

MISSISSIPPI BAND OF CHOCTAW INDIANS
101 Industrial Road
Choctaw, MS 39350

ORDINANCE NO. 24-006

AN ORDINANCE REPEALING RESOLUTION CHO 19-001 AND ENACTING THIS
ORDINANCE AMENDING TITLES I, II, III, AND VII OF THE CHOCTAW TRIBAL CODE
TO IMPLEMENT SPECIAL TRIBAL CRIMINAL JURISDICTION UNDER THE FEDERAL
VIOLENCE AGAINST WOMEN ACT (2022)

WHEREAS, Section 1, Subsection (m) of Article VIII of the Revised Constitution and Bylaws of the Mississippi Band of Choctaw Indians (“MBCI” or the “Tribe”) empowers the Tribal Council to establish and enforce Ordinances governing the conduct of Tribal members; providing for the maintenance of law, order, and the administration of justice; regulating wholesale, retail, commercial, or industrial activities on Tribal lands; establishing a Tribal court; and defining the powers and duties of that court; and

WHEREAS, in 2013, Congress enacted the Violence Against Women Reauthorization Act (“VAWA 2013”) which included provisions recognizing the inherent authority of participating Tribes to exercise Special Domestic Violence Criminal Jurisdiction over certain defendants, regardless of their Indian or non-Indian status, who commit acts of domestic violence, dating violence, or violations of certain protection orders in Indian country; and

WHEREAS, on October 9, 2018, the Tribal Council adopted Resolution CHO 19-001, “A Resolution to Approve Amendments to the Mississippi Band of Choctaw Indians Tribal Code to Implement Provisions of the Violence Against Women Act and the Tribal Law and Order Act,” which amended MBCI’s Tribal Code to comply with the conditions for exercising Special Domestic Violence Criminal Jurisdiction set forth in VAWA 2013 and to enact certain criminal sentencing enhancements available to the Tribe under the Tribal Law and Order Act of 2010 (“TLOA”); and

WHEREAS, before the Tribe was able to fully implement the amendments approved by CHO 19-001, the Tribal Council, on July 16, 2019, adopted Resolutions CHO 19-101 and CHO 19-118, which amended MBCI’s Administrative Personnel Policy & Procedures to comply with the amended MBCI Tribal Code set forth in Resolution CHO 19-001, but delayed implementation of the VAWA 2013 amendments until February 1, 2020; and

WHEREAS, before the Tribe was able to fully implement the amendments approved by CHO 19-001, the Tribal Council, on January 14, 2020, adopted Resolution CHO 20-032, which delayed implementation of the amended MBCI Tribal Code set forth in Resolution CHO 19-001 indefinitely; and

WHEREAS, in 2022, Congress amended VAWA 2013 to recognize the right of Tribes to exercise Special Tribal Criminal Jurisdiction over an expanded list of covered crimes that includes, in

addition to the VAWA 2013 crimes, assault of Tribal justice personnel, child violence, obstruction of justice, sexual violence, sex trafficking, and stalking (“VAWA 2022”); and

WHEREAS, the Tribal Council believes it is in the best interest of the Tribe and for the public safety of its communities to strengthen the criminal laws of the Tribe by enacting VAWA 2022 through certain amendments to the MBCI Tribal Code without seeking to also implement the TLOA provisions at this time; and

WHEREAS, the Tribal Council hereby repeals CHO 19-001 in its entirety and enacts this Ordinance approving the amendments to Titles I, II, III, and VII of the MBCI Tribal Code attached as Exhibit “A” to this Ordinance; and

WHEREAS, the Chairman of the Judicial Affairs and Law & Order Committee has reviewed this Ordinance and recommended it to be forwarded to the Tribal Council for approval; now therefore be it

RESOLVED, that the Tribal Council does hereby repeal CHO 19-001 in its entirety and enacts the amendments to Titles I, II, III, and VII of the MBCI Tribal Code attached hereto as Exhibit “A”; and be it further

RESOLVED, that these amendments to Titles I, II, III, and VII of the MBCI Tribal Code shall take effect on January 1, 2025.

CERTIFICATION

I, the undersigned as Secretary-Treasurer of the Mississippi Band of Choctaw Indians, certify that the Tribal Council of said Band is composed of 17 members, 16 of whom, constituting a quorum were present at a Regular Call meeting duly called, noticed, convened and held this the 9th day of July, 2024; and that the foregoing Resolution was duly Adopted by a vote of 16 members in favor, 0 opposed and 0 abstaining.

Dated this 9th day of July, 2024.

ATTEST:


Cyrus Ben, Tribal Chief


Christopher Eaves, Secretary-Treasurer

MISSISSIPPI BAND OF CHOCTAW INDIANS

RESOLUTION CHO 24-095(B)

A RESOLUTION TO APPROVE AN ABSOLUTE RELINQUISHMENT OF MEMBERSHIP
IN THE MISSISSIPPI BAND OF CHOCTAW INDIANS

WHEREAS, Section 2 of Article III of the Revised Constitution and Bylaws of the Mississippi Band of Choctaw Indians (“MBCI” or the “Tribe”) empowers the Tribal Council to pass ordinances, subject to the approval of the Secretary of the Interior, governing future membership, loss of membership, and the adoption of new members; provided that no person of less than one-half degree of Choctaw blood shall be admitted to membership in the Mississippi Band of Choctaw Indians; and

WHEREAS, on December 19, 1995, the Tribal Council enacted Ordinance No. 16-NN, which established procedures for Tribal enrollment as Title XXII of the Choctaw Tribal Code (“Tribal Enrollment Code”); and

WHEREAS, the Tribal Council has amended the Tribal Enrollment Code through enactment of Ordinance Nos. 16-RRR and 16-JJJJ; and

WHEREAS, Section §22-4-1 of the Tribal Enrollment Code provides that any adult MBCI Tribal member may voluntarily relinquish their MBCI Tribal membership provided that both the Tribal Enrollment Committee and the Tribal Council approve the relinquishment; and

WHEREAS, on June 25, 2024, the Tribal Enrollment Committee approved the below listed person’s request to absolutely relinquish their MBCI Tribal membership and recommended the same be forwarded to the Tribal Council for final approval; now therefore be it

RESOLVED, that the Tribal Council does hereby approve an absolute relinquishment of MBCI Tribal membership for the following person:

Name:	K.T.A.
Date of Birth:	01/27/1967
Enrolled By:	Bureau of Indian Affairs – Choctaw Agency
Enrollment No:	7185

RESOLVED, that the absolute relinquishment of MBCI Tribal membership for the person identified in the document attached hereto as Exhibit “A” shall be effective on the date this Resolution is adopted by the Tribal Council.

CERTIFICATION

I, the undersigned, as Secretary-Treasurer of the Mississippi Band of Choctaw Indians, certify that the Tribal Council of said Band is composed of 17 members, 16 of whom, constituting a quorum were present at a Regular Call meeting duly called, noticed, convened and held this the 9th day of

July, 2024; and that the foregoing Resolution was duly Adopted by a vote of 16 members in favor, 0 opposed and 0 abstaining.

Dated this 9th day of July, 2024.

ATTEST:



Cyrus Ben, Tribal Chief



Christopher Eaves, Secretary-Treasurer

MISSISSIPPI BAND OF CHOCTAW INDIANS

RESOLUTION CHO 24-096(B)

A RESOLUTION TO APPROVE INCREASES IN BLOOD DEGREE AND NAME
CHANGES FOR PREVIOUSLY ENROLLED TRIBAL MEMBERS

WHEREAS, Section 2 of Article III of the Revised Constitution and Bylaws of the Mississippi Band of Choctaw Indians (“MBCI” or the “Tribe”) empowers the Tribal Council to pass ordinances, subject to the approval of the Secretary of the Interior, governing future membership, loss of membership, and the adoption of new members; provided that no person of less than one-half degree of Choctaw blood shall be admitted to membership in the Mississippi Band of Choctaw Indians; and

WHEREAS, on December 19, 1995, the Tribal Council enacted Ordinance No. 16-NN, which established procedures for Tribal enrollment as Title XXII of the Choctaw Tribal Code (“Tribal Enrollment Code”); and

WHEREAS, the Tribal Council has amended the Tribal Enrollment Code through enactment of Ordinance Nos. 16-RRR and 16-JJJJ; and

WHEREAS, Section §22-2-8 of the Tribal Enrollment Code provides that MBCI Tribal members may apply to increase their blood degree based on new or additional information about paternity or maternity; and

WHEREAS, Section §22-3-11 of the Tribal Enrollment Code provides that MBCI Tribal members may change their names as they appear in MBCI’s enrollment records by submitting certain documents; and

WHEREAS, the Tribal Enrollment Committee is recommending that the Tribal Council approve increases in blood degree and name changes for five MBCI Tribal members as specified in the document attached hereto as Exhibit “A”; now therefore be it

RESOLVED, that the Tribal Council does hereby approve the increases in blood degree and name changes for five MBCI Tribal members as specified in the document attached hereto as Exhibit “A”.

CERTIFICATION

I, the undersigned, as Secretary-Treasurer of the Mississippi Band of Choctaw Indians, certify that the Tribal Council of said Band is composed of 17 members, 16 of whom, constituting a quorum were present at a Regular Call meeting duly called, noticed, convened and held this the 9th day of July, 2024; and that the foregoing Resolution was duly Adopted by a vote of 16 members in favor, 0 opposed and 0 abstaining.

Dated this 9th day of July, 2024.

ATTEST:



Cyrus Ben, Tribal Chief



Christopher Eaves, Secretary-Treasurer

MISSISSIPPI BAND OF CHOCTAW INDIANS

RESOLUTION CHO 24-097(B)

A RESOLUTION TO ENROLL TRIBAL MEMBERS

WHEREAS, Section 2 of Article III of the Revised Constitution and Bylaws of the Mississippi Band of Choctaw Indians (“MBCI” or the “Tribe”) empowers the Tribal Council to pass ordinances, subject to the approval of the Secretary of the Interior, governing future membership, loss of membership, and the adoption of new members; provided that no person of less than one-half degree of Choctaw blood shall be admitted to membership in the Mississippi Band of Choctaw Indians; and

WHEREAS, on December 19, 1995, the Tribal Council enacted Ordinance No. 16-NN, which established procedures for Tribal enrollment as Title XXII of the Choctaw Tribal Code (“Tribal Enrollment Code”); and

WHEREAS, the Tribal Council has amended the Tribal Enrollment Code through enactment of Ordinance Nos. 16-RRR and 16-JJJJ; and

WHEREAS, Sections §22-2-10 and §22-2-14 of the Tribal Enrollment Code provide that new MBCI Tribal members are to be enrolled by Tribal Council Resolution upon a recommendation by the Tribal Enrollment Committee that those new members meet the membership criteria set forth in Article III of the Revised Constitution and Bylaws of the Tribe; and

WHEREAS, the Tribal Enrollment Committee is recommending that the Tribal Council enroll 45 new MBCI Tribal members as specified in the document attached hereto as Exhibit “A”; and

WHEREAS, with the adoption of this Resolution, there will be **11,063** enrolled members of MBCI; now therefore be it

RESOLVED, that the Tribal Council does hereby enroll the **45** persons specified in the document attached hereto as Exhibit “A”, beginning with the name **L. Amos** and ending with **E. Wilson**; and be it further

RESOLVED, that the Tribal Council does hereby authorize the assignment of roll numbers to all 45 persons specified in the document attached hereto as Exhibit “A”.

CERTIFICATION

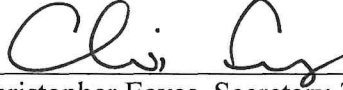
I, the undersigned, as Secretary-Treasurer of the Mississippi Band of Choctaw Indians, certify that the Tribal Council of said Band is composed of 17 members, 16 of whom, constituting a quorum were present at a Regular Call meeting duly called, noticed, convened and held this the 9th day of July, 2024; and that the foregoing Resolution was duly Adopted by a vote of 16 members in favor, 0 opposed and 0 abstaining.

Dated this 9th day of July, 2024.

ATTEST:



Cyrus Ben, Tribal Chief



Christopher Eaves, Secretary-Treasurer

MISSISSIPPI BAND OF CHOCTAW INDIANS

RESOLUTION CHO 24-098

A RESOLUTION TO AUTHORIZE THE MISSISSIPPI BAND OF CHOCTAW INDIANS'
CHOCTAW LOAN PROGRAM TO APPLY FOR THE PRESERVATION AND
REINVESTMENT INITIATIVE FOR COMMUNITY ENHANCEMENT GRANT FROM THE
U.S. DEPARTMENT OF HOUSING AND URBAN DEVELOPMENT

WHEREAS, Section 1, Subsection (a) of Article VIII of the Revised Constitution and Bylaws of the Mississippi Band of Choctaw Indians ("MBCI" or the "Tribe") empowers the Tribal Council to negotiate with and to approve or disapprove contracts or agreements with federal, state, or local governments, with private persons, or with corporate bodies; and

WHEREAS, on December 19, 1995, the Tribal Council enacted Ordinance No. 53, which granted a charter establishing Choctaw Housing Development Enterprise; and

WHEREAS, Choctaw Housing Development Enterprise was reorganized as Choctaw Housing Development Program through enactment of Ordinance No. 56; and

WHEREAS, on October 9, 2012, the Tribal Council adopted Resolution CHO 13-014, which authorized establishment of a consolidated Tribal Housing & Loan Program (now known as "Choctaw Loan Program") as part of a reorganization of the executive branch of MBCI's Tribal Government; and

WHEREAS, Title II of the Consolidated Appropriations Act, 2023 appropriated \$225 million to the U.S. Department of Housing and Urban Development ("HUD") for the purpose of awarding competitive grants to preserve and revitalize manufactured housing in accordance with the Housing and Community Development Act of 1974, Pub. L. 93-383, 88 Stat. 633-2 (codified as amended at 42 U.S.C. §5301-§5322); and

WHEREAS, HUD is administering \$200 million of the \$225 million allocated to it by Congress through the Preservation and Reinvestment Initiative for Community Enhancement ("PRICE") grant; and

WHEREAS, Choctaw Loan Program intends to apply for HUD's PRICE grant to fund programs that will improve the condition of manufactured housing on the MBCI Reservation; and

WHEREAS, the Housing Committee has reviewed this Resolution and is recommended to be forwarded to the Tribal Council for approval; now therefore be it

RESOLVED, that the Tribe's grant application is made with the following stipulations:

- 1) The Mississippi Band of Choctaw Indians ("MBCI") is a Federally-recognized Indian Tribe and pursuant to Federal law, will only comply with those regulations that are specifically applicable to Indian Tribes; and

- 2) The Mississippi Band of Choctaw Indians (“MBCI”) adheres to a publicly-announced policy of Indian preference in all employment related actions including recruitment, employment, reduction-in-force, promotion, training and transfer to the maximum extent allowed by applicable law; and
- 3) The Mississippi Band of Choctaw Indians (“MBCI”) is exempt from making certification regarding or from filing Standard Form-LLL regarding lobbying per 31 U.S.C. §1352, 2 U.S.C. §1602, 40 CFR §34.105(1) and 40 CFR §34.110, as to any such activity which may have been or may be undertaken by Tribal officials or Tribal employees or where such reporting is otherwise exempted under §1352(d). The MBCI has not engaged any outside lobbyist to engage in any activity regarding this grant which would require reporting under any of the referenced statutes.

And be it further

RESOLVED, that the Tribal Council does hereby authorize the Tribal Chief or his designee, to apply for funding through the Preservation and Reinvestment Initiative for Community Enhancement grant from the U.S. Department of Housing and Urban Development and renew subsequent applications subject to the availability of grant funds; and be it further

RESOLVED, that the Tribal Council does hereby authorize the Tribal Chief or his designee, to sign any additional documents, forms, or contracts directly related to the awarding of, continuance, amendment, or extension of funding awarded through the Preservation and Reinvestment Initiative for Community Enhancement grant from the U.S. Department of Housing and Urban Development without further Council action.

CERTIFICATION

I, the undersigned, as Secretary-Treasurer of the Mississippi Band of Choctaw Indians, certify that the Tribal Council of said Band is composed of 17 members, 16 of whom, constituting a quorum were present at a Regular Call meeting duly called, noticed, convened and held this the 9th day of July, 2024; and that the foregoing Resolution was duly Adopted by a vote of 16 members in favor, 0 opposed and 0 abstaining.

Dated this 9th day of July, 2024.

ATTEST:



Cyrus Ben, Tribal Chief



Christopher Eaves, Secretary-Treasurer

MISSISSIPPI BAND OF CHOCTAW INDIANS

RESOLUTION CHO 24-099

A RESOLUTION TO APPROVE THE CHOCTAW COMMUNITY FUND POLICIES AND
PROCEDURES

WHEREAS, Section 1, Subsection (c) of Article VIII of the Revised Constitution and Bylaws of the Mississippi Band of Choctaw Indians ("MBCI" or the "Tribe") empowers the Tribal Council to establish procedures for the conduct of all Tribal government and business operations; and

WHEREAS, on April 30, 1985, the Tribal Council adopted Resolution CHO 46-85, which established the Choctaw Community Fund for the purpose of raising funds for Tribal government programs for the benefit of Choctaw young people; and

WHEREAS, the Tribal Council expanded the scope of the Choctaw Community Fund to include Tribal government programs that benefit the elderly and other needy members of the Tribe through adoption of Resolution CHO 56-88; and

WHEREAS, Resolution CHO 56-88 established a schedule for the Choctaw Community Fund in which pledges and contributions are made in the fall of the year, with Tribal Council approving the budget for each year's funds thereafter; and

WHEREAS, the Choctaw Community Fund ("CCF") has never had written policies or procedures; and

WHEREAS, there is a need to develop policies and procedures to clarify who can apply, the application process, selection process and disbursement process for the Choctaw Community Fund; and

WHEREAS, the Choctaw Community Fund has developed the CCF Policies and Procedures, attached hereto as Exhibit "A", to ensure accountability and fairness in awarding funds to recipients; and

WHEREAS, that the Choctaw Community Fund will begin operating from calendar year to fiscal year; and be it further

WHEREAS, the Budget and Finance Committee has reviewed this Resolution and is recommended to be forwarded to the Tribal Council for approval; now therefore be it

RESOLVED, that the Tribal Council does hereby approve the Choctaw Community Fund Policies and Procedures, attached hereto as Exhibit "A", to become effective upon passage of this Resolution.

CERTIFICATION

I, the undersigned, as Secretary-Treasurer of the Mississippi Band of Choctaw Indians, certify that the Tribal Council of said Band are composed of 17 members, 16 of whom, constituting a quorum were present at a Regular Call meeting duly called, noticed, convened and held this the 9th day of

July, 2024; and that the foregoing Resolution was duly Adopted by a vote of 16 members in favor, 0 opposed and 0 abstaining.

Dated this 9th day of July, 2024.

ATTEST:



Cyrus Ben, Tribal Chief



Christopher Eaves, Secretary-Treasurer

MISSISSIPPI BAND OF CHOCTAW INDIANS

RESOLUTION CHO 24-100

A RESOLUTION AUTHORIZING BRIDGE LOAN FINANCING FROM TRUSTMARK
NATIONAL BANK FOR CONSTRUCTION OF THE NEW CHOCTAW CENTRAL
CAMPUS

WHEREAS, Section 1, Subsection (a) of Article VIII of the Revised Constitution and Bylaws of the Mississippi Band of Choctaw Indians ("MBCI" or the "Tribe") empowers the Tribal Council to negotiate with and to approve or disapprove contracts or agreements with federal, state, or local governments, with private persons, or with corporate bodies; and

WHEREAS, on October 12, 2021, the Tribal Council adopted Resolution CHO 22-006, which set aside \$45,000,000 allocated to the Tribe from the U.S. Treasury's Coronavirus State and Local Fiscal Recovery Funds to construct school facilities to replace Choctaw Central High School and Choctaw Central Middle School (the "Project"); and

WHEREAS, the Project's overall construction costs will exceed the previously allocated funds, therefore, Trustmark National Bank has agreed to advance \$50,000,000 by a direct (bridge) loan to the Tribe via a non-revolving line of credit to be used for interim construction draws associated with the Project according to the proposal of June 21, 2024, attached hereto as Exhibit "A", which has terms and conditions presented to and reviewed by the Tribal Council in executive session; and

WHEREAS, the Budget and Finance Committee has reviewed this Resolution and is recommended to be forwarded to the Tribal Council for approval; now therefore be it

RESOLVED, that the Tribal Council of the Mississippi Band of Choctaw Indians does hereby approve and authorize the Chief and the Secretary-Treasurer of the Tribe to enter into a direct (bridge) loan to the Tribe via a secured line of credit from Trustmark National Bank subject to a limited waiver of sovereign immunity in a form to be finalized by the Choctaw Attorney General's office and the Bank's legal counsel, to include a disclaimer by lender of recourse to the Tribe's gaming revenues or assets, which immunity waivers may be in any form of such waivers as has previously been authorized by the Tribal Council for use in prior financing documents involving loans from Trustmark National Bank, or in the following form:

Limited Waiver of Sovereign Immunity. The MBCI expressly waives MBCI's sovereign immunity from suit and consents to be sued for any claims by lender arising out of this line of credit and /or any of the Loan Documents associated therewith in the regular Civil Division of the Mississippi Band of Choctaw Indian's Tribal Court, provided that this waiver does not authorize recourse to the CRDE's gaming revenues or assets to satisfy any obligation arising from this loan.

CERTIFICATION

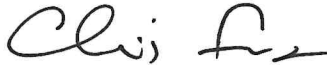
I, the undersigned, as Secretary-Treasurer of the Mississippi Band of Choctaw Indians, certify that the Tribal Council of said Band is composed of 17 members, 16 of whom, constituting a quorum were present at a Regular Call meeting duly called, noticed, convened and held this the 9th day of July, 2024; and that the foregoing Resolution was duly Adopted by a vote of 16 members in favor, 0 opposed and 0 abstaining.

Dated this 9th day of July, 2024.

ATTEST:



Cyrus Ben, Tribal Chief



Christopher Eaves, Secretary-Treasurer

MISSISSIPPI BAND OF CHOCTAW INDIANS

RESOLUTION CHO 24-101

A RESOLUTION AFFIRMING CITIZEN PARTICIPATION AND AUTHORIZING THE
CHOCTAW HOUSING AUTHORITY TO APPLY FOR AN INDIAN COMMUNITY
DEVELOPMENT BLOCK GRANT FROM THE U.S. DEPARTMENT OF HOUSING AND
URBAN DEVELOPMENT

WHEREAS, on June 11, 1965, the Tribal Council adopted Ordinance No. 1, which established a charter for Choctaw Housing Authority (“CHA”); and

WHEREAS, the Tribal Council has amended Choctaw Housing Authority’s charter through enactment of Ordinance Nos. 1-A and 16-DDD and through adoption of Resolutions CHO 25-77 and CHO 187-93; and

WHEREAS, on January 29, 2000, the Tribal Council adopted Resolution CHO 00-072, which designated Choctaw Housing Authority as MBCI’s Tribally-Designated Housing Entity; and

WHEREAS, the Choctaw Housing Authority has the responsibility for developing and maintaining housing in their inventory for Tribal members; and

WHEREAS, the U.S. Department of Housing and Urban Development (“HUD”) is making funds available to Tribes for the purpose of improving housing, infrastructure, and tribal economies; and

WHEREAS, the Choctaw Housing Authority intends to apply for an Indian Community Development Block Grant from HUD to partially fund repairs and renovations to housing stock in their inventory; and

WHEREAS, the federal regulations governing the Indian Community Development Block Grants require a Tribal Council Resolution certifying that CHA has complied with the citizen participation requirements set forth in 24 CFR §1003.604; and

WHEREAS, the CHA Board of Commissioners has reviewed this Resolution and is recommended to be forwarded to the Tribal Council for approval; now therefore be it

RESOLVED, that the Tribal Council does hereby affirms that CHA has complied with the citizen participation requirements set forth in 24 CFR §1003.604; and be it further

RESOLVED, that the Tribal Council of the Mississippi Band of Choctaw Indians does hereby authorize the Choctaw Housing Authority to apply for an Indian Community Development Block Grant for Fiscal Year 2024 which will be used to repair and renovate housing stock managed by the Choctaw Housing Authority.

CERTIFICATION

I, the undersigned, as Secretary-Treasurer of the Mississippi Band of Choctaw Indians, certify that the Tribal Council of said Band is composed of 17 members, 16 of whom, constituting a quorum were present at a Regular Call meeting duly called, noticed, convened and held this the 9th day of July, 2024; and that the foregoing Resolution was duly Adopted by a vote of 16 members in favor, 0 opposed and 0 abstaining.

Dated this 9th day of July, 2024.

ATTEST:



Cyrus Ben, Tribal Chief



Christopher Eaves, Secretary-Treasurer