United States Department of the Interior

OFFICE OF THE SECRETARY
Washington, D.C. 20240

TAKE PRIDE IN AMERICA

MAY 0 1 2002

Honorable William Janklow
Governor of South Dakota
500 East Capitol
Pierre, South Dakota 57501

Dear Governor Janklow:

On March 18, 2002, we received an Amendment to the Tribal-State Compact for Class III Gaming between the Lower Brule Sioux Tribe (Tribe) and the State of South Dakota (State), dated February 14, 2002. 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 my delegated authority and Section 11 of IGRA, we approve the Amendment. This 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 continued success in their economic venture.

Sincerely,

Neal A. McCaleb

Assistant Secretary - Indian Affairs

Enclosure

Similar Letter Sent to: Honorable Michael B. Jandreau
Chairman
Lower Brule Sioux Tribe
321 Sitting Bull Street
Lower Brule, South Dakota 57548

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This amendment dated the 14 day of February 2002 hereby modifies the Gaming Compact between the Lower Brule Sioux Tribe and the State of South Dakota, dated October 18, 2000. The amendment adds the following under Section 3, Types of Gaming Permitted.

3.1 The Tribe shall operate pari-mutuel wagering on horses and dogs pursuant to the terms of this Compact and the Tribe's gaming regulations and ordinances, which ordinances and regulations shall be at least as stringent as those adopted by the State of South Dakota in SDCL 42-7-56 and ARSD 20:04:15, et.seq. and 20:04:15.01, et.seq. for greyhound racing and in SDCL 42-7-56 and ARSD 20:04:30, et. seq. for horse racing. The Tribe may operate pari-mutuel wagering on horse and dog racing occurring within or without the United States.

3.2 All equipment used by the Tribe, including electrical or mechanical tote board devices, in conducting pari-mutuel wagering shall be of the type and meet the standards for size and information display set forth by the South Dakota Commission on Gaming. The South Dakota Commission on Gaming agents shall be authorized to inspect (not to include audits) the equipment used by the Tribe in conducting pari-mutuel wagering to determine that it is in accordance with the laws and rules adopted in this Compact. Any periodic inspection of pari-mutuel wagering equipment shall only occur if the state inspector is accompanied by a member of the Tribal Gaming Commission, or a designee. Any such inspection shall be carried out in a manner and at a time which will cause minimal disruption of the gaming operation. The Tribal Gaming Commission and the South Dakota Commission on Gaming shall be notified of all such inspections and the results of those inspections. If the results of any such inspection reveal that the equipment fails to meet applicable standards, the Tribe will not use such equipment until the equipment meet the applicable standards.

3.3 No bets shall be placed by a runner on behalf of any other bettor.

IN WITNESS WHEREOF, the parties hereto have caused this Agreement to be executed as of the day and year first above written.

LOWER BRULE SIOUX TRIBE

Date: 2-8-02

By: _____
Chairman

STATE OF SOUTH DAKOTA

Date: 2-14-02

By: _____
Governor

BUREAU OF INDIAN AFFAIRS

Date: MAY 0 1 2002

By: _____
Assistant Secretary – Indian Affairs