



# United States Department of the Interior

OFFICE OF THE SECRETARY  
WASHINGTON, D.C. 20240

APR 14 2009

Honorable Brian Schweitzer  
Governor, State of Montana  
P.O. Box 200801  
Helena, Montana 59620-0801

Dear Governor Schweitzer:

On March 27, 2009, we received the Seventh Amendment to the Agreement between the Crow Tribe of Montana (Tribe) and the State of Montana (State) concerning Class III Gaming, (Amendment), executed on March 20, 2009.

We have completed our review of this Amendment and conclude that it does not violate the Indian Gaming Regulatory Act of 1988 (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. § 2710(d)(3)(B), is published in the Federal Register.

A similar letter is being sent to the Honorable Cedric Black Eagle, Interim Chairman, Crow Tribe. We wish the Tribe and the State continued success in their economic venture.

Sincerely,

George T. Skibine  
Deputy Assistant Secretary  
For Policy and Economic Development  
Office of the Assistant Secretary – Indian Affairs

**SEVENTH AMENDMENT TO THE AGREEMENT  
BETWEEN THE CROW TRIBE OF MONTANA AND  
THE STATE OF MONTANA CONCERNING CLASS III GAMING**

This document is the seventh amendment to the "Agreement Between the Crow Indian Tribe of Montana and the State of Montana Concerning Class III Gaming" (hereafter, "Agreement") approved by the Secretary of the Interior on June 12, 1998, and executed by the Tribe and the State on March 11, 1998, and March 19, 1998, respectively.

Pursuant to Article XI.B of the Agreement, which generally provides for amendment in writing and with the consent of both parties, the Agreement is hereby amended as follows:

1. Section VI. (E.) is amended to read as follows:

No more than Four Hundred (400) tribally owned Class III machines, as defined in Appendix A, Video Gambling Machines, shall be available for play on the Crow Indian Reservation.

2. Section VI.(F.) is amended to read as follows:

The tribally-owned gambling operation(s) providing for the play of Class III video gambling machines and/or live keno may be located anywhere within the exterior boundaries of the Crow Reservation. Tribally-owned gambling operations may be open twenty-four hours a day if allowed by the approved tribal gaming ordinance.

3. New Section VI.(G.) reads in its entirety as follows:

No prize awarded for Class III gambling at tribally-owned premises may exceed the value of Two Thousand Dollars (\$2,000.00) for each award.

4. New Section VI.(H.) reads in its entirety as follows:

No more than Five Dollars (\$5.00) may be wagered per play on a tribally owned machine, as defined and set out in Appendix A.

5. **APPENDIX A. VIDEO GAMBLING MACHINES, SECTION II. CONDITIONS**, is revised to read in its entirety as follows:

**APPENDIX A  
VIDEO GAMBLING MACHINES**

**1. 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 1 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.

**III. MINIMUM INTERNAL CONTROL STANDARDS**

The Tribe agrees to follow the model Minimum Internal Control Standards used by the National Indian Gaming Commission unless the parties agree in writing to a simpler standard that will protect the fairness and integrity of the particular game or activity.

Montana and the Tribe indicate their consent to be bound to this Amendment through the signatures of their authorized representatives affixed below.

**CROW TRIBE**

  
CEDRIC BLACK EAGLE, Interim Chairman

3/20/09  
DATE

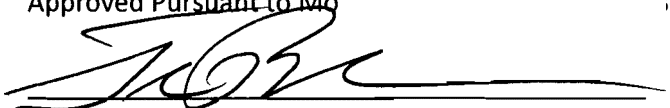
**STATE OF MONTANA**

  
BRIAN SCHWEITZER, Governor

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DATE

Approved Pursuant to Mo

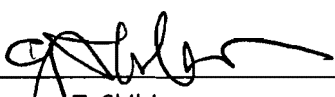
11-105 (2007).

  
STEVE BULLOCK, Attorney General, State of Montana

3/19/09  
DATE

Consistent with 25 U.S.C. Sec. 2710 (d)(8), the Seventh Amendment of the Agreement between the Crow Tribe of Montana and the State of Montana Concerning Class III Gaming, dated 3-20-09, is hereby approved on this 14<sup>th</sup> day of April, 2009, by the Deputy Assistant Secretary for Policy and Economic Development, United States Department of the Interior.

**UNITED STATES DEPARTMENT OF THE INTERIOR**

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

Dated: 4-14-09