



# United States Department of the Interior

OFFICE OF THE SECRETARY  
Washington, DC 20240

JAN 13 2023

The Honorable Kevin Stitt  
Governor of Oklahoma  
Oklahoma City, Oklahoma 98504

Dear Governor Stitt:

On December 7, 2022, the Department of the Interior (Department) received the Delaware Nation (Tribe) and State of Oklahoma (State) Gaming Compact Non-house Banked Table Games Supplement (Amendment) providing for the conduct of class III gaming activities by the Tribe. The Amendment makes minor changes to how certain table games are played by permitting the Tribe to operate non-banked table games so that bets are determined by a wheel, ball, or dice, rather than playing cards. The Amendment continues the requirement that Tribes share with the State of Oklahoma 10% of net revenues from the pools or pots of these games.

In 2018, Oklahoma enacted a statute permitting Tribes in Oklahoma to opt-in to a model Gaming Compact Supplement for certain games. Pursuant to Oklahoma Statute, if a Tribe opts to accept the Gaming Compact Supplement, it is deemed approved by the State and requires no further action by the State, or any state official. Thus, the Amendment does not contain a signature from a State official but cites to the State implementing legislation. Beginning in 2018, the Department has approved approximately twenty substantively identical Gaming Compact Supplements for various Tribes in Oklahoma that are now in effect.

We have completed our review of the Amendment submitted by the Tribe and conclude it does not violate that 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 will be sent to the Honorable Deborah Dotson, President, Delaware Nation.

Sincerely,

Bryan Newland  
Assistant Secretary – Indian Affairs

# TRIBAL GAMING COMPACT SUPPLEMENT

Between the Delaware Nation

And the STATE OF OKLAHOMA

To be governed in accord with the Delaware Nation's State-Tribal Gaming Compact ("Compact"), approved by the United States Department of the Interior on June 1st, 2005, the Delaware Nation ("Tribe"), accepts the State's offer of additional covered game 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 "Delaware Nation and State of Oklahoma Gaming Compact Non-house-Banked Table Games Supplement ("Gaming Compact Supplement").

## Part 2. TERMS

- A. The Tribe hereby memorializes its election to accept the State's offer of an additional covered game, 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) or 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 table 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 with 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(s) represents that he or she is duly authorized and has the authority to execute this Gaming Compact Supplement on behalf of the Tribe for whom he or she is signing.

APPROVED:

Delaware Nation

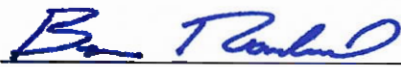


Deborah Dotson, President

Date: November 8<sup>th</sup>, 2022

Consistent with 25 U.S.C. § 2710(d)(8)(B), I have reviewed the Delaware Nation and State of Oklahoma Gaming Compact Non-house Banked Table Games Supplement (Amendment) and conclude that it does not violate the Indian Gaming Regulatory Act, 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. Pursuant to my delegated authority, I approve the Amendment pursuant to 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* pursuant to 25 U.S.C. § 2710(d)(3)(B).

UNITED STATES DEPARTMENT OF THE INTERIOR



JAN 13 2023

---

Bryan Newland  
Assistant Secretary – Indian Affairs