



United States Department of the Interior

OFFICE OF THE SECRETARY

Washington, DC 20240

SEP 29 2023

The Honorable Robert L. Larsen
President, Lower Sioux Indian Community
P.O. Box 308
Morton, Minnesota 56270

Dear President Larsen:

On August 16, 2023, the Office of Indian Gaming received the Amendment to Technical Standards in Tribal-State Compact for Control of Class III Blackjack on the Lower Sioux Community (Community) Reservation in Minnesota (Blackjack Amendment) and the Amendment to Technical Standards in Tribal-State Compact for Control of Class III Video Games of Chance (Video Game Amendment) between the Community and the State of Minnesota (State), submitted by the Community and the State.

We note that the Blackjack Amendment incorporates two previous amendments dated 2002 and December 3, 2020, between the State and the Community, but not submitted to the Department of the Interior (Department) for review and approval as required by the Indian Gaming Regulatory Act (IGRA) and the Department's regulations at 25 C.F.R. Part 293. Those amendments provided technical corrections and other changes to the Community's compact. The Blackjack Amendment defines propositional wagers (side bets), allows the Community to permit side bets, and describes how cards will be dealt.

We note that the Video Game Amendment incorporates six previous amendments dated June 1, 1990, 2002, February 25, 2003, November 12, 2003, April 2, 2010, and April 2, 2015. The Video Game Amendment defines minimum payouts, odds, minimum media storage requirements, and provisions for cashless tickets, ticket redemption, ticket printing and printing errors, and ticket validation. The Video Game Amendment also adopts minimum internal control standards and software requirements.

Our regulations at 25 C.F.R. § 293.2(b)(1) defines *amendment* as "an amendment to a class III Tribal-State gaming compact. Further, our regulations at 25 C.F.R. § 293.4 clarifies that all compacts and amendments are subject to review and approval by the Secretary of the Interior and that such agreements are not in effect for the purposes of IGRA until notice of approval is published in the *Federal Register*. 25 C.F.R. § 293.15 implementing 25 U.S.C. § 2710(d)(3)(B). Parties who do not submit compacts or amendments for review and approval prior to implementing the amendments risk enforcement action from the National Indian Gaming Commission for gaming under a compact that is not in effect.

We completed our review of the Blackjack and Video Game Amendments and conclude that they do 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. 25 U.S.C. § 2710(d)(8)(B). Therefore, pursuant to my delegated authority and Section 11 of

IGRA, I approve the Blackjack Amendment, including the amendments dated 2002 and December 3, 2020, as amended, and the Video Game Amendment, including amendments dated June 1, 1990, 2002, February 25, 2003, November 12, 2003, April 2, 2010, and April 2, 2015, as amended. 25 U.S.C. § 2710(d)(8)(A). The Amendments take effect when the notice of this approval is published in the *Federal Register*, as required by 25 U.S.C. § 2710(d)(8)(D).

A similar letter is being sent to the Honorable Tim Walz, Governor, State of Minnesota.

Sincerely,



Bryan Newland
Assistant Secretary - Indian Affairs

Enclosure

**THIRD AMENDMENT TO TECHNICAL STANDARDS IN
TRIBAL-STATE COMPACT FOR CONTROL OF
CLASS III VIDEO GAMES OF CHANCE
ON THE LOWER SIOUX COMMUNIT RESERVATION
IN MINNESOTA**

Pursuant to Section 6.12 of the Tribal-State Compact for control of Class III video games of chance on the Lower Sioux Community Reservation in Minnesota (hereinafter "Community"), the State of Minnesota, by and through its Commissioner of Public Safety, and the Community agree to amend the Compact as follows, for the express and limited purpose of permitting use of automated ticket redemption equipment by the Community:

A new subsection 18 is hereby added to section 6.9, to read as follows:


- (18) Automated Ticket Redemption Equipment. The following technical standards are applicable for automated ticket redemption equipment. This equipment must be tested and approved by a gaming test laboratory as provided by Section 6. In order to insure that the automated ticket redemption system is properly functioning prior to public use, the State of Minnesota, through its Commissioner of Public Safety, will test and certify the automated ticket redemption equipment as part of an initial installation of the system. Nothing contained in this provision is intended to, nor does, modify, alter, or otherwise restrict the authority of the State of Minnesota, through its Commissioner of Public Safety, to conduct those inspections contemplated by Section 4.4 of the Tribal-State Compact for control of Class III Video Games of Chance on the Lower Sioux Community in Minnesota.
- (a) If inserted into automated ticket redemption equipment, the equipment and related software shall scan the bar code via an optical reader or its equivalent. If the optical reader or its equivalent is unable to read the bar code the equipment will reject the ticket back to the presenter for redemption at a change booth or cashier's cage. If accepted, the ticket shall remain secured within the equipment until dropped by authorized personnel.
 - (b) The validation number shall be transmitted to the host computer. The host computer shall verify the authenticity of the cashless ticket and communicate directly back to the automated ticket redemption equipment.
 - (c) If valid, the automated ticket redemption equipment pays the customer the appropriate amount and the cashless ticket is electronically noted "paid" in the system. This equipment and related software will maintain an independent printable audit trail of all tickets paid containing the following:

- (1) Machine number;
 - (2) Transaction number;
 - (3) Validation number;
 - (4) Ticket Issue date and time;
 - (5) Paid date and time; and
 - (6) Amount.
- (d) The automated ticket-redemption equipment and related software will perform the following for the purpose of detecting and reporting transactions as defined under the Bank Secrecy Act, 31 U.S.C. § 321 *et seq.*:
- (1) Will be programmed to reject transactions over \$2,000.00 for processing manually at a change booth or cashier's cage;
 - (2) Will be programmable to notify appropriate casino personnel of transactions over a predefined amount; and
 - (3) Will be monitored by surveillance cameras for the purpose of identification of the operator. Both the time/date stamps of the surveillance equipment and ticket redemption equipment's audit trail will be synchronized for the purpose of identifying the exact transaction of each operator.
- (e) The automated ticket redemption equipment and related software will produce balancing reports on demand that will disclose the amount of tickets redeemed, the amount of cash/coin issued by denomination and the available balance for audit purposes.
- (f) The manufacturer of automated ticket redemption equipment will house the client software of the machine within a secure location (behind safe door, with dual-custody locks). The operator will house the server software responsible for interfacing with an approved slot management system within a secure location, which limits general access. The manufacturer will provide the state with the software, training and assistance necessary to test the integrity of the slot management interface by inspecting the MD5 Checksum (or similar process) that was generated by the testing lab during approval of the slot management interface code base.

- (g) If for any reason communication is lost between the automated ticket redemption equipment and the slot accounting system, tickets will no longer be accepted for redemption. The equipment will be designed to insure the integrity of transactions in progress in the event of power surges or a complete power loss. The equipment will be equipped with UPS, monitored by the related software, that will allow the completion of the current transaction, when detecting power loss, before placing the equipment out-of-service.

- (h) The equipment will not have the capability to produce a ticket in a format acceptable for insertion within a video slot machine for credit.

STATE OF MINNESOTA

Dated: 11/12/03


Commissioner, Minnesota
Department of Public Safety

LOWER SIOUX COMMUNITY

Dated: September 26, 2003



President, Community Council
Lower Sioux Indian Community

Consistent with 25 U.S.C. §2710(d)(8)(A), "The Secretary is authorized to approve any Tribal-State compact entered into between an Indian tribe and a State governing gaming on Indian lands of such Indian tribe." Therefore, the First Amendment to Technical Standards in Tribal-State Compact for Control of Class III Video Games of Chance on the Lower Sioux Community Reservation in Minnesota, executed by Minnesota Public Safety Commissioner Paul Tschida on June 1, 1990, and by the Chairman of the Lower Sioux Indian Community on May 21, 1990, subsequently amended in 2002 and on February 25, 2003, November 12, 2003, April 2, 2010, April 2, 2015, and July 19, 2023, and received by the Department of the Interior for review and approval on September 18, 2023, is hereby approved.

APPROVED

UNITED STATES DEPARTMENT OF THE INTERIOR



Bryan Newland
Assistant Secretary – Indian Affairs

SEP 29 2023

Date