



United States Department of the Interior

OFFICE OF THE SECRETARY
Washington, DC 20240

MAR - 5 2026

The Honorable John D. Johnson, Sr.
Tribal President, Lac du Flambeau Band
of Lake Superior Chippewa Indians of
the Lac du Flambeau Reservation of Wisconsin
418 Little Pines Rd
Lac du Flambeau, Wisconsin 54538

Dear President Johnson:

On December 11, 2025, the Office of Indian Gaming received for review and approval the 2025 Amendment to the Lac du Flambeau Band of Lake Superior Chippewa Indians and the State of Wisconsin Gaming Compact of 1992, As Amended (Amendment). The Amendment rephrases for clarity the regulatory fee provision and the payment calculation in the disaster relief provision.

Under the Indian Gaming Regulatory Act (IGRA), the Secretary of the Interior (Secretary) may approve or disapprove a compact within 45 days of its submission. 25 U.S.C. § 2710(d)(8). If the Secretary does not affirmatively approve or disapprove the compact within 45 days, IGRA provides that the compact is considered to have been approved by the Secretary by operation of law, “but only to the extent that the compact is consistent with the provisions of [IGRA].” *Id.*

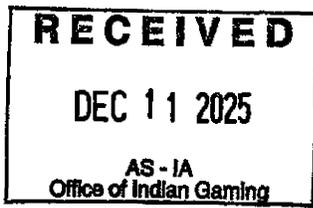
We undertook a thorough review of the Amendment. No action was taken on the Amendment within 45 days of its submission. As a result, the Amendment is “considered to have been approved by the Secretary, but only to the extent [it] is consistent with the provisions of [IGRA].” *Id.* The Amendment takes effect when the notice of approval is published in the *Federal Register*, as required by 25 U.S.C. § 2710(d)(8)(D).

A similar letter is being sent to the Honorable Tony Evers, Governor, State of Wisconsin.

Sincerely,

William Henry Kirkland III
Assistant Secretary – Indian Affairs

Enclosure



2025 AMENDMENT
to the
LAC DU FLAMBEAU BAND OF LAKE SUPERIOR CHIPPEWA INDIANS
and the
STATE OF WISCONSIN
GAMING COMPACT OF 1992, AS AMENDED

This Agreement is entered into by and between the Lac du Flambeau Band of Lake Superior Chippewa Indians ("Tribe") and the State of Wisconsin ("State") (collectively the "Parties").

WHEREAS, Section XXX of the Lac du Flambeau Band of Lake Superior Chippewa Indians and the State of Wisconsin Gaming Compact of 1992 ("Compact") provides that it may be amended upon the written agreement of both Parties; and

WHEREAS, both parties wish the Compact to continue and believe the amendments to the Compact contained herein serve the best interest of both the State and the Tribe; now

THEREFORE, for good and valuable consideration, the Parties agree to amend the Compact as set forth below:

- 1. Current subsections III.H. and III.I. are renumbered subsections III.J. and III.K.
2. New subsection III.H. is created and states:
"State Fiscal Year" means the period beginning July 1 of a given year and ending June 30 of the following year, or such other one-year time period as the Parties may mutually agree to in a writing signed by the Tribe and the State.
3. New subsection III.I. is created and states:
"Tribal Fiscal Year" means the period beginning October 1 of a given year and ending September 30 of the following year, or such other one-year time period as the Parties may mutually agree to in a writing signed by the Tribe and the State.
4. In current subsections XII.A. and XII.B, and in Section XXXI, all references to "fiscal year" and "tribal fiscal year" are replaced with "Tribal Fiscal Year".
5. Subsection XXIV.B. is amended as follows:
As soon as all tribes within the State that have requested negotiation of Class III gaming compacts have concluded compacts with the State, the Tribe shall pay to the State, as reimbursement for State costs of regulation under this Compact, an annual amount for each State Fiscal Year computed as follows: the share of \$350,000 determined by multiplying that amount by a fraction whose denominator is the sum of the gross annual Class III gaming handle of those tribes

for the previous State Fiscal Year, and whose numerator is the Tribe's gross annual Class III gaming handle for that same State Year. Payments shall be made within 30 days after the Tribe receives a statement from the State setting forth the amount to be paid by the Tribe under this section.

6. The following sentence is deleted from subsection XXXI.A.4.:

For purposes of this Section, "fiscal year" shall be defined as the period beginning October 1 of a given year and ending September 30 of the following year.

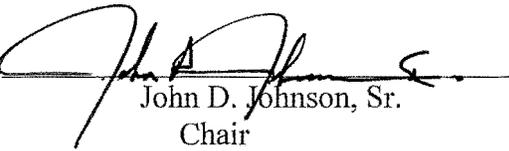
7. Subsection XXXI.C. deleted and replaced with the following:

In the event that a natural or man-made disaster renders impossible the operation of fifty (50) percent or more of the electronic games of chance operated by the Tribe under this Compact for a period of fourteen (14) consecutive days or more, the payment required under subsections XXXI.A.3. and 4. arising from the Tribal Fiscal Year in which the disaster occurred shall be calculated based on a "disaster payment rate" which shall be determined and applied as follows:

The payment rate(s) from subsection XXXI.A. above shall be the base rate(s) of the calculation. To the extent that there is a decrease in the Net Win for the Tribal Fiscal Year in which the natural disaster occurred compared with the Net Win for the immediately preceding Tribal Fiscal Year, each applicable rate shall then be reduced by the percentage decrease in the Net Win for the Tribal Fiscal Year in which the natural disaster occurred compared with the Net Win for the immediately preceding Tribal Fiscal Year (the "disaster payment rate"). Each "disaster payment rate" shall then be multiplied by the Net Win for the Tribal Fiscal Year in which the natural disaster occurred, applying the applicable thresholds specified in subsections XXXI.A.3. and 4., to determine the net payment amount. After the disaster payment rate is applied, and final net payment is determined, then all applicable credits permitted by subsection XXXI.A.5. shall be deducted.

The State and Tribe shall meet to discuss additional assistance.

LAC DU FLAMBEAU BAND OF
LAKE SUPERIOR CHIPPEWA INDIANS

By: 
John D. Johnson, Sr.
Chair

Executed on this 25th day of NOVEMBER, 2025

STATE OF WISCONSIN

By: 
Tony Evers
Governor

Executed on this 8th day of December, 2025

CERTIFICATION OF THE GOVERNOR OF WISCONSIN
REGARDING THE 2025 AMENDMENTS
to the
LAC DU FLAMBEAU BAND OF LAKE SUPERIOR CHIPPEWA INDIANS
and
STATE OF WISCONSIN
GAMING COMPACT OF 1992

In accordance with the procedures for submission of Tribal-State Gaming Compacts, as specified in 25 C.F.R. 293.8(c), I hereby certify that, pursuant to the authority granted to me by Section 14.035 of the Wisconsin Statutes, I am duly authorized under Wisconsin law to enter into the 2025 Amendments to the Lac du Flambeau Band of Lake Superior Chippewa Indians and the State of Wisconsin Gaming Compact of 1992.

By: 
Tony Evers
Governor

Date: 12/8/2025

RESOLUTION NO. 406(25)

**APPROVING AMENDMENTS TO THE 1992 GAMING COMPACT BETWEEN THE
LAC DU FLAMBEAU BAND OF LAKE SUPERIOR CHIPPEWA INDIANS AND STATE OF
WISCONSIN**

- WHEREAS,** the Lac du Flambeau Band of Lake Superior Chippewa Indians (the "Tribe") is a signatory to treaties with the United States of America in 1837 (7 Stat., 536; Proclamation, June 15, 1838), 1842 (7 Stat., 591; Proclamation, March 23, 1843), and 1854 (10 Stats., 1109; Proclamation January 10, 1855); and
- WHEREAS,** the Tribe is governed by a Constitution and Bylaws, and is duly organized and federally recognized under 25 U.S.C § 476;
- WHEREAS,** the Tribe is vested with inherent sovereignty and the right to self-governance;
- WHEREAS,** under Article III of the Lac du Flambeau Tribal Constitution (the "Constitution"), the Tribal Council is the governing body of the Band;
- WHEREAS,** the Constitution at Article VI, Section 1(a) vests the Tribal Council with the power and duty "[t]o regulate the use and disposition of tribal property to protect and preserve the tribal property, wild life and natural resources of the Lac du Flambeau Band of Lake Superior Chippewa Indians, to cultivate Indian arts, crafts, and culture, to administer charity, to protect the health, security, and general welfare of the Tribe";
- WHEREAS,** the Constitution at Article VI, Section 1(c) vests the Tribal Council with the power and duty "[t]o negotiate with the Federal, State, and local governments, on behalf of the Lac du Flambeau Band of Lake Superior Chippewa Indians and to advise and consult with the representatives of the Department of the Government of the United States on all matters affecting the affairs of the Tribe.";
- WHEREAS,** the Constitution at Article VI, Section 1(s) vests the Tribal Council with the power "[t]o appropriate for Tribal use and expend general Tribal funds in accordance with the budget therefore adopted pursuant to Article IX hereof.";
- WHEREAS,** the Constitution at Article VI, Section 1(u) vests the Tribal Council with the power and authority "to adopt resolutions or ordinances to effectuate any of the foregoing powers";
- WHEREAS,** in 1992, the Tribe and the State of Wisconsin entered into a gaming compact for the conduct of Class III gaming activities over lands the Tribe exercises jurisdictional authority over, with subsequent amendments in 1999, 2009, 2017, 2020, and 2024 (collectively the "Compact"); and
- WHEREAS,** the Tribe and State have mutually agreed to amendments to Sec. III, Sec. XII, Sec. XXIV, Sec. XXXI, of the Compact; therefore, be it
- RESOLVED,** this Tribal Council, at a duly called Special Meeting, hereby accepts and adopts the attached Compact amendments as presented (Attachment A); further
- RESOLVED,** that the Tribal Council hereby authorizes and directs the President (or any person who under the laws of the Tribe that is permitted to act on the behalf of the President in the

event of the President's absence or incapacity) (each such person an "Authorized Representative") to execute and deliver, on behalf of the Tribe, the Compact Amendment, including all other certificates, instruments, or agreements that the Tribe is required to deliver pursuant to the Compact Amendment or as may be necessary or desirable to carry out the obligations and transactions contemplated in the Compact Amendment (collectively, the "Related Documents"), in each case, with such amendments, supplements, modifications, clarifications, corrections, or reaffirmations to any of the foregoing that are necessary or desirable and as may be approved by an Authorized Representative (and with such approval conclusively evidenced by the Authorized Representative's execution thereof); further

RESOLVED, that the Tribal Council hereby authorizes Hogen Adams PLLC to take all necessary steps to submit the executed Compact amendment to the Bureau of Indian Affairs for proper approval under the Indian Gaming Regulatory Act of 1998, 25 U.S.C. §§ 2700 *et al.*

RESOLVED, by this Council, that this Resolution shall become effective as of the date and time of its passage and approval by the Tribal Council.

CERTIFICATION

I, the undersigned, as Secretary of the Lac du Flambeau Band of Lake Superior Chippewa Indians, a tribal government operating under a Constitution adopted pursuant to Section 16 of the Indian Reorganization Act, 25 U.S.C., § 5123, do hereby certify that the Tribal Council of the Tribe is composed of twelve members, of whom eleven constituting a quorum, were present at a Special Meeting duly called, notices, convened, and held on the 17th day of November, 2025, and that the foregoing resolution was duly adopted by an affirmative vote of ten (G. Cobb, W. Mitchell Sr., K. Mares, G. Thompson, J. Allen, S. Mitchell, Z. Allen, B. Wayman, S. Thompson, S. Armstrong), none against, none abstaining, and that the said resolution has not been rescinded or amended in any way.



Jamie Allen, Secretary
Lac du Flambeau Band of
Lake Superior Chippewa Indians