

MISSISSIPPI BAND OF CHOCTAW INDIANS
Box 6010 Choctaw Branch
Choctaw, Mississippi 39350

ORDINANCE NO. 16-UUUU

AN ORDINANCE AMENDING THE TRIBAL CODE

WHEREAS, the Tribal Council on April 9th, 1996, amended the Tribal Code with Ordinance 16-OO to authorize per capita payments to individual tribal members in an amount not to exceed \$1,000.00 per year, in accordance with regulations adopted by the Tribal Council; and

WHEREAS, Chapter 4, Section 15-4-1 of the Tribal Code states the purpose for distribution is to “improve the standard of living of the Choctaw People at the two times of year when extra income is most needed: the holiday season in December and the time of the Choctaw Indian Fair and the beginning of the school year in July;” and

WHEREAS, the garnishment of per capita distributions by general creditors from off the reservation thwarts the purpose of the Tribal Council in establishing the per capita distribution plan; and

WHEREAS, Ordinance 16-OO and Ordinance 16-TT which amended the original Ordinance allowed for certain exceptions to garnishment of distribution, primarily for child support, funds due to a tribal government agency or a bankruptcy court of the United States or for any state or federal tax required by federal law; and

WHEREAS, there is a need to clarify what qualifies as a tribal government agency for which garnishment of distribution is authorized; and

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

ENACTED, that Section 15-4-1 (2) shall be amended as follows:

- (2) Non-Tribal general creditors are prohibited in whole or in part from garnishing the per capita distribution checks of members of the Mississippi Band of Choctaw Indians. The only exceptions to this prohibition on garnishing per capita distribution checks shall be as follows:
 - 1) Any Order of Child Support by the Choctaw Tribal Court;
 - 2) Any order of garnishment by the Choctaw Tribal Court on behalf of a tribal government division, department, program, office, court or agency;
 - 3) Any order of garnishment by the Choctaw Tribal Court on behalf of any Ordinance 56 Enterprise of the Mississippi Band of Choctaw Indians;
 - 4) Any written agreement between a member of the Tribe and a tribal government division, department, program, office, court or agency which allows for garnishment of per capita distributions to repay debt or debt due to damages;

- 5) Any written agreement between a member of the Tribe and an Ordinance 56 Enterprise of the Mississippi Band of Choctaw Indians to repay debt or debt due to damages; or
- 6) Any order of any court of the United States having jurisdiction over cases under Chapter 13 of Title 11 or for any debt due for any state and federal tax required by federal law.

And be it further

ENACTED, that the Office of the Attorney General shall coordinate with the Office of Public Information to update the Tribal Code on the website to reflect this change.

CERTIFICATION

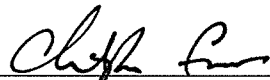
I, the undersigned, as Secretary-Treasurer of the Mississippi Band of Choctaw Indians, certify that the Tribal Council of said Band is composed of 17 members, 15 of whom, constituting a quorum, were present at a Special Call meeting duly called, noticed, convened, and held this the 26th day of February, 2020; and that the foregoing Ordinance was duly Enacted by a vote of 15 members in favor, 0 opposed, and 0 abstaining.

Dated this 26th day of February, 2020.

ATTEST:



Cyrus Ben, Tribal Chief



Christopher Eaves, Secretary-Treasurer

MISSISSIPPI BAND OF CHOCTAW INDIANS

RESOLUTION CHO 20-048

A RESOLUTION TO AUTHORIZE A DISTRIBUTION OF TRIBAL FUNDS

WHEREAS, the Mississippi Band of Choctaw Indians has pioneered in the development of revenue-producing industrial and commercial enterprises, which produce revenues for the Tribal government; and

WHEREAS, the members of the Mississippi Band of Choctaw Indians should derive some benefit from the general production of revenues insofar as it is feasible; and

WHEREAS, the amended Tribal-State Compact of IGRA Class III gaming between the Mississippi Band of Choctaw Indians and the State of Mississippi Section 7.6(2) states: "Per capita payments may be made to individual tribal members in an amount not to exceed one thousand and no/100 (\$1000.00) per year by the authority of, and in accordance with, an ordinance and regulations duly adopted by the Tribal Council and with a Revenue Allocation Plan approved by the Bureau of Indian Affairs, U.S. Department of Interior, if required or equivalent thereof."; and

WHEREAS, on July 15, 1996, the Bureau of Indian Affairs approved the Tribal-State Compact amendment regarding distribution and the Tribal Council in Ordinance 77 approved provisions regarding the per capita payments from gaming proceeds; now therefore be it

RESOLVED, that the Tribal Council does hereby authorize the Tribal Chief to promulgate procedures and to conduct the distribution of **\$600.00** per Tribal member on July 1, 2020, in accord with the attached Notice of Funds Distribution; and be it further

RESOLVED, that the Tribal Council does hereby authorize an amount not to exceed \$1,125,000.00 (\$100 per member) be funded from the Mississippi Band of Choctaw Indians' non-gaming general fund revenue; and be it further

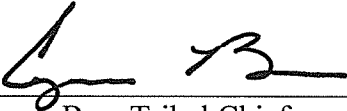
RESOLVED, that the Tribal Council does hereby appropriate an amount not to exceed \$5,933,363.00 (\$500 per member) from Tribal gaming distributions to the Tribe to carry out this distribution and authorize the Tribal Chief and Secretary-Treasurer to take all necessary action to effectuate said distribution.

CERTIFICATION

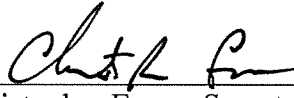
I, the undersigned, as Secretary-Treasurer of the Mississippi Band of Choctaw Indians, certify that the Tribal Council of said Band is composed of 17 members, 15 of whom, constituting a quorum were present at a Special Call meeting duly called, noticed, convened and held this the 26th day of February, 2020; and that the foregoing Resolution was duly Adopted by a vote of 15 members in favor, 0 opposed and 0 abstaining.

Dated this 26th day of February, 2020.

ATTEST:



Cyrus Ben, Tribal Chief



Christopher Eaves, Secretary-Treasurer

MISSISSIPPI BAND OF CHOCTAW INDIANS

RESOLUTION CHO 20-049

A RESOLUTION TO AUTHORIZE THE MISSISSIPPI BAND OF CHOCTAW INDIANS TO RECEIVE FUNDS FOR THE 2020 CENSUS PROJECT FROM THE NATIVE AMERICAN RIGHTS FUND (NARF)

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, the Native American Rights Fund (“NARF”) has made funds available through their Census fundraising efforts; and

WHEREAS, the 2020 Census Project funding aims to count all MBCI Tribal members in the 2020 Census; and

WHEREAS, it is estimated that the total cost for the complete count efforts of the members of the Mississippi Band of Choctaw Indians will be \$75,000; and

WHEREAS, the Tribe can benefit greatly from additional and external resources to enhance the capacity to count all MBCI Tribal members; and

WHEREAS, this funding does not require any cost sharing or Tribal matching funds; and

WHEREAS, the Congressional and Governmental Affairs 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 for the 2020 Census Project 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 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. Sec. 1352, 2 U.S.C. Sec. 1602, 40 CFR 34.105(1) and 40 CFR 34.110, as to any such activity which 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 receive funds from the Native American Rights Fund for the 2020 Census Project and renew subsequent applications upon the availability of project funds; and be it further

RESOLVED, that the Tribal Council does hereby authorize the Tribal Chief or his designee, to sign additional documents, forms, or contracts directly related to the awarding of, continuance, amendment or extension of the 2020 Census Project, without further Council action.

CERTIFICATION

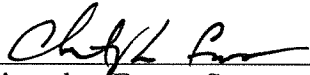
I, the undersigned, as Secretary-Treasurer of the Mississippi Band of Choctaw Indians, certify that the Tribal Council of said Band is composed of 17 members, 15 of whom, constituting a quorum were present at a Special Call meeting duly called, noticed, convened and held this the 26th day of February, 2020; and that the foregoing Resolution was duly Adopted by a vote of 15 members in favor, 0 opposed and 0 abstaining.

Dated this 26th day of February, 2020.

ATTEST:



Cyrus Ben, Tribal Chief



Christopher Eaves, Secretary-Treasurer

MISSISSIPPI BAND OF CHOCTAW INDIANS

RESOLUTION CHO 20-050

A RESOLUTION AUTHORIZING THE MISSISSIPPI BAND OF CHOCTAW INDIANS'
DEPARTMENT OF FAMILY AND COMMUNITY SERVICES TO APPLY FOR THE FY
2020 TRIBAL SEXUAL ASSAULT SERVICES PROGRAM FROM THE U.S.
DEPARTMENT OF JUSTICE, OFFICE ON VIOLENCE AGAINST WOMEN

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 or to approve or disapprove contracts or agreements with Federal, State, or local governments, with private persons or with corporate bodies; and

WHEREAS, the U.S. Department of Justice, Office on Violence Against Women, has made available grant funds through the Tribal Sexual Assault Services Program ("TSASP"); and

WHEREAS, the TSASP funds will provide assistance in sexual assault services to youth and adult victims and their non-offending families; and

WHEREAS, the MBCI has been a recipient of said grant funds in the past and has found the award to be of substantial benefit to the community members in need of sexual assault services; and

WHEREAS, the Family and Community Services and Veterans Affairs 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 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. Sec. 1325, 2 U.S.C. Sec. 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 does not engage 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, negotiate, and sign a grant application with the U.S. Department of Justice, Office on Violence Against Women TSASP grant and renew subsequent applications upon the availability of grant funds; and be it further

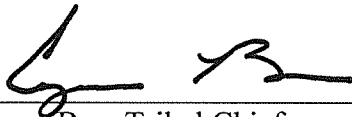
RESOLVED, that the Tribal Council does hereby authorize the Tribal Chief or his designee, to sign additional documents, forms, or contracts directly related to the awarding of, continuance, amendment or extension of the U.S. Department of Justice, Office on Violence Against Women TSASP grant, without further Council action.

CERTIFICATION

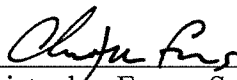
I, the undersigned, as Secretary-Treasurer of the Mississippi Band of Choctaw Indians, certify that the Tribal Council of said Band is composed of 17 members, 15 of whom, constituting a quorum were present at a Special Call meeting duly called, noticed, convened and held this the 26th day of February, 2020; and that the foregoing Resolution was duly Adopted by a vote of 15 members in favor, 0 opposed and 0 abstaining.

Dated this 26th day of February, 2020.

ATTEST:



Cyrus Ben, Tribal Chief



Christopher Eaves, Secretary-Treasurer

MISSISSIPPI BAND OF CHOCTAW INDIANS

RESOLUTION CHO 20-051(B)

A RESOLUTION TO APPROVE A SITE LEASE FOR ANGELA AND MARK JOHN IN THE PEARL RIVER COMMUNITY

WHEREAS, Section 1, Subsection (b) 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 approve or disapprove any sale, disposition, lease or encumbrance of Tribal lands...; and

WHEREAS, Angela and Mark John have submitted an application through the Realty Program for a new trailer site lease which may be further be described as follows:

From the NE Corner of Section 28, T.11N., R.10E., Neshoba County, Mississippi. Run West 808.89’; Thence Run North 73.83’ to the point of beginning; Thence S 78°0’0” E for 190.00’; Thence S 12°0’0” W for 175.00’; Thence N 78°0’0” W for 190.00’; Thence N 12°0’0” E for 175.00’ to the point of beginning, containing 0.76 acres, more or less, and being situated in the SE ¼ of the SE ¼, Section 21, T.11N., R.10E., and NE ¼ of the NE ¼, Section 28, T.11N., R.10E., Neshoba County, Mississippi; and

WHEREAS, the MBCI Office of Environmental Protection has completed an Environmental Review on the referenced property in accordance with 24 CFR 58.5; and

WHEREAS, a Cultural Resource Survey Report on the above-referenced property was done by an archeologist and submitted to the Mississippi Department of Archives and History (“MDAH”) and the MDAH Review and Compliance Officer has concurred that there are no known resources listed in or eligible for listing in the National Register of Historic Places which were located in the project area or are likely to be affected; and

WHEREAS, the Committee on Natural Resources 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 authorize the Tribal Chief and the Secretary-Treasurer to negotiate and sign a mutually agreeable and appropriate type of term lease with Angela and Mark John subject to all Tribal regulatory and building code requirements; and be it further

RESOLVED, that any timber in excess of \$100 in value be removed by the Tribal Forestry Program, with proceeds from the sale of such timber to be deposited in the Tribal trust account; and be it further

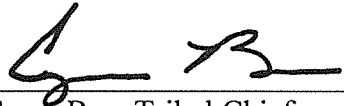
RESOLVED, that all requirements outlined in 25 U.S.C. §415 and 25 CFR Part 162 be fully complied with in negotiating and executing the lease.

CERTIFICATION

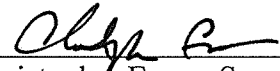
I, the undersigned, as Secretary-Treasurer of the Mississippi Band of Choctaw Indians, certify that the Tribal Council of said Band is composed of 17 members, 15 of whom, constituting a quorum were present at a Special Call meeting duly called, noticed, convened and held this the 26th day of February, 2020; and that the foregoing Resolution was duly Adopted by a vote of 15 members in favor, 0 opposed and 0 abstaining.

Dated this 26th day of February, 2020.

ATTEST:

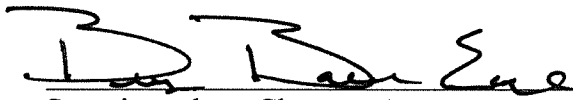


Cyrus Ben, Tribal Chief



Christopher Eaves, Secretary-Treasurer

RECOMMENDED:



Superintendent, Choctaw Agency

2-28-2020

Date

MISSISSIPPI BAND OF CHOCTAW INDIANS

RESOLUTION CHO 20-052

A RESOLUTION TO AUTHORIZE THE MISSISSIPPI BAND OF CHOCTAW INDIANS' DEPARTMENT OF PUBLIC SAFETY, CHOCTAW WILDLIFE AND PARKS PROGRAM, TO APPLY FOR A CONTRACT THROUGH THE SAFETY OF DAMS PROGRAM (SOD) FROM THE BUREAU OF INDIAN AFFAIRS

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, the Bureau of Indian Affairs ("BIA") Safety of Dams Program ("SOD") is regulated under the Indian Dams Safety Act of 1994 (Public Law No. 103-302, 25 U.S.C. §3801 et seq.); and

WHEREAS, the MBCI Department of Public Safety, Choctaw Wildlife and Parks Program, has prepared and submitted a contract application for funding through the SOD Program from the BIA; and

WHEREAS, the contract does not require any matching funds from the Tribe; and

WHEREAS, the purpose of the contract application is to ensure professional, effective and efficient services to protect the integrity of Lake Pushmataha Dam and surrounding area by securing funding through the SOD Program; and

WHEREAS, the Choctaw Wildlife and Parks Program currently has two qualified Wildlife Rangers who have been trained as Dam Tenders in various dam safety and security protocols; and

WHEREAS, funds awarded from this contract will assist in operations and maintenance at Lake Pushmataha including: (1) implementing the Early Warning System; (2) provide training to Dam Tenders; and (3) purchase equipment necessary to carry-out assigned improvement tasks; and

WHEREAS, the Committee on Natural Resources 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 authorize the Tribal Chief or his designee, to apply for and sign a contract for funding through the Safety of Dams Program from the Bureau of Indian Affairs; and be it further

RESOLVED, that the Tribal Council does hereby authorize the Tribal Chief or his designee, to renew the contract subject to the availability of funds through the Safety of Dams Program from the Bureau of Indian Affairs; and be it further

RESOLVED, that the Tribal Council does hereby authorize the Tribal Chief or his designee, to sign additional documents, forms or contracts directly related to the awarding of, continuance,

amendment or extension of the Safety of Dams Program contract through the Bureau of Indian Affairs, without further Council action.

CERTIFICATION

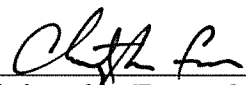
I, the undersigned, as Secretary-Treasurer of the Mississippi Band of Choctaw Indians, certify that the Tribal Council of said Band is composed of 17 members, 15 of whom, constituting a quorum were present at a Special Call meeting duly called, noticed, convened and held this the 26th day of February, 2020; and that the foregoing Resolution was duly Adopted by a vote of 15 members in favor, 0 opposed and 0 abstaining.

Dated this 26th day of February, 2020.

ATTEST:



Cyrus Ben, Tribal Chief



Christopher Eaves, Secretary-Treasurer

MISSISSIPPI BAND OF CHOCTAW INDIANS

RESOLUTION CHO 20-053

~~A RESOLUTION TO APPROVE AN INDIAN TRIBAL COUNCIL COVERAGE
AGREEMENT WITH THE SOCIAL SECURITY ADMINISTRATION~~

WHEREAS, Article IV, §1-3 of the Revised Constitution and Bylaws of the Mississippi Band of Choctaw Indians (Dated 2013) provides that the Tribe's "Governing Body" consists of an elected Tribal Chief and elected Tribal Council; and

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, the Tribe has for several decades made Federal Insurance Contributions Act ("FICA") contributions based on Choctaw Tribal Council member salaries; and

WHEREAS, the Tribe in 2007 secured Social Security Administration and Internal Revenue Service recognition (based on the Tribe's treatment of Council members as tribal employees in a variety of contexts and other unique factors) that Choctaw Tribal Council members were eligible to receive Social Security benefits based on those contributions even though the general federal rule was that elected Tribal Council members were not eligible for Social Security benefits even if FICA payments were made on their behalf; and

WHEREAS, this general rule remains in effect, except as amended by the Tribal Social Security Fairness Act of 2018, Pub. L. 115-243, a copy of which is attached hereto as Exhibit "A"; and

WHEREAS, the Congress has by enactment of the Tribal Social Security Fairness Act, formally recognized that elected Tribal Council members for any federally recognized Indian Tribe can qualify for Social Security benefits based on FICA contributions, if the Tribal Council for that Tribe acts by resolution to enter into an agreement with the Social Security Administration in the form of Social Security Form SSA-177, a copy of which is attached hereto as Exhibit "B"; and

WHEREAS, Social Security Form SSA-177, once executed, is not revocable by the Tribe, but applies both retroactively and prospectively for all Tribal Council members of that Tribe for whom the required FICA contributions have been or will be made; and

WHEREAS, in light of the enactment of this new statute, the only way to ensure continued Social Security coverage for Choctaw Tribal Council members based on their prior and future FICA contributions is for the Council to approve execution of the agreement set out in the attached Social Security Form SSA-177; and

WHEREAS, the Congressional and Governmental Affairs Committee has reviewed the attached Tribal Council Coverage Agreement With The Social Security Administration (Form SSA-177), 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 Tribal Council Coverage Agreement With The Social Security Administration (Form SSA-177) in substantially the same form as attached between the Mississippi Band of Choctaw Indians and the Social Security Administration; and be it further

RESOLVED, that the Tribal Council does hereby authorize the Tribal Chief or his designee, to execute the Tribal Council Coverage Agreement With The Social Security Administration (Form SSA-177) and any additional documents, forms or contracts directly related to the implementation or continuation of said Social Security Form SSA-177 without further Tribal 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, 15 of whom, constituting a quorum were present at a Special Call meeting duly called, noticed, convened and held this the 26th day of February, 2020; and that the foregoing Resolution was duly Adopted by a vote of 15 members in favor, 0 opposed and 0 abstaining.

Dated this 26th day of February, 2020.

ATTEST:



Cyrus Ben, Tribal Chief



Christopher Eaves, Secretary-Treasurer

MISSISSIPPI BAND OF CHOCTAW INDIANS

RESOLUTION CHO 20-054

A RESOLUTION TO APPLY FOR U.S. DEPARTMENT OF JUSTICE GRANT FUNDING
THROUGH THE COORDINATED TRIBAL ASSISTANCE SOLICITATION (CTAS)
PROGRAM

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, the U.S. Department of Justice (“DOJ”) is seeking applications from Federally recognized Native American Tribal Governments for FY 2020 funding to improve public safety; and to strengthen victim services in Tribal communities through the Department’s Coordinated Tribal Assistance Solicitation (“CTAS”); and

WHEREAS, this solicitation provides Federally-recognized Tribes an opportunity to develop a comprehensive and coordinated approach to public safety and victimization issues and to apply for discretionary Federal funding; and

WHEREAS, the U.S. DOJ’s existing Tribal Government–specific programs are included in and available through this single Coordinated Tribal Assistance Solicitation; and

WHEREAS, the Mississippi Band of Choctaw Indians operates its Department of Family and Community Services, and for many years has applied for and received discretionary Federal funding through the CTAS Program; and

WHEREAS, the Mississippi Band of Choctaw Indians seeks to broaden and strengthen the Tribe’s development of youth alternatives to detention through a collaboration of the Tribal Court with the Department of Chahta Immi to include Choctaw language and Tribal culture in program services; and

WHEREAS, the MBCI Department of Family and Community Services seeks discretionary Federal funding available through FY 2020 CTAS under CFDA Number 16.587–Office on Violence Against Women (OVW) Tribal Governments Program (TGP)– Purpose Area #5; and

WHEREAS, the MBCI Tribal Court seeks discretionary Federal funding available through FY 2020 CTAS under CFDA Number 16.731– Tribal Youth Program (Office of Justice Programs, Office of Juvenile Justice and Delinquency Prevention)– Purpose Area #9; and

WHEREAS, the CTAS Federal grant opportunity does not require any cost sharing or non-Federal, Tribal matching; and

WHEREAS, the Judicial Affairs and Law & Order 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 for FY 2020 CTAS program 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 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. Sec. 1352, 2 U.S.C. Sec. 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 and sign for available Tribal Government grant programs through the Coordinated Tribal Assistance Solicitation program from the U.S. Department of Justice; and be it further

RESOLVED, that the Tribal Council does hereby authorize the Tribal Chief or his designee, to renew the CTAS grant and to apply for any new grants in subsequent applications subject to the availability of funds through the Coordinated Tribal Assistance Solicitation program from the U.S. Department of Justice; and be it further

RESOLVED, that the Tribal Council does hereby authorize the Tribal Chief or his designee, to sign additional documents, forms, or contracts directly related to the awarding of, continuance, amendment or extension of the CTAS grant 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, 15 of whom, constituting a quorum were present at a Special Call meeting duly called, noticed, convened and held this the 26th day of February, 2020; and that the foregoing Resolution was duly Adopted by a vote of 15 members in favor, 0 opposed and 0 abstaining.

Dated this 26th day of February, 2020.

ATTEST:



Cyrus Ben, Tribal Chief



Christopher Eaves, Secretary-Treasurer

MISSISSIPPI BAND OF CHOCTAW INDIANS

RESOLUTION CHO 20-055

A RESOLUTION TO APPLY FOR A GRANT FROM THE U.S. DEPARTMENT OF JUSTICE, OFFICE OF VIOLENCE AGAINST WOMEN TO EXERCISE SPECIAL DOMESTIC VIOLENCE CRIMINAL JURISDICTION

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, the Mississippi Band of Choctaw Indians is a federally recognized Indian Tribe appearing in the Federal Register Notice published on January 30, 2020, of Indian Entities Recognized and Eligible To Receive Services From the United States Bureau of Indian Affairs (85 FR 5462; pages 5462-5467); and

WHEREAS, the Mississippi Band of Choctaw Indians affirms that the Tribe has jurisdiction over lands that meet the definition of Indian country; and

WHEREAS, the Mississippi Band of Choctaw Indians defines its Indian country as: (1) approximately Thirty-Four Thousand (34,000) acres of land in rural east central Mississippi known as the Choctaw Indian Reservation, having eight residential Choctaw communities on lands situated in ten different counties of Mississippi, mainly in U.S. Congressional Districts 3 and 4; and (2) approximately Fifty-Four (54) acres of land in Lauderdale County in West Tennessee; and

WHEREAS, the Mississippi Band of Choctaw Indians affirms that the Tribal Chief and members of the Tribal Council have determined to plan, develop, implement, and exercise (“SDVCJ”) within Mississippi Choctaw Indian country for the purpose of protecting tribal members from non-Indians who commit domestic violence, dating violence and/or violations of protective orders; and

WHEREAS, the Mississippi Band of Choctaw Indians’ Tribal Government leaders hereby direct internal partners, identified in the Internal Memorandum of Understanding (“IMOU”), to participate in and cooperate with the planning, development, implementation, and exercise of SDVCJ and authorize the identified internal partners to enter into/sign the MOU/IMOU; and

WHEREAS, the Mississippi Band of Choctaw Indians’ duly elected Tribal Chief is hereby authorized to sign the MOU with external MOU partners; and

WHEREAS, the U.S. Department of Justice, Office of Violence Against Women (“OVW”) is seeking applications from federally recognized Native American Tribal Governments for FY 2020 funding to enable tribes to exercise SDVCJ over non-Indians; and

WHEREAS, the OVW grants to Tribal Governments support coordinated community responses to hold offenders accountable and serve victims; and statutory authority for this program is authorized by the Indian Civil Rights Act of 1968, as amended, 25 U.S.C. § 1304(f); and

WHEREAS, the OVW grants to Tribal Governments to Exercise Special Domestic Violence Criminal Jurisdiction Program provide Indian tribes support to exercise SDVCJ and technical assistance (“TA”) for planning and implementing changes in their criminal justice systems necessary to exercise the jurisdiction; and

WHEREAS, the SDVCJ program encourages collaborations among tribal leadership, courts, prosecutors, attorneys, defense counsel, law enforcement, probation, victim service providers and other partners to ensure that victims find safety and justice and that non-Indians who commit crimes of domestic violence, dating violence, and violations of protection orders in the Indian country of the participating tribe are held accountable; and

WHEREAS, pursuant to 25 U.S.C. § 1304(f), MBCI will use funds under this program for the following purposes:

1. To strengthen the Tribe’s criminal justice system in exercising SDVCJ, including trial and appellate courts; and in purchasing and operating a FullCourt automated Tribal court case management system, software and training; and
2. To ensure that jurors are selected, summoned, and instructed in a manner consistent with all applicable requirements; and
3. To accord victims of domestic violence, dating violence, and violations of protection orders rights that are similar to the rights of a crime victim described in section 3771(a) of Title 18, consistent with tribal law and custom; and

WHEREAS, the CFDA number for this grant is 16.025; and

WHEREAS, this grant does not require any cost sharing or matching; and

WHEREAS, the Committee on Judicial Affairs and Law & Order has reviewed a summary of the Tribe’s SDVCJ grant proposal to apply for FY 2020 SDVCJ funds, and recommends that the Tribe’s application for and receipt of U.S. DOJ’s discretionary funding be forwarded to the Tribal Council for approval; now therefore be it

RESOLVED, that the Tribe’s grant application for the FY 2020 SDVCJ program 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 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. Sec. 1352, 2 U.S.C. Sec. 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 available Tribal Government grant programs through the Special Domestic Violence Criminal Jurisdiction Program from the U.S. Department of Justice; and be it further

RESOLVED, that the Tribal Council does hereby authorize the Tribal Chief or his designee, to renew any SDVCJ grants that are awarded and to apply for any new grants in subsequent applications subject to the availability of funds through the SDVCJ solicitation program from the U.S. Department of Justice; and be it further

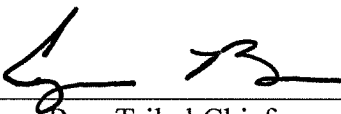
RESOLVED, that the Tribal Council does hereby authorize the Tribal Chief or his designee, to sign additional documents, forms, or contracts directly related to the awarding of, continuance, amendment or extension of any SDVCJ grants without further Council action.

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, 15 of whom, constituting a quorum were present at a Special Call meeting duly called, noticed, convened and held this the 26th day of February, 2020; and that the foregoing Resolution was duly Adopted by a vote of 15 members in favor, 0 opposed and 0 abstaining.

Dated this 26th day of February, 2020.

ATTEST:



Cyrus Ben, Tribal Chief



Christopher Eaves, Secretary-Treasurer

MISSISSIPPI BAND OF CHOCTAW INDIANS

RESOLUTION CHO 20-056

A RESOLUTION TO APPROVE PUBLICATION REQUEST FROM DR. JACQUELYN CAMPBELL AND DR. BUSHRA SABRI OF JOHNS HOPKINS UNIVERSITY ON RESEARCH TITLED "FROM MYPLAN TO OURCIRCLE: ADAPTING A WEB-BASED SAFETY PLANNING INTERVENTION FOR NATIVE AMERICAN WOMEN EXPOSED TO INTIMATE PARTNER VIOLENCE"

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 approve or disapprove contract or agreements with Federal, State or local governments, with private persons or with corporate bodies; and

WHEREAS, Dr. Jacquelyn Campbell and Dr. Bushra Sabri of Johns Hopkins University and Dr. Catherine McKinley (Burnette) of Tulane University were previously approved to conduct the indigenous women's health and safety-the danger assessment (DA)-circle project through Resolution CHO 16-075; and

WHEREAS, Dr. Campbell and Dr. Sabri have submitted a request to publish research paper titled "From myPlan to ourCircle: Adapting a Web-based Safety Planning Intervention for Native American Women Exposed to Intimate Partner Violence"; and

WHEREAS, the Community and Family Services and Veteran Affairs 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 publication request from Dr. Jacquelyn Campbell and Dr. Bushra Sabri on research titled "From myPlan to ourCircle: Adapting a Web-based Safety Planning Intervention for Native American Women Exposed to Intimate Partner Violence" to be published to academic journals and papers; and be it further

RESOLVED, that any other research papers resulting from the use of the initial research results authorized through Resolution CHO 16-075 shall be submitted in writing to the Policy & Legislative Office and shall not be published or otherwise revealed without the permission of the Tribal Chief, Chairman of the Community and Family Services and Veteran Affairs Committee and Office of the Attorney General; and be it further

RESOLVED, that the Tribal Council does hereby authorize the Tribal Chief or his designee, to sign any documents, forms or contracts directly related to the publication of this project without further Council action.

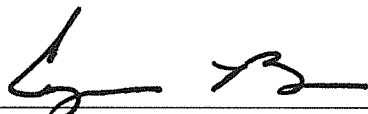
CERTIFICATION

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, 15 of whom, constituting a quorum were present at a Special Call meeting duly called, noticed, convened and held this the 26th day of

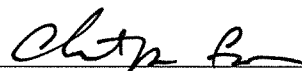
February, 2020; and that the foregoing Resolution was duly Adopted by a vote of 15 members in favor, 0 opposed and 0 abstaining.

Dated this 26th day of February, 2020.

ATTEST:



Cyrus Ben, Tribal Chief



Christopher Eaves, Secretary-Treasurer

MISSISSIPPI BAND OF CHOCTAW INDIANS

RESOLUTION CHO 20-057

A RESOLUTION TO AUTHORIZE THE MISSISSIPPI BAND OF CHOCTAW INDIANS,
OFFICE OF ECONOMIC DEVELOPMENT, TO APPLY FOR A RECONNECT GRANT
FROM THE U.S. DEPARTMENT OF AGRICULTURE

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, the U.S. Department of Agriculture (“USDA”) has made funds available through the ReConnect Grant; and

WHEREAS, the MBCI Office of Economic Development aims to secure grant funding to construct, improve or acquire facilities and equipment needed to provide broadband service to eligible rural areas; and

WHEREAS, the grant funds will assist the MBCI Office of Economic Development to provide broadband access to Choctaw communities specifically the Conehatta community; and

WHEREAS, the goal of the ReConnect Grant Program is to provide at least 25 Mbps download speeds and 3 Mbps upload speeds to the community; and

WHEREAS, the Tribe can benefit greatly from additional and external resources to enhance the capacity and services of the Office of Economic Development; and

WHEREAS, this Federal grant opportunity does require cost sharing from non-Federal, Tribal matching of 25% in the amount of \$83,625.00; and

WHEREAS, the Economic Development 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 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. Sec. 1352,

2 U.S.C. Sec. 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 the ReConnect Grant and renew subsequent applications upon the availability of project funds from the U.S. Department of Agriculture; and be it further

RESOLVED, that the Tribal Council does hereby authorize the Tribal Chief or his designee, to sign additional documents, forms, or contracts directly related to the awarding of, continuance, amendment or extension of the ReConnect Grant from the U.S. Department of Agriculture, 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, 15 of whom, constituting a quorum were present at a Special Call meeting duly called, noticed, convened and held this the 26th day of February, 2020; and that the foregoing Resolution was duly Adopted by a vote of 15 members in favor, 0 opposed and 0 abstaining.

Dated this 26th day of February, 2020.

ATTEST:



Cyrus Ben, Tribal Chief



Christopher Eaves, Secretary-Treasurer