United States Department of the Interior

OFFICE OF THE SECRETARY
Washington, D.C. 20240

JUN - 7 1996

Honorable Jeff C. Mitchell
Chairman
The Klamath Tribes
P.O. Box 436
Chiloquin, Oregon 97624

Dear Chairman Mitchell:

On April 26, 1996, we received Amendment I to the Tribal-State Compact for regulation of class III gaming between The Klamath Tribes (Tribe) and the State of Oregon (State), dated April 4, 1996. We have completed our review of this Amendment and conclude that it does not violate the Indian Gaming Regulatory Act of 1988 (IGRA), Federal law, or our trust responsibility. Therefore, pursuant to Section 11(d)(8)(A) of the IGRA, 25 U.S.C. § 2710(d)(8)(A) and delegated authority in 209 DM 8.1, we approve the Amendment. The Amendment shall take effect when the 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.

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

Sincerely,

Ada E. Deer

Ada E. Deer
Assistant Secretary - Indian Affairs

Enclosures

Identical Letter Sent to: Honorable John Kitzhaber
Governor of Oregon
254 State Capitol
Salem, Oregon 97310

cc: Portland Area Director w/copy of approved Amendment
Supt., Chiloquin Sub-Agency w/copy of approved Amendment
National Indian Gaming Commission w/copy of approved Amendment
Pacific NW Regional Field Solicitor w/copy of approved Amendment
Portland United States Attorney w/copy of approved Amendment

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TRIBAL-STATE COMPACT FOR REGULATION OF CLASS III GAMING BETWEEN THE KLAMATH TRIBES AND THE STATE OF OREGON

AMENDMENT I

This amendment is made to the Class III Gaming Compact between the Klamath Tribes and the State of Oregon executed on December 16, 1994, and approved by the Secretary of the Interior on February 23, 1995. The terms of this amendment are in addition to and, except as specifically provided herein, do not supersede any of the provisions of the original compact.

WHEREAS, the Class III Gaming Compact between the Klamath Tribes and the State of Oregon provides that the operation of the Compact is dependent upon the Secretary of the Interior taking certain land into trust for the Tribes by December 31, 1995; and

WHEREAS, the Tribes have made all reasonable efforts to have the land taken into trust; and

WHEREAS, the land has not been taken into trust for reasons beyond the control of the Tribes; and

WHEREAS, the Tribes have requested an extension of the deadline for taking the land into trust; and

AND WHEREAS, the State agrees that the circumstances justify this Amendment;

NOW THEREFORE, the Tribes and the State hereby approve the following amendments to the Compact:

I. Section 13.F is amended to read:

F. Location Eligible for Class III Gaming. The State has negotiated and executed this Compact pursuant to the process established under 25 U.S.C. § 2710(d)(3), with knowledge that the Gaming Location

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identified in Exhibit II is not currently held in trust by the United States for the benefit of the Klamath Tribes. This compact is effective only at the time the United States takes the land described in Exhibit II to this Compact into trust for the Tribes. Operation of this Compact is dependent upon the described land being taken into trust as a result of the Bureau of Indian Affairs fee-to-trust process. Operation of this Compact is further dependent upon the described land being taken into trust no later than December 31, [~~1995~~] **1996**. Operation of this Compact is further dependent upon a determination by the Secretary of the Interior, in connection with review and approval of this Compact, that the Gaming Location is eligible to be used by the Tribes for the purpose of gaming as described in 25 U.S.C. § 2719. If at any time it is determined by the Secretary or other competent authority that the Gaming Location is not eligible to be used by the Tribes for the purpose of gaming as described in 25 U.S.C. § 2719, this Compact shall no longer authorize gaming at that location.

EXECUTED as of the date and year below.

STATE OF OREGON

John Kitzhaber, Governor

Date: 4 April 1996

KLAMATH TRIBES

Jeff Mitchell, Chairman

Date: 4/2/96

APPROVED BY THE ASSISTANT SECRETARY – INDIAN AFFAIRS

By: Ada E. Deer
ADA E. DEER

Date: 6-7-96