

# Corrections

Federal Register

Vol. 68, No. 72

Tuesday, April 15, 2003

This section of the FEDERAL REGISTER contains editorial corrections of previously published Presidential, Rule, Proposed Rule, and Notice documents. These corrections are prepared by the Office of the Federal Register. Agency prepared corrections are issued as signed documents and appear in the appropriate document categories elsewhere in the issue.

Tuesday, April 8, 2003, make the following correction:

On page 17072, in the second column, in the second line, "Tulapid", should read "Tulalip".

[FR Doc. C3-8560 Filed 4-14-03; 8:45 am]  
BILLING CODE 1505-01-D

Thursday March 20, 2003, make the following corrections:

1. On page 13727, in the second column, the subject heading is corrected to read as set forth above.

2. On page 13728, in the appendix, in the second column, in paragraph (c)(2), in the seventh and eighth lines, "October 1, 1995" should read "October 1, 1996".

[FR Doc. C3-6691 Filed 4-14-03; 8:45 am]  
BILLING CODE 1505-01-D

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## DEPARTMENT OF THE INTERIOR

Bureau of Indian Affairs

Indian Gaming

*Correction*

In notice document 03-8560 appearing on page 17072 in the issue of

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## DEPARTMENT OF JUSTICE

[EOIR No. 135]

Executive Office for Immigration Review; Notice of Class Action Judgment in Barahona-Gomez v. Ashcroft

*Correction*

In notice document 03-6691 beginning on page 13727 in the issue of

**Susan MacMullin,**  
*Acting Regional Director, Region 2.*  
 [FR Doc. 03-8488 Filed 4-7-03; 8:45 am]  
**BILLING CODE 4510-55-P**

**DEPARTMENT OF THE INTERIOR**

**Bureau of Indian Affairs**

**Indian Gaming**

**AGENCY:** Bureau of Indian Affairs, Interior.

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

**SUMMARY:** Under Section 11 of the Indian Gaming Regulatory Act of 1988 (IGRA), Public Law 100-497, 25 U.S.C. 2710, the Secretary of the Interior shall publish, in the *Federal Register*, notice of the approved Tribal-State compacts for the purpose of engaging in Class III gaming activities on Indian lands. The Assistant Secretary—Indian Affairs, Department of the Interior, through her delegated authority, has approved the Amendment to the Class III gaming compact between the Lac Courte Oreilles Band of Lake Superior Chippewa Indians and the State of Wisconsin. This Amendment extends the term of the compact for 45 days.

**EFFECTIVE DATE:** April 8, 2003.

**FOR FURTHER INFORMATION CONTACT:** George T. Skibine, Director, Office of Indian Gaming Management, Bureau of Indian Affairs, Washington, DC 20240, (202) 219-4066.

Dated: March 17, 2003.

**Aurene M. Martin,**  
*Assistant Secretary—Indian Affairs.*  
 [FR Doc. 03-8561 Filed 4-7-03; 8:45 am]  
**BILLING CODE 4310-4N-M**

**DEPARTMENT OF THE INTERIOR**

**Bureau of Indian Affairs**

**Indian Gaming**

**AGENCY:** Bureau of Indian Affairs, Interior.

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

**SUMMARY:** Under Section 11 of the Indian Gaming Regulatory Act of 1988 (IGRA), Public Law 100-497, 25 U.S.C. 2710, the Secretary of the Interior shall publish, in the *Federal Register*, notice of the approved Tribal-State compacts for the purpose of engaging in Class III gaming activities on Indian lands. The Assistant Secretary—Indian Affairs, Department of the Interior, through her delegated authority, has approved the

Amendment to the Class III gaming compact between the Tulapud Tribes of Washington and the State of Washington. This Amendment provides new regulations for electronic gaming devices.

**EFFECTIVE DATE:** April 8, 2003.

**FOR FURTHER INFORMATION CONTACT:** George T. Skibine, Director, Office of Indian Gaming Management, Bureau of Indian Affairs, Washington, DC 20240, (202) 219-4066.

Dated: March 13, 2003.

**Aurene M. Martin,**  
*Assistant Secretary—Indian Affairs.*  
 [FR Doc. 03-8560 Filed 4-7-03; 8:45 am]  
**BILLING CODE 4310-4N-M**

**DEPARTMENT OF THE INTERIOR**

**Bureau of Land Management**

[ID-957-1420-BJ]

**Idaho: Filing of Plats of Survey**

**AGENCY:** Bureau of Land Management, Interior.

**ACTION:** Notice of filing of plats of surveys.

**SUMMARY:** The Bureau of Land Management (BLM) has officially filed the plats of survey of the lands described below in the BLM Idaho State Office, Boise, Idaho, effective 9 a.m., on the dates specified.

**FOR FURTHER INFORMATION CONTACT:** Bureau of Land Management, 1387 South Vinnell Way, Boise, Idaho, 83709-1657.

**SUPPLEMENTARY INFORMATION:** These surveys were executed at the request of the Bureau of Land Management to meet certain administrative needs of the Bureau of Land Management. The lands we surveyed are:

The plat constituting the entire survey record of the dependent resurvey of a portion of the subdivisional lines, designed to restore the corners in their true original locations according to the best available evidence, and a metes-and-bounds survey of a portion of the Craters of the Moon National Monument in sections 4, 8, 9, 16, 17, 21, 22, 23, and 24, in T. 8 S., R. 27 E., Boise Meridian, Idaho, was accepted November 15, 2002.

The plat representing the supplemental plat was prepared to correct certain erroneously lotted areas, as depicted on the plat, in T. 11 N., R. 17 E., Boise Meridian, Idaho was accepted January 15, 2003.

The plat representing the dependent resurvey and corrective dependent

resurvey of portions of the north and east boundaries, and the dependent resurvey of a portion of the subdivisional lines, and the 1907 meanders of the right bank of the Salmon River in sections 1 and 12, and the subdivision of sections 1 and 12, in T. 23 N., R. 21 E., Boise Meridian, Idaho, was accepted January 16, 2003.

The plat constituting the entire survey record of the dependent resurvey of a portion of the west boundary and subdivisional lines, the subdivision of section 7, and a metes-and-bounds survey in section 7, in T. 7 S., R. 6 E., Boise Meridian, Idaho, was accepted January 24, 2003.

The plat representing the dependent resurvey of a portion of the subdivisional lines, the subdivision of section 26, and the metes-and-bounds survey of Parcel A and two easements in section 26, in T. 5 N., R. 1 E., Boise Meridian, Idaho, was accepted February 4, 2003.

The plats constituting the entire survey record of the dependent resurvey of a portion of the south, west, and north boundaries and a portion of the subdivisional lines, designed to restore the corners in their true original locations according to the best available evidence, and a metes-and-bounds survey of a portion of the Craters of the Moon National Monument in sections 6, 7, 17, 18, 19, 20, 29, 32, and 33, in T. 7 S., R. 27 E., Boise Meridian, Idaho, was accepted February 24, 2003.

The plat constituting the entire record of dependent resurvey of portions of the east boundary, and subdivisional lines, designed to restore the corners in their true original locations according to the best available evidence, and a metes-and-bounds survey of a portion of the Craters of the Moon National Monument in sections 12, 13 and 24, in T. 7 S., R. 26 E., Boise Meridian, Idaho, was accepted February 26, 2003.

The plat representing the dependent resurvey of a portion of the east boundary, and a portion of the subdivisional lines, and the subdivision of section 25, in T. 2 N., R. 42 E., Boise Meridian, Idaho, was accepted March 12, 2003.

The plats representing the dependent resurvey of a portion of the south boundary, a portion of the west boundary, and a portion of the subdivisional lines, and the subdivision of sections 19, 31, and 32, the survey of a portion of the 1999-2002 meander lines of the Snake River in sections 19 and 32, the 1999-2002 survey of a partition line in section 32, and a metes-and-bounds survey in section 31, in T. 2 N., R. 43 E., Boise Meridian, Idaho, were accepted March 12, 2003.



# United States Department of the Interior

OFFICE OF THE SECRETARY  
Washington, D.C. 20240

MAR 13 2003

Honorable Herman A. Williams, Jr.  
Chairman, Tulalip Tribes of Washington  
6700 Totem Beach Road  
Marysville, Washington 98271-0638

Dear Chairman Williams:

On January 28, 2003, we received the Sixth Amendment to the Tribal-State Compact for Class III gaming between the Tulalip Tribes of Washington (Tribe) and the State of Washington. 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 my delegated authority and Section 11 of IGRA, 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 continued success in their economic venture.

Sincerely,

  
Acting Assistant Secretary - Indian Affairs

Enclosure

Similar Letter Sent to:      Honorable Gary Locke  
Governor of Washington  
State Capital  
Olympia, Washington 98504-0002

**MEMORANDUM OF INCORPORATION OF AMENDMENTS  
TO THE  
TRIBAL – STATE COMPACT  
FOR CLASS III GAMING  
BETWEEN THE  
TULALIP TRIBES OF WASHINGTON  
AND THE  
STATE OF WASHINGTON**

**INTRODUCTION**

The Tulalip Tribes of Washington (“Tribes”) and the State of Washington (“State”) entered into a Class III Gaming Compact on August 2, 1991, pursuant to the Indian Gaming Regulatory Act of 1988 (“IGRA”). The Tribe and State entered a First Amendment on May 29, 1992, a Second Amendment on September 21, 1993, a Third Amendment on December 26, 1994, a Fourth Amendment on November 25, 1998, and a Fifth Amendment on June 7, 2002. At the request of the Tribes, and pursuant to Compact Section 15(d)(ii)(cc), this Sixth Amendment is incorporated into the Compact in accordance and in conformity with the aforesaid Compact Section. The parties believe the conduct of Class III gaming under the terms and conditions as set forth in this Sixth Amendment will, from a regulatory perspective, benefit the Tribes and the State and protect the members of the Tribes and the citizens of the State consistent with the objectives of IGRA.

The Tribes has approved and accepted certain of the “increases” contained in the Class III Gaming Compact between the State and Confederated Tribes of the Colville Reservation. Therefore, pursuant to Section 15(d)(ii)(cc) of the Compact, the following amendments are hereby incorporated in the Compact:

**SIXTH AMENDMENT TO THE TRIBAL/STATE COMPACT  
FOR CLASS III GAMING BETWEEN  
TULALIP TRIBES OF WASHINGTON  
AND  
STATE OF WASHINGTON**

**COMPACT AMENDMENTS**

**1. Section 3(a) is amended to read as follows:**

(a) Scope of Class III Gaming Activities. The Tribal gaming operations may utilize in its gaming facilities, subject to the provisions of this Compact, any or all of the following Class III activities:

- (i) Blackjack;
- (ii) Money-wheel;
- (iii) Roulette;
- (iv) Baccarat;
- (v) Chuck-a-luck;
- (vi) Pai-gow;
- (vii) Red dog;
- (viii) Chemin De Fer;
- (ix) Craps;
- (x) 4-5-6;
- (xi) Ship-Captain-Crew;
- (xii) Horses (stop dice);
- (xiii) Beat the Dealer;
- (xiv) Over/Under Seven;

(xv) Beat My Shake;

(xvi) Horse Race;

(xvii) Sweet Sixteen;

(xviii) Sports Pools;

(xix) Sic-bo;

(xx) Poker card games. The Tribes shall submit the proposed rules, manner of regulation and manner of play of such poker card games to the State Gaming Agency at least thirty (30) days prior to the time play shall begin. If the State Gaming Agency does not respond within the thirty (30) days, the Tribe may begin offering the game. If a dispute arises between the Tribe and the State Gaming Agency with respect to the nature of the game, security issues, rules of play or training and enforcement associated with regulation, it shall be resolved pursuant to Section 12(c) of this Compact.

(xxi) Any other table game authorized for play in Nevada and played in accordance with applicable Nevada rules, upon 20 days written notice to the State Gaming Agency. Provided, should a dispute arise, the game shall not be utilized until the dispute is resolved in accordance with Section 12(c).

(xxii) Lottery-type games, including but not limited to, keno and keno-type games, instant tickets, on-line games, lotto, jackpot poker or other lottery-type games authorized for play for any purpose by any person, organization or entity in the State of Washington that are not otherwise treated as Class I or II in the State of Washington pursuant to 25 USC Section 2703(6) and (7). For the purposes of the jackpot poker activity, the Class II poker stations associated with jackpot poker as well as the employees directly associated with jackpot poker shall be subject to Sections 4, 5, 6, 7, 8 and 9 of this Compact. For all such

lottery-type games the Tribe shall submit the proposed rules, manner of regulation and manner of play to the State Gaming Agency at least thirty (30) days prior to the time play shall begin. If the State Gaming Agency takes no action within the thirty (30) days, the Tribe may begin offering the game. If a dispute arises between the Tribe and the State Gaming Agency with respect to the nature of the game, security issues, rules of play or training and enforcement associated with regulation, it shall be resolved pursuant to Section 12(c) of this Compact.

(xxiii) Satellite (off-track) wagering on horse races, subject to Appendix C.

(xxiv) Tribal Lottery Systems. Notwithstanding anything in this Compact which could be construed to be the contrary, Tribal Lottery Systems operated in conformity with ~~Appendix~~ Appendices X and Y are hereby authorized.

**2. Appendix X Section 12 to the Compact is amended to read as follows:**

**SECTION 12. TRIBAL LOTTERY SYSTEM TERMINAL ALLOCATIONS**

12.1 Initial Allocation. During the first year of operations under this Appendix, the Tribe shall be entitled to an allocation and operation of 425 Player Terminals (“Allocation”).

12.2 Compliance Requirement. Following one year of operation, the SGA shall conduct a review of the Tribal Lottery System operation to determine whether the requirements set forth in Sections 12.2.1 through 12.2.5 have been satisfied. If the operation is in compliance, the Tribe’s Allocation shall be increased to 675 Player Terminals. The following requirements shall be met:

12.2.1 There have been no violations of the provisions of the Compact that have resulted in sanctions imposed by the Federal District Court;

12.2.2 There have been no violations of the Compact which are substantial or would be deemed material due to repetition;

12.2.3 There have been no material adverse impacts on the public safety or welfare of the surrounding communities in the nature of criminal activities directly related to the operations of the Class III gaming facility;

12.2.4 Any changes in the operating requirements which are necessary to accommodate the increase in terminals have been implemented; and

12.2.5 All fees due from Tribe under Section 13 have been paid, or in the alternative either a memorandum of understanding with the SGA ("MOU") has been entered into or an arbitration has been demanded, has not been resolved, and the Tribe has complied with the provisions of Section 13.5.

12.3 Compliance Review. Upon written request by the Tribe to review its compliance with the requirements set forth in Section 12.2, the SGA shall determine within 45 days if there has been such compliance, and shall notify the Tribe of its determination. If no notice of determination is provided to the Tribe within 10 days after due, the Tribe shall be deemed to be in compliance with Section 12.2 provisions. If the State Gaming Agency determines that the Class III operation has not satisfied such requirements, any resulting dispute will be resolved through the binding dispute resolution procedures set forth in this Compact.

12.4 Further Conditions. Provided the requirements of Section 12.2.1 through 12.2.5 have been met and so determined by the SGA, or have been deemed to be so determined, the Tribe may increase the number of Player Terminals and/or Electronic Gaming Devices ("EGDs") as described in Appendix Y it is authorized to operate the above number of Terminals and/or EGDs in its Allocation, up to a maximum of ~~1500~~2000 Player Terminals and/or EGDs in

one facility and up to a maximum of 1,000 Player Terminals and/or EGDs in the other facility , by acquiring allocation rights from any tribe which has entered into a compact authorizing operation of a Tribal Lottery System consistent with this Appendix and Appendix Y (“Eligible Tribe”), or may transfer some or all of its Allocated Player Terminals and/or EGDs to a Eligible Tribe, subject to the following conditions:

12.4.1 The Tribe agrees that its acquisitions and transfers of Player Terminals and/or EGDs shall be made only pursuant to a plan approved by no less than a majority of the tribes that were Eligible Tribes at the time such plan was adopted. Development and approval of the plan shall follow notice to all Eligible Tribes and an opportunity to participate in creating the plan. Once adopted or amended, the plan shall stay in effect without change for at least one year, even if additional tribes become Eligible Tribes thereafter, but such additional tribes may participate in the plan. Changes in the plan shall not affect the validity or terms of prior transactions conducted between or among tribes under the plan. The State shall have no responsibility whatsoever with respect to the plan, including but not limited to responsibility for providing notices to tribes, determining if the plan has been agreed to properly, monitoring its rules or implementation, or any other aspect of such plan, the entire responsibility for which shall be upon the Eligible Tribes.

12.4.2 The Tribe may transfer up to its full Allocation of Player Terminals and/or EGDs to any other Eligible Tribe provided that it waives the right to operate that number of Player Terminals and/or EGDs which has so transferred.

12.4.3 The Tribe may not operate any Player Terminals and/or EGDs acquired from any other Tribe’s allocation until 30 days has elapsed following delivery to the State of a complete set of the documents which govern the transfer.

12.5 Other Circumstances.

Notwithstanding anything in this Section 12 to the contrary, in the event the State agrees (or is required by law or a court ruling to agree) to permit an allocation of Player Terminals and/or EGDs to a tribe which is greater, or is on terms which are more favorable, than as set forth herein, the Tribe shall be entitled to such greater Allocation or more favorable terms.