United States Department of the Interior

OFFICE OF THE SECRETARY
Washington, D.C. 20240

TAKE PRIDE IN AMERICA

APR 0 7 1993

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

Dear Chairman Shields:

On February 23, 1993, we received the Third Amendment to the April 6, 1992, Agreement Between the Assiniboine and Sioux Tribes of the Fort Peck Reservation (Tribe) and the State of Montana (State).

We have reviewed the Amendment and conclude that it does not violate the Indian Gaming Regulatory Act (IGRA), Federal law, or our trust responsibility. Therefore, pursuant to my delegated authority and Section 11 of the IGRA, we approve the Amendment. The Amendment shall take effect when notice of our approval, pursuant to Section 11(d)(3)(B) of the IGRA, is published in the FEDERAL REGISTER.

Notwithstanding our approval of the Amendment, Section 11(d)(1) of the IGRA (25 U.S.C. § 2710(d)(1)) requires that tribal gaming ordinances be approved by the Chairman of the National Indian Gaming Commission (NIGC). On July 8, 1992, the NIGC published in the FEDERAL REGISTER proposed regulations to govern approval of Class II and Class III gaming ordinances. The final regulations were published in the FEDERAL REGISTER on January 22, 1993 (58 Fed. Reg. 5802), and became effective on February 22, 1993. Under the statute and regulations, even previously existing gaming ordinances must be submitted to the NIGC for approval when requested by the Chairman. The Tribe may want to contact the NIGC at (202) 632-7003 for further information to determine when and how to submit the ordinance for approval by the NIGC.

Some tribal constitutions have an independent requirement that certain types of tribal ordinances be submitted to the Secretary of the Interior for approval before being effective. Article VII, Section 3, of the Constitution of the Assiniboine and Sioux Tribes of the Fort Peck Reservation would

DEPARTMENT OF THE INTERIOR

Bureau of Indian Affairs

Indian Gaming: Assiniboine and Sioux Tribes of Fort Peck Reservation, MT

AGENCY: Bureau of Indian Affairs, Interior.

ACTION: Notice of approved 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 Third 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, enacted on December 1, 1992.

EFFECTIVE DATES: April 14, 1993.

FOR FURTHER INFORMATION CONTACT: Hilda Manuel, Director; Indian Gaming Management Staff; Bureau of Indian Affairs, Washington, DC 20240, (202) 219–4068.

Dated: April 7, 1993.

Stan Speaks,

Acting Secretary, Indian Affairs.

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BILLING CODE 4310-02-M

Third 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.

Pursuant to Article VII B of the Agreement Between the Assiniboine and Sioux Tribes of the Fort Peck Reservation (hereinafter "Tribe") and the State of Montana Concerning Video Keno, Poker and Bingo Games, Simulcast Racing, and other Class III Gaming;

1. Appendix A d(iv) is amended as follows:

   (iv) the machine must have three (3) locks: one in the area containing the logic board and software for the game, one to the logic board itself, and the other to the area housing the cash, except that a separate cash compartment shall not be required for coins necessary to pay prizes in a machine which pays prizes through a drop hopper. EPROMS contained on the logic board must be readily accessible from the front of the machine.

2. Appendix A d(vii) is amended as follows:

   (vii) the machine must be capable of printing a ticket voucher for all credits owed the player at the completion of each game, or machines utilizing coin drop hoppers are permitted provided they are monitored by a game transaction management/reporting system of the type described in paragraph A d(xi) which has been approved by the State of Montana. A valid ticket must contain the following:

   (A) the name of the licensed establishment;
   (B) the name of the city, town, or county in which the licensed establishment is located;
   (C) the machine serial number or other unique identification number for the machine;

(D) the time of day in hours and minutes in a 24 hour format;
(E) the current date;
(F) the program name and revision;
(G) the value of the prize in numbers;
(H) the value of the prize in words;
(I) the sequential ticket number of the ticket voucher;

3. Subsection (1) d (xi) of Appendix A (General Specifications of Video Gambling Machines) is amended to read as follows:

(xi) (A) if a machine is attached to and communicates electronically with a game transaction management/reporting system, it is not required to have a ticket printer. However, the game transaction management/reporting system must each day collect from the machine the following information:

(1) the name of the licensed establishment;
(2) the name of city, town, or county in which the licensed establishment is located;
(3) the serial number or other unique identification number for the machine;
(4) the time of day, in hours and minutes in a 24-hour format;
(5) the current date;
(6) the program name and revision number; and
(7) the electronic meter readings or dollar amounts of electronic meters.

(B) if a machine is not attached to a game transaction management/reporting system, the machine must issue by activation of an external key switch, an accounting ticket containing a performance synopsis of the machine and progressive accounting data if applicable. The printing of all totals from the electronic meters shall occur automatically each time access occurs to either the logic compartment or any compartment where cash is collected. Whenever electronic meters are reset, each machine must produce a full

accounting ticket both before and after each resetting. The tickets must contain the information required in subsections (1) (d) (xi) (A) (1) through (7) of this section.

State of Montana

By _____
Stan Stephens, Governor

Date: Dec. 1, 1992

Assiniboine and Sioux Tribes of the Fort Peck Reservation

By _____
Caleb Shields, Chairman

Date: Nov. 20, 1992

ACTING ASSISTANT SECRETARY - INDIAN AFFAIRS

Date: 4/7/93

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