DEPARTMENT OF THE INTERIOR

Bureau of Indian Affairs

Indian Gaming

AGENCY: Bureau of Indian Affairs, Interior.

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

SUMMARY: Pursuant to 25 U.S.C. 2710 of the Indian Gaming Regulatory Act of 1988 (Pub. L. 100–497), 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 reservation. The Assistant Secretary—Indian Affairs, Department of the Interior, through his delegated authority has approved Amendment I to the July Tribal-State Compact between the Lower Brule Sioux Tribe and the State of South Dakota which was approved on September 4, 1991.

DATES: This action if effective April 14, 1992.

ADDRESSES: Office of Tribal Services, Bureau of Indian Affairs, Department of the Interior, MS 4614, 1849 C Street NW., Washington, DC 20240.

FOR FURTHER INFORMATION CONTACT: Joyce Grisham, Bureau of Indian Affairs, Washington, DC 20230, (202) 208–7445.

SUPPLEMENTARY INFORMATION: This is to give notice of a change to the Tribal-State Compact between the Lower Brule Sioux Tribe and the State of South Dakota, which was published as a notice in the Federal Register in 56 FR 47122 on September 17, 1991. The location of the gaming establishment is being changed to S½ SE¼ SW¼ SE¼ NW¼, N½ NE¼ NW¼ NE¼ SW¼, Section 15, Township 107 N., Range 73 W., containing 2.50 acres more or less.

Dated: April 7, 1992.

William D. Bettenberg,

Acting Assistant Secretary—Indian Affairs.

[FR Doc. 92–8505 Filed 4–13–92; 8:45 am]

BILLING CODE 4310–02–M

AMENDMENT TO GAMING COMPACT BETWEEN LOWER BRULE SIOUX TRIBE AND THE STATE OF SOUTH DAKOTA

THIS AMENDMENT, made and entered into as of the 4th day of February, 1992, by and between the Lower Brule Sioux Tribe (Tribe), and the State of South Dakota (State), and is effective upon execution by the Governor of the State and the Chairman of the Tribe, approval by the Secretary of the Interior and publication of that approval in the Federal Register pursuant to the IGRA.

WHEREAS, the Tribe is a federally recognized Indian Tribe in central South Dakota; and

WHEREAS, the Tribe and the State entered into a Gaming Compact dated the 8th day of July, 1991; and

WHEREAS, pursuant to paragraph 8.5 of the Gaming Compact, the Tribal gaming establishment was to be located on the following described property located within the boundaries of the Lower Brule Sioux Tribe Reservation, to-wit:

> The Northwest Quarter (NW¼) of Section Sixteen (16), Township One Hundred Six (106) North, Range Seventy-two (72), West of the 5th P.M., Lyman County, South Dakota, adjacent to and on the South side of South Dakota Highway 47; and

WHEREAS, it appears that it would not be feasible to locate the gaming facility on the above described real estate,

NOW, THEREFORE, it is hereby agreed by and between the Tribe and the State as follows:

1. That paragraph 8.5 of the Gaming Compact dated July 8, 1991 between the Tribe and the State is hereby amended to read as follows:

8.5 Number of Gaming Devices

> The Tribe shall be authorized to operate a cumulative total of one hundred eight (180) gaming devices in the tribal gaming establishment to be located on the following described trust land of the Tribe located within the boundaries of the Lower Brule Sioux Tribe Reservation, to-wit:
>
> The South One-half (S½) of the Southeast Quarter (SE¼) of the Southwest Quarter (SW¼) of the

Southeast Quarter (SE¼) of the Northwest Quarter (NW¼), the North One-half (N½) of the Northeast Quarter (NE¼) of the Northwest Quarter (NW¼) of the Northeast Quarter (NE¼) of the Southwest Quarter (SW¼), Section Fifteen (15), Township One Hundred Seven (107) North, Range Seventy-three (73), West of the 5th P.M.

It is acknowledged between the parties hereto that the gaming device limitation of one hundred eighty (180) constitutes two times the number of gaming devices permitted per individual in State law. Any increase or decrease of this gaming device limitation contained in State law will automatically result in a proportional increase or decrease in the gaming device limitation of one hundred eighty (180) set forth in this Compact.

It is further understood and agreed that a cumulative total of seventy (70) additional gaming devices shall be authorized in the tribal gaming establishments provided the following conditions are met:

1) At least nine (9) months have elapsed since the gaming authorized by this Compact has commenced; and

2) Within the last sixty (60) consecutive business days from the date of determining whether these conditions have been met, an average of Sixty-three Dollars and Seventy-five Cents ($63.75) per gaming device per day has been realized on all one hundred eighty (180) gaming devices.

The Tribe shall be entitled to have up to five (5) gaming devices to be used to

replace gaming devices which are out of service as a result of mechanical problems. These additional gaming devices are only to be used in such an event and shall not be operated in addition to the maximum number of gaming devices authorized by this provision. Further, these additional gaming devices shall meet the requirements of paragraph 8.3 of this Compact.

2. The Gaming Compact executed between the Tribe and the State dated July 8, 1991 permitted amendment to the document as was provided in paragraph 11.9 of said document.

IN WITNESS WHEREOF, the parties hereto have caused this Amendment to be executed as of the day and year first above written.

LOWER BRULE SIOUX TRIBE

Date: 2-4-92 By _____
Chairman

STATE OF SOUTH DAKOTA

Date: 2-7-92 By _____
Governor

BUREAU OF INDIAN AFFAIRS

Date: 4/7/92 By _____
Acting Assistant Secretary - Indian Affairs