



# United States Department of the Interior

OFFICE OF THE SECRETARY

Washington, DC 20240

APR - 8 2022

The Honorable Kevin Killer  
President, Oglala Sioux Tribe  
P.O. Box 2070  
Pine Ridge, South Dakota 57770

Dear President Killer:

On February 23, 2022, the Oglala Sioux Tribe (Tribe) and the State of South Dakota (State) submitted an Amendment to Gaming Compact between the Oglala Sioux Tribe and the State of South Dakota (Amendment), providing for the regulation of class III gaming activities by the Tribe. The Amendment authorizes the Tribe to operate sports wagering as an additional form of gaming within the Pine Ridge Reservation provided the Tribe meets certain technical requirements. This Amendment also changes Section 3.1 from permitting the Tribe to operate such other games as may be authorized by State law with a 30-day notice, to requiring authorization by written amendment to the compact, a separate agreement, or otherwise by the South Dakota Commission on Gaming.

We completed our review of the Amendment and conclude that it does 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 Amendment. 25 U.S.C. § 2710(d)(8)(A). The Amendment takes effect when the notice of this approval is published in the Federal Register. 25 U.S.C. § 2710(d)(3)(B).

A similar letter is being sent to Honorable Kristi Noem, Governor, State of South Dakota.

Sincerely,

Wizipan Garriott  
Principal Deputy Assistant Secretary - Indian Affairs  
Exercising by delegation the authority of the  
Assistant Secretary - Indian Affairs

Enclosure

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

Pursuant to Section 3.1 of the Class III Gaming Compact between the Oglala Sioux Tribe and the State of South Dakota, approved and published in the Federal Register by the U.S. Department of Interior on February 3, 2015, as amended on April 22, 2016, this Compact is hereby amended to read as follows:

3.1 Games. The Tribe shall operate blackjack, poker tables, slot machines, and sports wagering pursuant to this Compact and the Tribe's gaming regulations and ordinances. The Tribe shall be permitted to operate such other gaming as may be authorized by state law after the date of the signing of this Compact upon written amendment of this Agreement, under a separate agreement, or as otherwise authorized by the South Dakota Commission on Gaming.

For purposes of this Compact, the term "sports wagering system" shall be as defined in SDCL 42-7B-4(3) and ARSD 20:18:35:01(3n) and "sports wagering services provider" shall be as defined in SDCL 42-7B-4(43).

8.4 Technical Standards for Gaming Devices and Sports Wagering Systems.

All slot machines and sports wagering systems operated and played within the Pine Ridge Reservation pursuant to this Compact shall meet or exceed the hardware and software specifications set forth by the South Dakota Commission on Gaming and SDCL 42-7B-43 and ARSD 20:18 prior to play. Gaming machine prototypes will be tested and approved prior to play by the State according to State procedures and by the Tribe according to Tribal Gaming Commission procedures.

8.5 Approval of Gaming Devices and Sports Wagering Systems.

No gaming device or sports wagering system shall be operated on the Pine Ridge Reservation unless:

1) The gaming device is purchased, leased or acquired from a manufacturer or distributor licensed to sell, lease or distribute gaming devices by the State, or the sports wagering system is purchased, leased, or acquired from a sports wagering service provider licensed as a sports wagering services provider by the State, pursuant to SDCL Ch. 42-7B and ARSD 20:18.

2) The gaming device or sports wagering system or prototype thereof, has been tested, approved and certified by a gaming testing laboratory as meeting the requirements and standards of this Compact. For purposes of this Compact, a gaming testing laboratory shall be a laboratory agreed to and designated in writing by the South Dakota Commission on Gaming and the Tribal Gaming Commission.

IN WITNESS WHEREOF, the parties hereto have caused this Amendment to be executed and effective as of the date below.

**STATE OF SOUTH DAKOTA**

\_\_\_\_\_  
Date

By:

  
\_\_\_\_\_  
Governor Kristi Noem

**OGLALA SIOUX**


\_\_\_\_\_  
Date

By:

  
\_\_\_\_\_  
President Kevin Killer

APR - 8 2022  
DATE

By

  
\_\_\_\_\_  
Wizipan Garriott  
Principal Deputy Assistant Secretary - Indian Affairs  
Exercising by delegation the authority of the  
Assistant Secretary - Indian Affairs