



United States Department of the Interior

OFFICE OF THE SECRETARY
Washington, DC 20240

JAN 29 2019

The Honorable Bill G. Follis
Chief, Modoc Tribe of Oklahoma
22 N. Eight Tribes Trail
Miami, Oklahoma 74354

Dear Chief Follis:

On December 17, 2018, the Department of the Interior received the Model Tribal Gaming Compact Supplement (Amendment) between the Modoc Tribe (Tribe) and State of Oklahoma (State) providing for the conduct of Class III gaming activities by the Tribe.

We have completed our review of the Amendment submitted by the Tribe and the State and conclude that it does not violate the Indian Gaming Regulatory Act (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, I approve the Amendment. *See* 25 U.S.C. § 2710(d)(8)(A). The Amendment shall take effect when the notice of this approval is published in the Federal Register. *See* 25 U.S.C. § 2710(d)(3)(B).

A similar letter has been sent to the Honorable Kevin Stitt, Governor of Oklahoma.

Sincerely,

John Tahsuda
Principal Deputy Assistant Secretary – Indian Affairs



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MODEL TRIBAL GAMING COMPACT SUPPLEMENT

Between the MODOC TRIBE

And the STATE OF OKLAHOMA

To be governed in accord with the Modoc Tribe's State-Tribal Gaming Compact ("Compact"), approved by the United States Department of the Interior on June 1, 2005, the Modoc Tribe ("Tribe") accepts the State's offer of additional covered games codified in Section 280.1 of Title 3A of the Oklahoma Statutes, which offer and this acceptance are subject to the following terms:

Part 1. TITLE

This document shall be referred to as the Modoc Tribe and State of Oklahoma Gaming Compact Non-house-Banded Tables Games Supplement ("Gaming Compact Supplement")

Part 2. TERMS

- A. The Tribe hereby memorializes its election to accept the State's offer of additional covered games, which offer is codified in Section 280.1 of Title 3A of the Oklahoma Statutes.
- B. The Tribe agrees, subject to the enforcement and exclusivity provisions of its Compact, to pay to the State ten percent (10%) of the monthly net win of the common pool(s) of pot(s) from which prizes are paid for non-house-banked table games. The Tribe is entitled to keep an amount equal to State payments from the common pool(s) or pot(s) as part of its cost of operating the games. For all purposes, such payment shall be deemed an exclusivity and fee payment under paragraph 2 of subsection A of Part 11 of the State-Tribal Gaming Compact between the electing Tribe and the State.
- C. The Tribe's operation of non-house-banked tables games pursuant to this supplement shall, for all purposes, including enforcement and exclusivity, be treated as subject to and lawfully conducted under the terms and provisions of the Compact.

Part 3. AUTHORITY TO EXECUTE

This Gaming Compact Supplement, to the extent it conforms to Section 280.1 of Title 3A of the Oklahoma Statutes, is deemed approved by the state of Oklahoma. No further action of the State or any state official is necessary for this Gaming Compact Supplement to take effect upon approval by the Secretary of the United States Department of the Interior and publication in the

Federal Register. The undersigned tribal official represent that he is duly authorized and has the authority to execute this Gaming Compact Supplement on behalf of the Tribe for who he is signing.

APPROVED:

The Modoc Tribe of Oklahoma


Chief Bill G. Follis

11-21-2018
Date



John Tahsuda,
Principal Deputy Assistant Secretary – Indian Affairs.

JAN 29 2019
Date