  
9615 Grand Ronde Road  
Grand Ronde, Oregon 97347

Dear Chairperson Kennedy:

On November 19, 2012, we received Amendment I to the Amended and Restated Tribal-State Compact for the Regulation of Class III Gaming between the Confederated Tribes of the Grand Ronde Community of Oregon and the State of Oregon. We have completed our review of this Compact and conclude that it does not violate the Indian Gaming Regulatory Act of 1988 (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, we approve the Compact. *See* 25 U.S.C. § 2710(d)(8)(A). This Compact shall take effect when the notice of our approval is published in the *Federal Register*. 25 U.S.C. § 2710(d)(3)(B).

We wish the Tribe and the State success in their economic venture.

Sincerely,

Kevin K. Washburn  
Assistant Secretary – Indian Affairs

Enclosure

Similar Letter Sent to:      Honorable John Kitzhaber  
Governor of Oregon  
Salem, Oregon 97301-4047

**AMENDMENT TO THE AMENDED AND RESTATED TRIBAL-STATE COMPACT  
FOR REGULATION OF CLASS III GAMING BETWEEN THE  
CONFEDERATED TRIBES OF THE GRAND RONDE COMMUNITY OF OREGON  
AND THE STATE OF OREGON**

**AMENDMENT I**

This amendment is made to the Amended and Restated Class III Gaming Compact between the Confederated Tribes of the Grand Ronde Community of Oregon (“Tribe”) and the State of Oregon (“State”) executed in March of 2006, approved by the Secretary of the Interior on May 12, 2006, and effective July 14, 2006 (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 clarify the definition of video lottery terminal to include multi-player machines and to add a provision for calculation of authorized number of video lottery terminals; and

**WHEREAS**, the Tribes and State further wish to provide for a reduction in the Contribution Cap on the Tribe’s share of costs related to construction of a Highway 18/Highway 22 interchange based on the amount the Tribe contributes to the Newberg-Dundee Bypass Project and to include a provision outlining the Newberg-Dundee Bypass Credit;

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

1. The definition of “Video Lottery Terminal” (Section 3(V)) is revised as follows:

V. “Video Lottery Terminal” or “Terminal” means any electronic or other device, contrivance or machine 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 ~~by one player at a time~~ at the device upon payment of any consideration, with winners determined by the application of the element of chance and the amount won determined by the possible prizes displayed on the device and which awards game credits. Such device shall also display both win amounts and current credits available for play to the player ~~which are redeemable by a written statement or ticket redeemable for cash.~~

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

5. For purposes of the calculation of the authorized number of VLTs as provided in this Section 4(D), a VLT providing for play by multiple players shall count as one VLT, as long as the total number of such multiple-player VLTs does not exceed one percent (1%) of the total number of authorized VLTs. If the total number of VLTs providing for play by multiple players exceeds one percent (1%) of the total number of authorized VLTs,

then each gaming station at any multiple-player VLTs in excess of one percent (1%) of the total number of authorized VLTs shall be counted as one VLT.

3. The Tribe's "Contribution Cap" (Section 12(C)(5)) for the "Interchange Project" described in Section 12(C) is revised as follows
  5. Contribution Cap. In no event shall the Tribe's share of the costs related to the construction of the interchange and related improvements exceed the Contribution Cap. The Contribution Cap is \$9.45 million as of July 14, 2006 ~~the effective date of this Amended and Restated Compact~~. The Contribution Cap shall be adjusted for inflation annually on ~~the anniversary of the effective date of this Amended and Restated Compact~~ July 14 of each year at a fixed rate of 2.5 percent per annum until the date the Tribe's share is calculated. The Contribution Cap shall be reduced by the amount of the Tribe's contribution to the Newberg-Dundee Bypass Project ("Bypass Project") in accordance with paragraph 12C(8) below. The Tribe's contribution shall be due to ODOT 30 days prior to the letting of bids.
4. The following provision is added to the Compact as Section 12(C)(8):
  8. Newberg-Dundee Bypass Credit. The Tribe may contribute up to \$4 million to the Bypass Project as part of the local contribution to the Bypass Project's construction. Every dollar contributed by the Tribe to the Bypass Project shall, on a dollar-for-dollar basis, reduce the Tribe's share of the cost and the Contribution Cap related to the Interchange Project. This dollar-for-dollar reduction shall occur on the day(s) the Tribe makes its contribution(s) to the Bypass Project. Subsequent inflation adjustments to the Contribution Cap shall be calculated on the Contribution Cap as reduced by the Tribe's contribution to the Bypass Project.

EXECUTED as of the date and year written below.

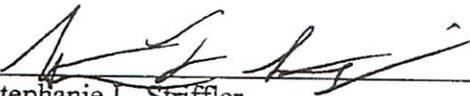
STATE OF OREGON

  
\_\_\_\_\_  
John A. Kitzhaber, M.D., Governor  
Dated: 10/27/2012

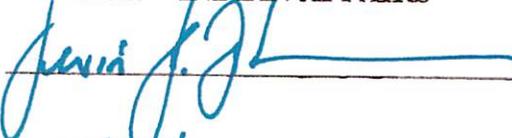
CONFEDERATED TRIBES OF THE GRAND  
RONDE COMMUNITY OF OREGON

  
\_\_\_\_\_  
Reynold L. Leno, Tribal Council Chairman  
Dated: 11-7-12

APPROVED FOR LEGAL SUFFICIENCY

  
\_\_\_\_\_  
Stephanie L. Striffler  
Special Counsel to the Attorney General  
Dated: 10/17/12

APPROVED BY THE ASSISTANT  
SECRETARY - INDIAN AFFAIRS

By:   
\_\_\_\_\_  
Dated: 12/20/12