



United States Department of the Interior

OFFICE OF THE SECRETARY

Washington, DC 20240

AUG - 9 2024

The Honorable Virgil Wind
Chief Executive, Mille Lacs Band of Ojibwe
43408 Oodena Drive
Onamie, Minnesota 56359

Dear Chief Executive Wind:

On July 12, 2024, the Office of Indian Gaming received the Addendum to the Tribal-State Compact for Control of Class III Blackjack (Compact) between the Mille Lacs Band of Ojibwe (Tribe) and the State of Minnesota (State) providing for the regulation of Class III banked card games by the Tribe.

The Compact permits the Tribe to operate any banking Class III card games on its Indian lands if the State permits such games. The Compact clarifies that it does not alter the Tribe's ability to operate Blackjack as specified under the Blackjack Compact. The Compact includes applicable definitions, certain regulatory standards incorporated from the Blackjack Compact, provisions related to background investigations, dispute resolution, and enforcement, and requires the Tribe to adopt additional regulatory standards governing the conduct of card games.

We have completed our review of the Compact 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. 25 U.S.C. § 2710(d)(8)(B). Therefore, pursuant to my delegated authority and Section 11 of IGRA, I approve the Compact. 25 U.S.C. § 2710(d)(8)(A). The Compact takes effect when the notice of this 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 Tim Walz, Governor of Minnesota.

Sincerely,

Bryan Newland
Assistant Secretary – Indian Affairs

Enclosure

**ADDENDUM TO TRIBAL-STATE COMPACT
FOR CONTROL OF CLASS III BLACKJACK ON THE
MILLE LACS BAND OF CHIPPEWA
RESERVATION IN MINNESOTA FOR CLASS III CARD GAMES**

WHEREAS, the State of Minnesota (hereinafter “State”) and the Mille Lacs Band of Ojibwe, (hereinafter “Band”) have previously negotiated and execute a gaming compact entitled “Tribal-State Compact for the Control of Class III Blackjack on the Mille Lacs Band of Chippewa Reservation in Minnesota” dated May 9, 1991 (hereafter “Compact”); and

WHEREAS, Section 2.2 and Section 2.3 of the Compact allow the State and the Band to negotiate and execute a Compact, including an amendment to an existing Compact, for “any other form of Class III gaming which the State permits for charitable, commercial or governmental purposes”; and

WHEREAS, the State expressly permits the operation of Class III card games at commercial horseracing facilities in the State subject to the licensing and regulatory provisions of Minnesota Statute §240.30 and Laws Minn. 2012 Chapter 279, section 6; and

WHEREAS, the Band has adopted a Tribal Gaming Ordinance which permits and provides for the regulation and control of Class III Card Games; and

WHEREAS, the State and the Band wish to add an addendum to the Compact to permit the Community to conduct Class III card games on the Band’s Indian Lands; and

NOW THEREFORE, in consideration of the mutual undertakings and agreements hereinafter set forth, the Band and the State enter into the following Addendum to the Compact.

1.0 Scope

- 1.1 This Addendum permits and shall govern the operation of Class III card games on the Band’s Indian Lands, except that nothing in this Addendum shall affect or alter the terms of the Compact with respect to the operation of the game of Blackjack, nor shall it alter or affect the terms of the Tribal-State Compact for Control of Class III Video Games of Chance on the Mille Lacs Band of Chippewa Reservation in Minnesota.
- 1.2 This Addendum is entered into pursuant to the Indian Gaming Regulatory Act, 25 U.S.C. §2710 (d), Minnesota Statute §3.9221 and the inherent sovereign authority of the Band as vested in its Reservation Business Committee by Article VI, section 1(C) of the Constitution of the Minnesota Chippewa Tribe and tribal law.
- 1.3 This Addendum Shall become effective upon execution by the Governor of the State, ratification by the Band, approval by the Secretary of the Interior and publication of the approval in the Federal Register pursuant to the Indian Gaming Regulatory Act.

2.0 Definitions

- 2.1 “Blackjack” has the meaning ascribed to in Section 1.02 of the Compact.
- 2.2 “Banking Card Game” means any card game where the house participates in the game and takes on all players, collects from all losers, and pays all winners.

- 2.3 “Class III Card Game” means any Banking Card Game, including dealer controlled or dealer assisted electronic games. For the purposes of this Addendum, Class III Card Game does not include the game of Blackjack governed by the terms of the Compact.
- 2.4 “Compact” means the Tribe-State Compact for the Control of Class III Blackjack on the Mille Lacs Band of Chippewa Reservation in Minnesota, in effect upon the execution of this Addendum or as amended thereafter.
- 2.5 “Band” means the Mille Lacs Band of Ojibwe, a federally recognized, self-governing Indian Tribe.
- 2.6 “IGRA” means the Indian Gaming Regulatory Act, 25 U.S.C §§2701-2721.
- 2.7 “Indian Lands” means the Band’s Reservation and all other Indian Lands over which the Band exercises governmental authority as defined by Section 2703 (4) of the Indian Gaming Regulatory Act.
- 2.8 “State” means the State of Minnesota, including the Governor and the Department of Public Safety, acting by and through its duly appointed Commissioner.

3.0 Regulatory Standards

- 3.1 The following regulatory standard from the Compact shall be incorporated into this Addendum and shall apply to the operation of Class III Card Games:
- (a) Section 4.2, 4.3.
 - (b) Section 5.1, 5.2, 5.3, 5.4, 5.5, and Section 6.
- 3.2 The Band shall develop and adopt Regulatory Standards for the operation of each Class III Card Game, including but not limited to:
- (a) The type and number of decks of cards to be used in each game and requirements for cards dealt from a shoe or by hand;
 - (b) Wagering, including limits, and when and how wagers are made;
 - (c) Opening and closing of tables and handling of cash and chips; and
 - (d) Table limits, staffing and surveillance.
- 3.3 The Regulatory Standards shall govern the play and operation of Class III Card Games on the Band’s Indian Lands. The Regulatory Standards shall be submitted to the Commissioner of Public Safety for review and comment at least twenty (20) days prior to operation of any Class III Card Game.

4.0 Enforcement and Disputes

- 4.1 Agents of the Department of Public Safety shall upon the presentation of valid identification, have the right to inspect all premises used for the play of Class III Card Games, and may inspect all premises, equipment, records, documents, or other items related to the play of Class III Card Games to verify compliance with this Addendum. Inspection conducted pursuant to this Section shall be made during normal business hours and shall be conducted in a manner that does not disrupt normal business operations.

4.2 Violations of this Addendum or of any Regulation adopted pursuant to this Addendum shall be handled as follows:

- (a) Upon detection of a violation, the Department of Public Safety shall notify the Band's Gaming Regulatory Authority and provide a detailed description of the violation. The Gaming Regulatory Authority shall have seven (7) days to investigate the alleged violation and if found to exist, to order immediate corrective action. Within five (5) days of the Compliance Determination, the Gaming Regulatory Authority must provide to the Department of Public Safety, documentation demonstrating that the corrective action has been implemented.
- (b) If the violation is not corrected, or if the Band's Gaming Regulatory Authority does not take action upon notification of the violation, the Commissioner of Public Safety may issue a Corrective Action Order providing the Band with reasonable time to investigate the alleged violation and take action to correct the violation or dispute the finding.
- (c) If the Band disputes the finding of a violation, the Band shall notify the Commissioner of Public Safety in writing of the basis for the dispute and the parties shall, within seven (7) days meet in an effort to resolve the matter. In an agreed upon resolution cannot be reached, each party may pursue any and all remedies available to it under IGRA or state law.

DATED:

STATE OF MINNESOTA



TIM WALZ
GOVERNOR

DATED:

MILLE LACS BAND OF OJIBWE

E-SIGNED by Joseph Nayquonabe
on 2024-04-18 21:35:53 GMT

JOSEPH NAYQUONABE
COMMISSIONER OF CORPORATE AFFAIRS

DATED: ~~April 22, 2024~~ 2024

Consistent with 25 U.S.C. §2710(d)(8)(A), "The Secretary is authorized to approve any Tribal-State compact entered into between an Indian tribe and a State governing gaming on Indian lands of such Indian tribe." Therefore, the Addendum to the Tribal-State Compact for the Control of Class III Blackjack on the Mille Lacs Band of Chippewa Reservation in Minnesota for Class III Card Games, executed by Minnesota Governor Tim Walz and by Mille Lacs Band of Ojibwe Commissioner of Corporate Affairs Joseph Nayquonabe on _____ and received by the Department of the Interior for review and approval on _____, is hereby approved.

APPROVED

UNITED STATES DEPARTMENT OF THE INTERIOR

A handwritten signature in blue ink, appearing to read "B. Newland".

Bryan Newland
Assistant Secretary—Indian Affairs

AUG - 9 2024

Date