



# United States Department of the Interior

OFFICE OF THE SECRETARY  
Washington, DC 20240

APR 13 2006

Honorable John Houle  
Chairman, Chippewa Cree  
Business Committee  
RR1, P.O. Box 544  
Box Elder, Montana 59521

Dear Chairman Houle:

On March 21, 2006, we received the Amendment to Interim Compact between the Chippewa Cree Tribe of the Rocky Boy's Reservation (Tribe) and the state of Montana (State) executed on November 21, 2005 (Amendment), regarding Class III Gaming on the Rocky Boy's Reservation.

We have completed our review of this 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. Therefore, pursuant to my delegated authority and Section 11 of IGRA, we approve the Amendment. This Amendment shall take effect when the notice of our approval, pursuant to Section 11(d)(3)(B) of IGRA, 25 U.S.C. (d)(3)(B), is published in the Federal Register.

A similar letter is being sent to the Honorable Brian Schweitzer, Governor, State of Montana. We wish the Tribe and State continued success in their economic venture.

Sincerely,

George T. Skibine  
Acting Deputy Assistant Secretary  
for Policy and Economic Development

**AMENDMENT TO INTERIM COMPACT BETWEEN THE CHIPPEWA CREE  
TRIBE OF THE ROCKY BOY'S RESERVATION AND THE STATE OF  
MONTANA REGARDING CLASS III GAMING ON THE ROCKY BOY'S  
RESERVATION**

THIS AMENDMENT TO INTERIM COMPACT BETWEEN THE CHIPPEWA CREE TRIBE OF THE ROCKY BOY'S RESERVATION AND THE STATE OF MONTANA REGARDING CLASS III GAMING ON THE ROCKY BOY'S RESERVATION is entered into by the State of Montana (hereinafter "State") and the Chippewa Cree Tribe of the Rocky Boy's Reservation (hereinafter "Tribe").

**RECITALS**

**WHEREAS**, the State and the Tribe entered into the INTERIM COMPACT BETWEEN THE CHIPPEWA CREE TRIBE OF THE ROCKY BOY'S RESERVATION AND THE STATE OF MONTANA REGARDING CLASS III GAMING ON THE ROCKY BOY'S RESERVATION (hereinafter "Agreement") on April 19, 1993; and

**WHEREAS**, the term of the Agreement was extended by agreement of the parties until such time as another compact is agreed upon between the State and the Tribe; and

**WHEREAS**, the Agreement may be amended by the parties pursuant to Section IX of the Agreement; and

**WHEREAS**, the parties desire to amend certain provisions of the Agreement until such time as another compact is agreed upon by the parties;

**NOW THEREFORE**, the State and the Tribe agree to amend the Agreement as follows:

**Section V. B. of the Agreement is amended to read as follows:**

B. All video bingo, video poker and video keno machines, licensed by the Tribe shall also comply with the following conditions:

- 1) No prize may exceed the value of One Thousand Five Hundred Dollars (\$1,500.00) for each award;
- 2) No more than Three Hundred (300) tribally owned machines shall be available for play on the Rocky Boy's Reservation;
- 3) No more than Five Dollars (\$5.00) may be wagered per play on a tribally owned machine; and
- 4) Video bingo, video poker and video keno machines shall meet the requirements and specifications contained in Appendix A as amended and attached hereto.

**Appendix A of the Agreement is replaced by the following:**

APPENDIX A  
VIDEO GAMBLING MACHINES

- I. Technical Standards for Electronic Games of Chance
  - a. The State and the Tribe agree that all class III electronic games of chance will comply with the technical standards of the Montana Department of Justice, Gambling Control Division as set out in the Administrative Rules of Montana 23.16.1901 through 23.16.1911, 23.16.1920 and where applicable the definitions in 23.16.1802, subject to the exceptions as set forth in section II below.
  - b. The State and the Tribe agree that the State will timely notify the Tribe of any subsequent changes to the above listed Administrative Rules of Montana and upon such notification said changes will become a part of Appendix A by reference.
  
- II. Exceptions to the Technical Standards for Electronic Games of Chance
  - a. Any definitions of bingo or electronic bingo that are electronic, computer or other technological aids to the Class II game of bingo, as defined by IGRA or Rules of the National Indian Gaming Commission (25 CFR Part 502).
  - b. Any definitions or rules relating to the licensing or permitting of video gambling machine owners or operators.
  - c. A video gambling machine authorized under this agreement shall be tested and approved by the Tribe before placement on the Reservation. Any gambling device approved and licensed by the Tribe under this agreement must meet all technical requirements as set forth in the Administrative Rules of Montana as referenced in Section I of this Appendix. The Tribe may contract with the State for certification and inspection of video gambling machines under a contract separate and apart from this Agreement.

**Appendix I, Section II, part (4) of the Agreement is replaced by the following:**

- (4) Except as provided in subsection (6),:
  - (a) The price for an individual keno card may not exceed 50 cents;

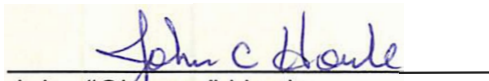
- (b) a prize may not exceed the value of \$1,500.00 for each individual keno card; and,
- (c) It is unlawful to, in any manner; combine any awards so as to increase the ultimate value of the award.

**Appendix I, Section II, part (6) is replaced by the following:**

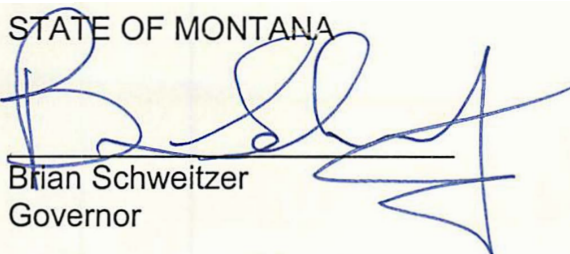
- (6) Variations of the game of keno, as authorized in section III, in which a player selects three or more numbers and places a wager on various combinations of these numbers is permissible if:
  - (a) no more than 50 cents is wagered on each combination of numbers; and
  - (b) A winning combination does not pay more than \$1,500.00.

As required by Section IX of the Agreement, the parties' signatures are set forth below. Except as expressly amended hereby, all terms and conditions of the Agreement remain in full force and effect until another compact is executed.

CHIPEEWA CREE TRIBES OF  
THE ROCKY BOY'S RESERVATION

  
\_\_\_\_\_  
John "Chance" Houle  
Chippewa Cree Business Ccmmittee

Date: 11-6-05

STATE OF MONTANA  
  
\_\_\_\_\_  
Brian Schweitzer  
Governor

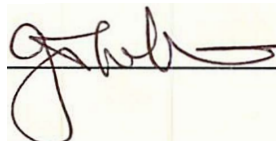
Date: 11-18-05

Approved pursuant to § 18-11-105, MCA:

  
\_\_\_\_\_  
Mike McGrath  
Attorney General

Date: 11-21-05

Deputy Assistant Secretary  
Policy and Economic Development

  
\_\_\_\_\_

Date: 4-13-06