United States Department of the Interior

OFFICE OF THE SECRETARY
Washington, D.C. 20240

NOV 10 1992

Honorable Caleb Shields
Chairman, Assiniboine and Sioux Tribes
of the Fort Peck Reservation
P.O. Box 1027
Poplar, Montana 59255

Dear Chairman Shields:

On October 5, 1992, we received the Second Amendment to the April 6, 1992, Agreement Between the Assiniboine and Sioux Tribes of the Fort Peck Reservation (Tribes) and the State of Montana (State) Concerning Video Keno, Poker and Bingo Games, Simulcast Racing and Other Class III Gaming. Accompanying the amendment is Resolution #1454-92-9 in which the Tribal Executive Board approves the amendment and authorizes the Chairman to sign the amendment.

The Compact between the Tribes and the State was approved on June 24, 1992, and the First Amendment was approved on September 1, 1992. Pursuant to Article VIII. B. of said compact, it is being further amended as follows:

1. In Article III, Sections A, B,and D, put a period in each Section after "slot machine," and strike "or a machine that directly dispenses coins, cash, tokens, or anything else of value."

2. In Article V, add a new Section E reading as follows:

   "The Tribes may conduct live keno and live poker games 24 hours a day without limit as to the number of tables. The Tribes shall post the rules of play and maximum percentage rake-off in a prominent place in each establishment where such games are conducted. The prize limits for live keno games shall be the same as those provided in Section B 1 of this Article. Unless subsequently agreed upon otherwise, the prize limits for live poker games shall not exceed those set by the state for such games."

This amendment provides for the deletion of verbiage in Article III, Sections A, B, and D and adds a new Section E to Article V, relative to live keno and live poker, to the present compact. We do not believe the Amendment is contrary to the Indian Gaming Regulatory Act, Federal law, or violates the Federal trust responsibilities. Therefore, pursuant to 25 U.S.C. Section 2710, we approve the amendment as proposed.

Sincerely,

/s/ David J. Matheson

ActingAssistant Secretary - Indian Affairs

Enclosures

Identical Letter to: Honorable Stan Stephens
Governor of Montana
Capitol Station
Helena, Montana 59620-0801

cc: Billings Area Director - w/copy of approved amendment
Supt., Fort Peck Agency - w/copy of approved amendment
National Indian Gaming Commission - w/copy of approved amendment
Kevin Meisner, SOL
Twin Cities Field Solicitor - w/copy of approved amendment
Montana United States Attorney - w/copy of approved amendment

Bureau of Indian Affairs

Indian Gaming; Assiniboine and Sioux Tribes

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 reservations. The Assistant Secretary-Indian Affairs, Department of the Interior, through his delegated authority has approved the Second Amendment to the April 6, 1992, Agreement Between the Assiniboine and Sioux Tribes of the Fort Peck Reservation and the State of Montana Concerning Video Keno, Poker and Bingo Games, Simulcast Racing and Other Class III Gaming, which was approved on June 24, 1992, and first amended on September 1, 1992.

DATES: November 18, 1992.

ADDRESSES: Office of Tribal Services, Bureau of Indian Affairs, Department of the Interior, MS/MIB 4603, 1849 "C" Street NW., Washington, DC 20240.

FOR FURTHER INFORMATION CONTACT: Hilda Manuel, Interim Staff Director, Indian Gaming Management, Bureau of Indian Affairs, Washington, DC 20240, (202) 208-3408.

SUPPLEMENTARY INFORMATION: This is to give notice of a change to the Tribal-State Compact between the Assiniboine and Sioux Tribes of the Fort Peck Reservation and the State of Montana, which was published as a notice in the Federal Register in 57 FR 29408 on July 1, 1992. The compact has been amended to include "Lottery Games" and notice of the First Amendment was published in the Federal Register in 57 FR 41048 on September 8, 1992. The compact has been further amended to delete verbiage in Article III, Sections A, B, and D, as well as, include "live keno and live poker" as a new Section E to Article V.

Dated: November 10, 1992.

David J. Matheson,

Acting Assistant Secretary-Indian Affairs.

[FR Doc. 92-27917 Filed 11-17-92; 8:45 am]

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GAMBLING CONTROL DIVISION

SECOND AMENDMENT TO THE APRIL 6, 1992 AGREEMENT BETWEEN THE ASSINIBOINE AND SIOUX TRIBES OF THE FORT PECK RESERVATION AND THE STATE OF MONTANA CONCERNING VIDEO KENO, POKER AND BINGO GAMES, SIMULCAST RACING AND OTHER CLASS III GAMING

This compact is amended as follows:

1. In Art III, Sections A, B, and D, put a period in each Section after "slot machine," and strike "or a machine that directly dispenses coins, cash, tokens, or anything else of value".

2. In Article V, add a new Section E reading as follows:

> "The Tribes may conduct live keno and live poker games 24 hours a day without limit as to the number of tables. The Tribes shall post the rules of play and maximum percentage rake-off in a prominent place in each establishment where such games are conducted. The prize limits for live keno games shall be the same as those provided in Section B 1 of this Article. Unless subsequently agreed upon otherwise, the prize limits for live poker games shall not exceed those set by the state for such games."

ASSINIBOINE AND SIOUX TRIBES OF THE FORT PECK RESERVATION

Caleb Shields

Caleb Shields, Chairman

Date: SEPT. 14, 1992

Acting Assistant Secretary - Indian Affairs

STATE OF MONTANA

Stan Stephens

Stan Stephens, Governor

Date: 9/19/92

Date 11-10-92

RESOLUTION #1454-92-9 TRIBAL GOVERNMENT

WHEREAS, the Fort Peck Tribal Executive Board is the duly elected body representing the Assiniboine and Sioux Tribes of the Fort Peck Reservation and is empowered to act on behalf of the Tribes. All actions shall be adherent to provisions set forth in the 1960 Constitution and By-Laws, and

WHEREAS, the Tribes and State of Montana have negotiated a Compact concerning class III Gaming under the Indian Gaming Regulatory Act, and

WHEREAS, the Tribes and State of Montana desires a second Amendment to the Gaming Compact as follows:

1. In Art III, Sections A,B, and D, put a period in each Section after "slot machine", and strike "or a machine that directly dispenses coins, cash, tokens or anything else of value".

2. In Art V, add a new Section E reading as follows: "The Tribes may conduct live Keno and live poker games 24 hours a day without limit as to the number of tables. The Tribes shall post the rules of play and maximum percentage rake-off in a prominent place in each establishment where such games are conducted. The prize limits for live Keno games shall be the same as those provided in Section B1 of this Article. Unless subsequently agreed upon otherwise, the prize limits for live poker games shall not exceed those set by the State for such games."

THEREFORE, BE IT RESOLVED that the Tribal Executive Board hereby approves the attached Second Amendment to the April 6, 1992 Gaming Compact between the Assiniboine and Sioux Tribes and the State of Montana.

BE IT FURTHER RESOLVED that the Tribal Chairman is authorized to sign the Second Amendment to the Compact.

C E R T I F I C A T I O N

I, the undersigned Secretary Accountant of the Tribal Executive Board of the Assiniboine and Sioux Tribes of the Fort Peck Indian Reservation, hereby certify that the Tribal Executive Board is composed of 12 voting members of whom 11 constituting a quorum were present at a Special meeting duly called and convened this 14th day of September, 1992, that the foregoing resolution was duly adopted at such meeting by the affirmative vote of 9 for 2 opposed.

Merle Lucas, Secretary/Acct.

APPROVED:

Chairman/~~Vice Chairman~~
Tribal Executive Board

Wyman Babby, Superintendent
Fort Peck Agency