United States Department of the Interior

OFFICE OF THE SECRETARY
Washington, D.C. 20240

TAKE PRIDE IN AMERICA

FEB 19 1998

Honorable Joe Moses
Chairman
Confederated Tribes of the Warm Springs
Reservation of Oregon
1233 Veterans Street
Warm Springs, Oregon 97761

Dear Chairman Moses:

On January 6, 1998, we received Amendment III to the Tribal-State Gaming Compact for regulation of class III gaming between the Confederated Tribes of the Warm Springs Reservation of Oregon (Tribe) and the State of Oregon (State), dated June 21, 1996. We have completed our review of this Amendment and conclude that it does not violate the Indian Gaming Regulatory Act of 1988 (IGRA), Federal law, or our trust responsibility. Therefore, pursuant to Section 11(d)(8)(A) of IGRA, 25 U.S.C. § 2710(d)(8)(A) and delegated authority in 209 DM 8.1, we approve the Amendment. The 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,

/s/ Kevin Gover

Assistant Secretary - Indian Affairs

Enclosure

Identical Letter Sent to: Honorable John Kitzhaber
Governor of Oregon
254 State Capitol
Salem, Oregon 97310

cc: Portland Area Director w/copy of approved Amendment
Supt., Warm Springs Agency w/copy of approved Amendment
[redacted]
Pacific NW Regional Field Solicitor w/copy of approved Amendment
Portland United States Attorney w/copy of approved Amendment

DEPARTMENT OF THE INTERIOR

Bureau of Indian Affairs

Indian Gaming

AGENCY: Bureau of Indian Affairs, Interior.

ACTION: Notice of amendment to approved Tribal-State Compact.

SUMMARY: Pursuant to section 11 of the Indian Gaming Regulatory Act of 1988, Pub. L. 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 (casino) gambling on Indian reservations. The Assistant Secretary—Indian Affairs, Department of the Interior, through his delegated authority, has approved Amendment III to the Confederated Tribes of the Warm Springs Reservation of Oregon and the State of Oregon Gaming Compact, which was executed on December 30, 1997.

DATES: This action is effective February 27, 1998.

FOR FURTHER INFORMATION CONTACT: Acting Director, Indian Gaming Management Staff, Bureau of Indian Affairs, Washington, D.C. 20240, (202) 219–4068.

Dated: February 19, 1998.

Kevin Gover,

Assistant Secretary—Indian Affairs.

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BILLING CODE 4310–02–M

TRIBAL-STATE GOVERNMENT-TO-GOVERNMENT COMPACT FOR REGULATION OF CLASS III GAMING BETWEEN THE CONFEDERATED TRIBES OF THE WARM SPRINGS RESERVATION OF OREGON AND THE STATE OF OREGON

AMENDMENT III.

This amendment is made to the Class III Gaming Compact between the Confederated Tribes of the Warm Springs Reservation of Oregon and the State of Oregon executed on January 6, 1995, and approved by the Secretary of the Interior on March 6, 1995. The terms of this amendment are in addition to and, except as specifically provided herein, do not supersede any of the provisions of the original compact, or Amendments I and II thereto.

WHEREAS, the Tribes wish to extend the terms of Amendment I and II to the Compact which provide for regulation of house banked blackjack at the gaming facility, and

WHEREAS, the State agrees that the circumstances justify this Amendment,

NOW THEREFORE, the Tribes and the State hereby approve the following amendments to the Compact:

I. Section I of Amendment II is amended as follows:

> Paragraph IV of ~~this~~ Amendment I expires on ~~June 30, 1997. However if the compliance review described in Section 4.H.9 of the Compact (added by this Amendment) is completed before October 1, 1996, paragraph IV of this amendment shall expire on December 31, 1997.~~ April 30, 1998. Unless an extension of this amendment or a permanent amendment governing the operation of house banked blackjack has been negotiated and executed before the expiration of this amendment, the Tribes agree to terminate blackjack games at the gaming facility until a new agreement has been negotiated and executed. In the event that a compact amendment is under negotiation, the Tribes may replace blackjack tables with video lottery terminals at the ratio of eight terminals per blackjack table.

II. This amendment is effective as an extension under paragraph IX of Amendment II and paragraph VI of Amendment I of the Compact, upon execution by the State and the Tribes, and submission to the Secretary of the Interior. It is the intent of both the State and the Tribe that this Amendment be fully enforceable as between the parties to it from and after the date it is executed and submitted to the Secretary of the Interior, both as to the Tribe's ability to offer house banked blackjack and the State's and the Tribe's responsibility to implement the regulatory amendments contained herein.

EXECUTED as of the date and year below.

STATE OF OREGON

John Kitzhaber, Governor

Date: 12/30/97

CONFEDERATED TRIBES OF THE WARM SPRINGS RESERVATION OF OREGON

Joe Moses, Chairman
Warm Springs Tribal Council

Date: 12-22-97

APPROVED BY THE ASSISTANT SECRETARY -INDIAN AFFAIRS

By:

Date: FEB 19 1998