tribe's BIA Agency office. Two printed and two digital copies will then reside with DEMD. These copies should be forwarded to the DEMD offices in Lakewood, Colorado, to the attention of the Energy and Mineral Development Program.

All products generated by EMDP studies may be subject to release under FOIA, as noted above. Products include all reports and technical data obtained during the study such as geophysical data, geochemical analyses, core data, lithologic logs, assay data of samples tested, results of special tests, maps and cross sections, status reports and the final report.

J. Requests for Technical Assistance

The DEMD staff may provide technical consultation (i.e., work directly with tribal staff on a proposed project), provide support documentation and data, provide written language on specialized sections of the proposal and suggest ways a tribe may obtain other assistance, such as from a company or consultant specializing in a particular area of expertise. However, the tribe is responsible for preparing the executive summary, justification and scope of work for their proposal.

The tribe must notify DEMD in writing that they require assistance, and DEMD will then appoint staff to provide the requested assistance. The tribe’s request must clearly specify the type of technical assistance desired.

Requests for technical assistance should be submitted by the deadline stated in the DATES section for such requests to allow DEMD time to provide the appropriate assistance. Tribes not seeking technical assistance should attempt to submit their EMDP proposals in advance of the deadline to allow DEMD time to review the proposals for possible deficiencies and allow ample time to contact the tribe with requests for revisions to the initial submission.

Dated: March 10, 2009.

George T. Skibine,
Deputy Assistant Secretary for Policy and Economic Development.

[FR Doc. E9–6545 Filed 3–24–09; 8:45 am]
BILLING CODE 4310–44–P

DEPARTMENT OF THE INTERIOR

Bureau of Indian Affairs

Indian Gaming

AGENCY: Bureau of Indian Affairs, Interior.

ACTION: Notice of Approved Tribal-State Class III Gaming Amendments.

SUMMARY: This notice publishes approval of amendments to 13 Class III Tribal-State Gaming Compacts (Amendments). The 13 Class III Gaming Compacts are between the State of Arizona and each of the following Indian tribes, respectively: Ak-Chin Indian Community, Colorado River Indian Tribes, Cocopah Indian Tribe, Fort McDowell Yavapai Nation, Fort Mojave Indian Tribe, Havasupai Indian Tribe, Hualapai Indian Tribe, Kaibab Paiute Indian Tribe, Navajo Nation, Tohono O'odham Nation, White Mountain Apache Tribe, Yavapai-Apache Tribe, and Zuni Tribe.

DATES: Effective Date: March 25, 2009.


SUPPLEMENTARY INFORMATION: Under section 11 of the Indian Gaming Regulatory Act of 1988 (IGRA), Public Law 100–497, 25 U.S.C. 2710, 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 gaming activities on Indian lands. The approved Amendments are substantially identical. Generally, the Amendments consist of clarifications and minor changes to various sections of each tribe's current compact (which are also substantially identical). The Amendments change the destination and frequency of the tribes' payments from quarterly to yearly, based upon the individual gaming facility's fiscal year.

Dated: March 6, 2009.

George T. Skibine,
Deputy Assistant Secretary for Policy and Economic Development.

[FR Doc. E9–6585 Filed 3–24–09; 8:45 am]
BILLING CODE 4310–44–P
Honorable Delia Carlyle  
Chairperson, Ak-Chin Indian Community  
42507 W. Peters & Nail Road  
Maricopa, Arizona 85238  

Dear Chairperson Carlyle:

On January 21, 2009, we received an Agreement to Amend [the] Compact (Amendment) between the Ak-Chin Indian Community (Tribe) and the State of Arizona (State). We have completed our review of this Amendment 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. 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 success in their economic venture.

Sincerely,

George T. Skibine  
Deputy Assistant Secretary  
for Policy and Economic Development  
Office of the Assistant Secretary - Indian Affairs

Enclosure

Identical Letter Sent to: Honorable Janice K. Brewer  
Governor, State of Arizona
AGREEMENT TO AMEND COMPACT
BETWEEN THE AK-CHIN INDIAN COMMUNITY
AND THE STATE OF ARIZONA

Consistent with the Compact and A.R.S. § 5-601.02(C), the Ak-Chin Indian Community (the “Tribe”) and the State of Arizona (the “State”) hereby enter into the following Agreement to Amend Compact (the “Agreement”) this 19th day of December, 2008.

DECLARATION OF POLICY AND PURPOSE

WHEREAS, the Tribe and the State are separate sovereigns, and each recognizes and respects the laws and authority of the other sovereign; and

WHEREAS, the Congress of the United States has enacted into law the Indian Gaming Regulatory Act, Public Law 100-497, 25 U.S.C. §§ 2701-2721 and 18 U.S.C. §§ 1166-1168 (the “Act”) which requires a tribal-state compact negotiated between a tribe and a state in order to conduct Class III Gaming Activities on the Indian Lands of a tribe; and

WHEREAS, the Tribe and the State have entered into a tribal-state gaming compact pursuant to the Act and consistent with the provisions of Title 5, Chapter 6 of the Arizona Revised Statutes known as “The Ak-Chin Indian Community - State of Arizona Gaming Compact” (the “Compact”); and

WHEREAS, the Tribe and the State desire to amend certain provisions of the Compact pursuant to Section 17(c) of the Compact;

NOW, THEREFORE, in consideration of the mutual undertakings and agreements hereinafter set forth, the Tribe and the State agree as follows:

AGREEMENT

1. The Tribe and the State agree to amend the following listed, and attached, provisions of the Compact:

   (A) Section 2(n) – Definition of “Gaming Facility” (attachment 1);
   (B) Section 4(d) – Vendor licensing and certification (attachment 2);
   (C) Sections 5(i) and (n) – Employee licensing and certification (attachment 3);
   (D) Section 3(m) – Wager limitations (attachment 4);
   (E) Section 3(d) – Transfer pools (attachment 5);
   (F) Section 12(e) – Contribution schedule (attachment 6);
   (G) Section 7(g) – Compact compliance review (attachment 7);
   (H) Section 3(d)(8) – Transfer audits (attachment 8); and

Agreement to Amend Compact
December 19, 2008
(I) Section 6(g) – Reporting to State Gaming Agency (attachment 9).

2. The deletions to Compact language agreed upon by the Tribe and the State by operation of this document are shown in the nine (9) attached Compact provisions referenced in paragraph one (1) of this Agreement (which are incorporated herein by this reference) with a strikeout.

3. The additions to Compact language agreed upon by the Tribe and the State by operation of this document are shown in the nine (9) attached Compact provisions referenced in paragraph one (1) of this Agreement by being placed in bold typeface and underlined.

4. This Agreement contains the entire agreement of the parties with respect to the matters covered by this Agreement and no other statement, agreement, or promise made by any party, officer, or agent of any party shall be valid or binding. The Tribe and the State do not agree, or intend, to amend any provisions of the Compact other than as specifically shown in the nine (9) attachments to this Agreement, and the Compact, to include the newly amended provisions, shall remain in full force and effect following the date this Agreement becomes effective.

5. Each of the undersigned represents that he or she is duly authorized and has the authority to execute this agreement on behalf of the party for whom he or she is signing and that this Agreement is a contractual agreement which is valid, enforceable and binding upon the parties.

6. This Agreement shall be governed by and construed in accordance with the applicable laws of the United States, and the Tribe and the State.

7. This Agreement shall become effective once it has been fully executed on behalf of both the Tribe and the State, it is approved by the Secretary of the Interior, and notice of the Secretary of the Interior’s approval is published in the Federal Register pursuant to the Act.

8. This Agreement is executed in three original documents; one shall be maintained by the Chairperson of the Tribe, one shall be maintained by the Governor of the State and the third shall be sent to the Secretary of the Interior for approval.

9. The Tribe and the State have agreed to use the particular language in this Agreement, and no ambiguity in this Agreement shall be construed against either party. Terms in this Agreement that are not defined shall have the meaning given to them in the Compact.

10. The parties may renegotiate provisions of this Agreement pursuant to the Compact. This Agreement may be amended and modified only in writing in a document signed by the parties.

11. The Tribe and the State agree to incorporate herein all provisions of the Compact which are not amended by operation of this Agreement, to include, among all the others, the dispute resolutions provisions in Section 15.

12. Each provision of this Agreement, and each Compact amendment effectuated by this Agreement, shall stand separate and independent of every other. If a court of competent jurisdiction finds any provision of this Agreement, or any Compact amendment effectuated by
this Agreement, to be invalid or unenforceable, it is the intent of the parties that the remaining provisions and amendments shall remain in full force and effect to the extent possible.

By: Delia Carlyle
    Chairperson
    Ak-Chin Indian Community
    DATE: 12-30-08

By: Janet Napolitano
    Governor
    State of Arizona
    DATE: 1-12-09

ATTESTED TO:

ARIZONA SECRETARY OF STATE

By: Janice K. Brewer
    Secretary of State
    DATE: 1-14-09

APPROVED:

By: George T. Skibine
    Deputy Assistant Secretary
    for Policy and Economic Development
    Office of the Assistant Secretary - Indian Affairs
    DATE: FEB 23 2009