



August 17, 2026

Fawn Williamson
Fort Belknap Indian Community
Tribal Gaming Regulatory Authority
656 Agency Main St.
Harlem, MT 59526

Re: Fort Belknap Tribal Gaming Ordinance Amendment

Dear Ms. Williamson:

This letter is to inform you the Fort Belknap Indian Community's (Community) gaming ordinance amendment submitted to the National Indian Gaming Commission (NIGC) on May 11, 2026, is deemed approved by operation of law. The amended gaming ordinance adopted by Tribal Council through Resolution 107-2026, changes the number of gaming commissioners from one (1) to three (3).

Pursuant to the Indian Gaming Regulatory Act (IGRA), the NIGC Chair has 90 days from the date of submission to either approve or disapprove a gaming ordinance.¹ Any gaming ordinance not acted upon at the end of the 90-day period is considered to be approved by operation of law to the extent it is consistent with IGRA and the NIGC regulations.² Because the position of the NIGC Chair is currently vacant, no action was taken by the NIGC Chair within the 90-day period and the Community's gaming ordinance amendment is considered approved but only to the extent it is consistent with IGRA and the NIGC regulations.

It is the opinion of the NIGC Office of the General Counsel that the Community's amended gaming ordinance is inconsistent with the following IGRA provisions and NIGC regulations:

1. 25 C.F.R. § 522.2(g) requires a description of the procedures for conducting a criminal history check, including criminal history records information maintained by the Federal Bureau of Investigation (FBI). The Ordinance does not require a criminal history records check of information maintained by the FBI.

¹ 25 U.S.C. § 2710(e).

² 25 C.F.R. § 522.10.

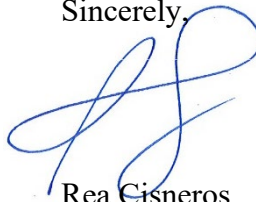
2. 25 C.F.R. § 556.6(b)(2) requires a tribe to submit a notice of results of an applicant's background investigation to the NIGC no later than 60 days after the applicant begins work. This includes the applicant's name, date of birth, and social security number, date on which the applicant began work or will begin work, a summary of the investigative report that includes licenses that have been denied, revoke, or reinstated, every known criminal charge brought against the applicant within the last 10 years of the date of the application, and every felony the applicant has been convicted or any ongoing prosecution, and a copy of the eligibility determination made under 25 C.F.R. § 556.5. The Ordinance fails to require the submission of the date on which the employee began or will begin work, a summary of the licenses that have been previously denied, revoked, or reinstated, every known criminal charge brought against the applicant within the last 10 years of the date of the application, and every felony of which the applicant has been convicted or any ongoing prosecution within 60 days after the applicant begins work.
3. 25 C.F.R. § 558.3(b) requires a tribe to notify the NIGC of the issuance of a gaming license to a primary management official or key employee within 30 days of its issuance. The Ordinance does not include this requirement.
4. When a tribe decides not to license an applicant, 25 C.F.R. § 558.3(d) requires the tribe notify the NIGC and forward copies of its eligibility determination and notice of results for inclusion in the Indian Gaming Individuals Record System. Section 15.4(F)(3) of the Ordinance requires only notification to the NIGC and permits the Community discretion whether to forward copies of the required information to NIGC. Both items should be mandatory.
5. 25 C.F.R. § 558.3(f) requires eligibility determinations made pursuant to § 556.5 be retained no less than 3 years from the date of termination of a primary management or key employee. Section 15.4(F)(4) does not require the Community to retain the eligibility determination for no less than 3 years.
6. 25 C.F.R. § 558.4(e) requires a tribe to provide notice to the NIGC of its decision to revoke or reinstate a license within 45 days of the tribe's receipt of notification from the NIGC that a primary management official or key employee is not eligible for employment. Although Section 15.4(H)(3) requires the Community to provide notice to NIGC, it does not require that the notice be submitted within 45 days of the Community's receipt of the notification from the NIGC.
7. 25 C.F.R. §§ 556.2 and 556.3 require the inclusion of privacy and false statement notices on the application for a key employee or primary management official. The language in these notices has been revised and updated since the Ordinance was enacted and needs to be updated to be consistent with IGRA and the NIGC regulations.

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8. Lastly, while there is no requirement for tribal gaming ordinances to include certain definitions, if definitions are included, they should be consistent with how terms that are defined in IGRA or the NIGC regulations. The Ordinance defines, class II, bingo, net receipts, key employee, and primary management official in a manner that is inconsistent with the IGRA or NIGC regulation definition of the same or similar term.

We encourage the Community to address the issues identified above the next time it amends its gaming ordinance. If you have any questions, please contact NIGC Staff Attorney Mandy Cisneros at mandy.cisneros@nigc.gov or (651)-238-9141.

Sincerely,



Rea Cisneros
Acting General Counsel

Fort Belknap Indian Community

A RESOLUTION APPROVING TITLE XV FORT BELKNAP GAMING CODE AS AMENDED TO INCREASE THE NUMBER OF GAMING COMMISSIONERS FROM ONE (1) TO THREE (3) COMMISSIONERS

WHEREAS, the Fort Belknap Indian Community Council is the governing body of the Gros Ventre and Assiniboine Tribes of the Fort Belknap Indian Community, Fort Belknap Indian Reservation, Montana, by the authority of the Constitution and By-Laws of the Fort Belknap Tribes approved on the 13 day of December 1935, and

WHEREAS, under the Constitution and By-Laws of the Fort Belknap Indian Community, the Community Council is charged with the duty of protecting the health, security and general welfare of the Fort Belknap Indian Community, and

WHEREAS, The Fort Belknap Indian Community Council ("Council) is responsible for managing the affairs of the Community; and

WHEREAS, the Council has reviewed the proposed changes in Title XV Fort Belknap Gaming Code, including changing the number of Gaming Commissioners from one (1) to three (3) Commissioners and has determined that changes are necessary and appropriate; and

WHEREAS, the Council believes it is of utmost importance to immediately adopt the amended Title XV Fort Belknap Gaming Code.

NOW THEREFORE BE IT RESOLVED that the Fort Belknap Indian Community Council does hereby approve and adopt the amendments to its Gaming Code, Title XV Fort Belknap Gaming Code, as set forth in the attached draft, with this new Code effectively superseding all other Gaming Codes.

BE IT FINALLY RESOLVED, That the Fort Belknap Indian Community Council Officers are hereby delegated the authority and responsibility to sign any and all documents and to take any and all actions on behalf of the Fort Belknap Indian Community Council to effect this action.

ATTEST:



Randall Werk., President

Fort Belknap Indian Community Council



Audena Wing, Secretary/Treasurer

Fort Belknap Indian Community Council

107-2026

CERTIFICATION

I, the undersigned as Secretary of the Fort Belknap Indian Community Council of the Fort Belknap Indian Reservation, Montana, do hereby certify that the Fort Belknap Indian Community Council is composed of ten (10) members of whom 9 members constituting a quorum were present at a meeting thereof, duly and regularly called, noticed, convened and held this 4th day of may, 2026; and that the foregoing Resolution of the Fort Belknap Indian Community Council was duly adopted and approved the affirmative vote of 9 for; 0 opposed; 0 not voting; 0 temporary absent; 4 excused absent; and that the said resolution has not been rescinded in any way.

Audena Wing

Audena Wing, Secretary/Treasurer