June 21, 2010

By First Class Mail

Donald L. Kilgore, Attorney General
Mississippi Band of Choctaw Indians
P.O. Box 6258
Choctaw, MS 39350

Re: Mississippi Band of Choctaw Indians gaming ordinance amendment

Dear Mr. Kilgore:

This letter responds to your request to review and approve an amendment to Title XV of the Mississippi Band of Choctaw Indians Tribal Code, the Band's gaming ordinance. The amendment was adopted by Tribal Council Ordinance No. 16-PPPP on April 13, 2010, submitted to the NIGC on May 17, 2010, and changes only the funding limits for the Band's gaming commission.

This amendment satisfies the requirements of IGRA and NIGC regulations, and this letter constitutes my approval of it. Thank you for your submission. The NIGC staff and I look forward to working with you on future gaming issues. If you have any questions, please do not hesitate to contact Dawn Sturdevant Baum, Staff Attorney, at 202-632-7003.

Sincerely,

George T. Skibine
Acting Chairman

MAY 17 2010

MISSISSIPPI BAND OF CHOCTAW INDIANS

ORDINANCE NO. 16-PPPP

AN ORDINANCE AMENDING TITLE XV OF THE TRIBAL CODE

WHEREAS, the Revised Constitution and Bylaws of the Mississippi Band of Choctaw Indians, Article VIII, Sections 1 (c) and (o), empowers the Tribal Council to "establish procedures for the conduct of all tribal government and business operations" and "establish policies relating to tribal economic affairs;" and

WHEREAS, by Ordinance No. 40, this Tribal Council has authorized Class III gaming with appropriate regulation, and

WHEREAS, by Ordinance No. 16-O, 16-R, 16-V, and 16-OOOO, this Tribal Council amended the Tribal Code by adding and amending Title XV, Chapter 1, which created the Choctaw Gaming Commission, Chapter 2, which authorized the Choctaw Gaming Commission to regulate Class II gaming (bingo and related games and certain card games), and Chapter 3, which described regulation of casino-type games on the reservation, in full accord with the IGRA; and

WHEREAS, this Tribal Council does now desire to amend Title XV to amend Choctaw Tribal Code Section 15-1-11, Funding, and now therefore be it

ENACTED, that the Tribal Council does hereby replace Section 15-1-11 of Title XV, Funding with an amended Section 15-1-11 Title XV, to the Tribal Code to read as follows:

§15-1-11 Funding

(1) The Commission shall annually adopt and assess a fee upon the gross revenue of all licensed gaming entities not to exceed two percent (2%) for the purpose of paying costs incurred in carrying out its specific investigative oversight and operational responsibilities. Assessments must be duly recorded and filed for audit purposes. The fee assessed pursuant to this section shall be payable monthly and shall be in addition to any fee(s) required to be paid by licensees to the National Indian Gaming Commission.

(2) No monies may be expended by the Commission until a budget has been submitted for review and approval by the Tribal Council. All Commission operating revenues and expenditures must be reviewed by the Tribal Chief or his designate for conformance with standard tribal administrative financial procedures.

(3) Any Commission funding needs and expenditures beyond two percent of gross revenues of gaming activities licensed by the Commission must be submitted to the Tribal Chief for Tribal Council review, approval, and appropriation in amounts necessary for the operation of the Commission. Residual funds collected in excess of expenditures shall be returned to the Tribal Council to be deposited into the tribal general fund at the end of the tribe's fiscal year.

(4) For purposes of this section, "gross revenues" means total amount of money wagered less amounts paid out as prizes or paid for prizes awarded.

And Be Further,

ENACTED, that Section 15-1-11, Title XV, shall become effective upon approval of this Ordinance.

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 meeting duly called, noticed, convened and held this 13th day of April, 2010; and that the foregoing Ordinance was Enacted by a vote of 12 members in favor, 4 opposed and 0 abstaining.

Dated this 13th day of April, 2010.

ATTEST:

Beasley Denson, Tribal Miko

Lola Parkerson, Secretary-Treasurer