



United States Department of the Interior

OFFICE OF THE SECRETARY
Washington, D.C. 20240

OCT 02 1998

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

Dear Chairman Bighorn:

On August 20, 1998, we received the Fourth Amendment to the April 6, 1992 Agreement Between the Assiniboine Sioux Tribes of the Fort Peck Reservation (Tribe) and the State of Montana (State), approved August 6, 1998. 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 Section 11 (d)(8)(A) of IGRA, 25 U.S.C. § 2710(d)(8)(A) and delegated authority in 209 DM 8.1, 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 success in their economic venture.

Sincerely,



Assistant Secretary - Indian Affairs

Enclosure

Identical Letter Sent to: Honorable Marc Racicot
Governor of Montana
State Capitol
Helena, Montana 59620-0801

FOURTH 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

The purpose of this amendment to the Fort Peck-Montana Compact is to authorize the Tribes to license individual Indians to operate gaming on the Fort Peck Reservation. The Tribes and the State pursuant to Article VIIIB of the Agreement between the parties agree as follows:

1. Section IVC is amended to read as follows:

“The Tribes may license any Indian to own and operate a gaming operation on the Reservation so long as such operation is consistent with all provisions of this Compact and with the Indian Gaming Regulatory Act. Whenever an interest in any gambling license or permit is owned in whole or in part by a non-Indian, the State of Montana shall regulate those gambling activities.”

2. Section VA2 is amended to read as follows:

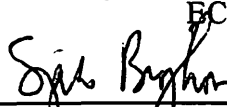
“2. All gaming authorized under Section A of Article IV shall be conducted by the Tribes directly or by an Indian licensed by the Tribes to operate such gaming.”

3. Section VB1 is amended to read as follows:

“1. Prize limits at tribally owned premises may not exceed a value higher than \$1000.00 for each individual award. No more than twenty (20) machines per premise shall be available for play by individual tribally-licensed operators with a maximum payout of \$800.00 for each individual award or a payout equal to that which is allowed under state law, whichever is greater.”

4. All terms and conditions of the April 6, 1992 agreement not specifically amended herein remain in full force and effect.

ASSINIBOINE AND SIOUX TRIBES

BC


Spike Bighorn, Chairman

7-22-98

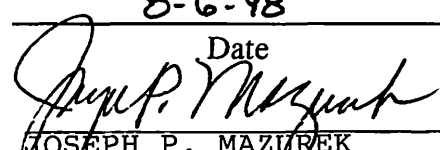
Date

STATE OF MONTANA



8-6-98

Date



JOSEPH P. MAZUREK
Att 1

Consistent with 25 U.S.C.A. Sec. 2710 (d)(8), the Fourth 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 dated August 6, 1998, is hereby approved on this ____ day of _____, 1998, by the Assistant Secretary - Indian Affairs, United States Department of the Interior.

UNITED STATES DEPARTMENT OF THE INTERIOR


Kevin Gover
Assistant Secretary - Indian Affairs