United States Department of the Interior

OFFICE OF THE SECRETARY
Washington, D.C. 20240

TAKE PRIDE IN AMERICA

MAR 2 8 1993

Honorable Duane Big Eagle
Chairman, Crow Creek Sioux Tribe
P.O. Box 50
Fort Thompson, South Dakota 57339

Dear Chairman Big Eagle:

On February 10, 1993, we received Amendment Three to the Tribal-State Compact for the Crow Creek Sioux Tribe (Tribe) and the State of South Dakota (State), entered into on December 11, 1992. This Third Amendment amends Sections 8.3 - 8.4, 8.7 and 11 of the Compact.

We have reviewed the Amendment and conclude that it does not violate the Indian Gaming Regulatory Act (IGRA), Federal law, or our trust responsibility. Therefore, pursuant to my delegated authority and Section 11 of the IGRA, we approve the Amendment. The Amendment shall take effect when notice of our approval, pursuant to Section 11(d)(3)(B) of the IGRA, is published in the FEDERAL REGISTER.

Notwithstanding our approval of the Amendment, Section 11(d)(1) of the IGRA (25 U.S.C. § 2710(d)(1)) requires that tribal gaming ordinances be approved by the Chairman of the National Indian Gaming Commission (NIGC). On July 8, 1992, the NIGC published in the FEDERAL REGISTER proposed regulations to govern approval of Class II and Class III gaming ordinances. The final regulations were published in the FEDERAL REGISTER on January 22, 1993 (58 Fed. Reg. 5802), and became effective on February 22, 1993. Under the statute and regulations, even previously existing gaming ordinances must be submitted to the NIGC for approval when requested by the Chairman. The Tribe may want to contact the NIGC at (202) 632-7003 for further information to determine when and how to submit the ordinance for approval by the NIGC.

Some tribal constitutions have an independent requirement that certain types of tribal ordinances be submitted to the Secretary of the Interior for approval before being effective. Article VI, Section 1(f), of the Constitution

of the Crow Creek Sioux Tribe would appear to require the Secretary to approve the gaming ordinance. Authority to approve such ordinances on behalf of the Secretary has been delegated to the Superintendent.

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

Sincerely,

/S/ Eddie F. Brown

Assistant Secretary - Indian Affairs

Enclosures

Identical Letter Sent to: Honorable George S. Mickelson
Governor of South Dakota
500 East Capitol
Pierre, South Dakota 57501

cc: Aberdeen Area Director w/copy of approved Compact
Supt., Crow Creek Agency w/copy of approved Compact
Neil McDonald, SOL-IA (2)
National Indian Gaming Commission w/copy of approved Compact
Denver Regional Solicitor w/copy of approved Compact
South Dakota United States Attorney w/copy of approved Compact

RECEIVED 4-26-93 NIGC

DEPARTMENT OF THE INTERIOR

Bureau of Indian Affairs

Indian Gaming

AGENCY: Bureau of Indian Affairs, Interior.

ACTION: Notice of approved tribal-state compact.

SUMMARY: Pursuant to 25 U.S.C. 2710, of the Indian Gaming Regulatory Act of 1988 (Pub. L. 100–497), the Secretary of the Interior shall publish, in the **Federal Register**, notice of approved Tribal-State Compacts for the purpose of engaging in Class III (casino) gambling on Indian reservations. The Assistant Secretary—Indian Affairs, Department of the Interior, through his delegated authority, has approved Amendment Three to the Tribal-State Compact for the Crow Creek Sioux Tribe and the State of South Dakota, enacted on December 11, 1992.

DATES: This action is effective on April 8, 1993.

FOR FURTHER INFORMATION CONTACT: Hilda Manuel, Director, Indian Gaming Management Staff, Bureau of Indian Affairs, Washington, DC 20240, (202) 219–4068.

Dated: March 26, 1993.

Eddie F. Brown,

Assistant Secretary, Indian Affairs.

[FR Doc. 93–8236 Filed 4–7–93; 8:45 am]

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CROW CREEK SIOUX TRIBE
P.O. BOX 50
FORT THOMPSON, SOUTH DAKOTA 57339

FORT THOMPSON, SD
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CROW CREEK AGENCY

AMENDMENT TO TRIBAL/STATE GAMING COMPACT BETWEEN CROW CREEK SIOUX TRIBE AND THE STATE OF SOUTH DAKOTA

THIS AMENDMENT, is made Pursuant to Section 8.3 of the Tribal/State Gaming Compact as Approved by Both Parties on October 4 1991.

SECTION 8.3 - 8.4 Minimum Age Requirements; Is Hereby Amended to read as follows;

No person under the age of twenty-one (21) shall play or be allowed to play any gaming device authorized by this Compact. Any violation of this provision shall be enforceable pursuant to paragraph 5.1. Violations prosecutable in state court shall proceed under SDCL 42-7B-35. Violations prosecutable in tribal court shall proceed under applicable tribal law.

No person under the age of twenty-one (21) shall be permitted on the premises where gaming is conducted pursuant to this compact, except those individuals employed by the casino, these individuals may be eighteen (18), however they may not serve alcoholic beverages.

In Witness Whereof; The Parties Hereto have caused the Amendment to be Executed as of the later date written below.

Date: 12-10-92 By: _____
Duane Big Eagle, Chairman
Crow Creek Sioux Tribe

Date: 12-11-92 By: _____
George S. Mickelson, Governor
State of South Dakota

Date: MAR 2 6 1993 _____
ASSISTANT SECRETARY - INDIAN AFFAIRS

Telephone (605) 245-2221 • FAX # 245-2470 • Finance Dept. Fax # 245-2216