



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

**SECOND AMENDMENT TO TECHNICAL STANDARDS IN
TRIBAL-STATE COMPACT FOR CONTROL OF
CLASS III VIDEO GAMES OF CHANCE
ON THE LOWER SIOUX INDIAN COMMUNITY 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 Indian Community Reservation in Minnesota (hereinafter "Band"), the State of Minnesota, by and through its Commissioner of Public Safety, and the Band agree to amend the Compact as follows, for the express and limited purpose of adding a definition of Logic Control Components to enable use of expanding modem technology:

New Section 6.14(5) is hereby added:

"Logic Control Components" means all types of program storage media used to maintain the executable program that causes the gaming device to operate. Such devices include, but are not limited to, hard disc drives, PCMCIA cards, EPROMs, EEPROMs, CD-ROMs and similar storage media. Such storage media shall:

1. Be disabled from being written to when in the machine via a physical or hardware write disable to ensure that it is impossible to write any contents to the storage media any time during play, either from an internal or external source.
2. Sealing tape, or its equivalent, shall be used over areas that are access sensitive.
3. Logic control components along with EPROMS and logic boards must be maintained in a locked, sealed area.
4. Logic control components must be able to be inspected in the field. To this end, such devices must be able to be verified by using signatures, hash codes, or other secure algorithm. In addition, such devices must be able to be compared on a bit for bit basis.
5. The supplier of the gaming devices, utilizing said logic control components, shall supply to both the Tribe and the State approved field test equipment for carrying out tests required in (4) above. In addition, the supplier is required to provide verification training to all parties who request it.

STATE OF MINNESOTA

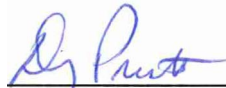
Dated: 4-2-15



Mona Dohman, Commissioner of Minnesota
Department of Public Safety

LOWER SIOUX INDIAN COMMUNITY

Dated: 3-9-2015



Denny Prescott, President
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 Second Amendment to Technical Standards in Tribal-State Compact for Control of Class III Video Games of Chance on the Lower Sioux Indian Community Reservation in Minnesota, executed by Minnesota Public Safety Commissioner Mona Dohman on April 2, 2015, and by Lower Sioux Indian Community President Denny Prescott on March 9, 2015, subsequently amended on 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