

TUNICA-BILOXI TRIBE OF LOUISIANA

CATASTROPHIC ASSISTANCE PROGRAM GUIDELINES

SECTION 1 — PURPOSE

The purpose of the Tunica-Biloxi Catastrophic Assistance Program is to provide short term financial relief to tribal members who have experienced a financial hardship due to a natural disaster, emergency, or extraordinary circumstance, as defined herein.

SECTION 2 — SCOPE

These guidelines shall apply to all tribal members of the Tunica-Biloxi Tribe of Louisiana seeking emergency assistance from the Catastrophic Assistance Program.

SECTION 3 — ADOPTION; AMENDMENT; SEVERABILITY

These guidelines have been adopted by resolution of the Tunica-Biloxi Tribal Council. These guidelines may be amended by subsequent Tribal Council resolution. If any provision of these guidelines or their application to any person or circumstance is for any reason determined by a court of competent jurisdiction to be invalid or unconstitutional, the Tribal Council intends that such determination shall not affect the validity or constitutionality of the remainder of these guidelines.

SECTION 4 — ELIGIBILITY

To be eligible to receive assistance from the Catastrophic Assistance Program, an applicant must:

(a) Be an enrolled member of the Tunica-Biloxi Tribe of Louisiana; (b) Have experienced a financial hardship within the last three (3) months due to a natural disaster, emergency, or extraordinary circumstance; (c) Have completed a Catastrophic Assistance Program application and provided supporting documentation pursuant to Section 6; and (d) Must not have received any payments totaling more than \$3,000 from the Catastrophic Assistance Program within the previous twenty-four (24) month period.

SECTION 5 — DEFINITIONS

For the purposes of these guidelines, the following definitions shall apply:

(a) “Basic Necessities” mean food; clothing; shelter; fuel; electricity; non-elective essential medical services as prescribed by a physician; prescription drugs necessary to treat medical conditions; basic telephone service where it is necessary for medical reasons, and any other commodity or service determined essential by the Department of Social Services.

(b) “Emergency” means any life-threatening situation or a situation beyond the control of the individual which, if not alleviated immediately, could reasonably be expected to pose a threat to the health or safety of a person.

(c) “Extraordinary Circumstance” means a circumstance beyond a person’s control that could not be reasonably foreseen, anticipated or provided for by a prudent person.

(d) “Financial hardship” means the definition provided by the Department of Social Services.

(e) “Natural Disaster” means a natural catastrophe, including any hurricane, tornado, storm, flood or high water event, wind-driven water, tidal wave, tsunami or storm surge, earthquake, landslide, mudslide, snowstorm, fire, explosion or drought.

(f) “Tribal Council” means the governing body of the Tunica-Biloxi Tribe of Louisiana.

(g) “Tribal Member” means an enrolled member of the Tunica-Biloxi Tribe of Louisiana.

SECTION 6 — APPLICATION DOCUMENTS

A completed Catastrophic Assistance Program application must include a monthly expense report and documentation showing financial hardship. The application will be reviewed by the Department of Social Services, and if the requirements of these guidelines have been met, will be approved in a reasonable time following receipt of the application.

SECTION 7 — PROHIBITED EXPENSES

The following items shall be ineligible for disbursement under the Catastrophic Assistance Program:

(a) Credit Card Debt unrelated to a natural disaster, emergency, or extraordinary circumstance; (b) Pay Day Loans unrelated to a natural disaster, emergency, or extraordinary circumstance; (c) Legal Fees; (d) Entertainment Expenses; (e) Pet Care; (f) Property Taxes; (g) Vehicle Maintenance unrelated to a natural disaster, emergency or extraordinary circumstance; (h) Non-Medical Insurance; (i) Tuition; (j) Bail/Bond; (k) Child Support unrelated to a natural disaster, emergency, or extraordinary circumstance; (l) Cigarettes; (m) Alcohol; (n) Tobacco Products; (o) Elective Medical Procedures; (p) Payments/Debts owed to the Tribe; (q) Loss of income due to seasonal or temporary unemployment; and (r) Expenses that are not basic necessities.

SECTION 8 — INDIVIDUAL SELF-SUFFICIENCY PLAN

The goal of the Catastrophic Assistance Program is to promote tribal member self-sufficiency. An individual self-sufficiency plan (“case plan”) shall be required for each applicant seeking assistance from the Catastrophic Assistance Program. The Department of Social Services shall, where appropriate, assist the tribal member in preparing a case plan.

Failure to complete a case plan shall disqualify any applicant from eligibility to receive additional assistance from this program for a period of twenty-four (24) months.

SECTION 9 — DISBURSEMENT OF TRIBAL FUNDING

Upon approval of assistance, payments shall be issued directly to the recipient. Under no circumstances may a recipient or their household receive no more than \$3,000 for a twenty-four (24) month period. The Catastrophic Assistance Program is solely funded by the Tunica-Biloxi Tribe of Louisiana. Disbursements may be made only if Tribal funds are available for this purpose. In the event that Tribal funds for the Catastrophic Assistance Program are depleted in a given year,

approved application requests shall be placed on a waiting list to receive funding when Tribal funds become available. Priority shall be given in the order in which the applications were approved. No checks will be delivered to a Tribal member by a member of the Tribal Council or an employee of the Tribe. Checks may either be mailed to a Tribal member, a third party on behalf of the Tribal member, or picked up by the Tribal member from the Tribe's Finance Department.

SECTION 10 – SUPPLEMENTAL RESOURCES

The assistance under the Catastrophic Assistance Program is designed to supplement other kinds of assistance. Applicants shall make good faith efforts to obtain relief from other third-party sources that may be available to them, including, but not limited to, the following: (a) Life Insurance; (b) Health Insurance; (c) Workers' Compensation Insurance; (d) Homeowner's Insurance; (e) Automobile Insurance; (f) Long and Short-Term Disability Insurance; (g) Unemployment Insurance; (h) Medicare; (i) Medicaid; (j) Federal and State Disaster Relief Programs; (k) Relief Programs of religious and other charitable organizations; (l) Workforce Development Agencies; (m) Personal Savings and Investments; or (n) Other Tribal Government Programs. Obtaining such relief does not render the applicant ineligible for assistance under the Catastrophic Assistance Program.

SECTION 11 — FRAUD AND MISREPRESENTATION

Applicants or recipients who knowingly and willingly provide false or fraudulent information shall be suspended from the program and permanently barred from receiving assistance under the Catastrophic Assistance Program. Anyone found to have fraudulently obtained or to have fraudulently attempted to obtain funding from the catastrophic program are ineligible to be hired by the Tribal government for any position that they may apply for, and may be discharged from any position that they may hold with the Tribe and are ineligible to be rehired for any position with the Tribe in the future. Such applicants or recipients may be subject to prosecution under applicable tribal or federal law. Any applicant or recipient who has been suspended or barred will be notified within fifteen (15) days, in writing, by the Department of Social Services.

SECTION 12 — CONFIDENTIALITY

Records, materials, and other information collected and maintained under the Catastrophic Assistance Program shall be kept strictly confidential and protected against disclosure under tribal law. Release of records or information without the express written consent of the applicant or recipient shall be prohibited.

SECTION 13 — RIGHT TO APPEAL

Applicants shall have the right to appeal suspension, debarment, or ineligibility for the Catastrophic Assistance Program by submitting a Letter of Appeal and any supporting documentation to the Director of the Department of Social Services within fifteen (15) days of notice. The Director's ruling shall be the final determination and not subject to judicial review.

SECTION 14 – CONFLICTS

These guidelines replace the guidelines adopted by the Tribal Council on May 29, 2020, by Resolution No. TBN-R-2020-036. Any conflict or inconsistency between these guidelines and those adopted earlier shall be resolved in favor of these guidelines, which shall govern administration of the Catastrophic Assistance Program from the Effective Date.

SECTION 15 — EFFECTIVE DATE

These guidelines are effective on the date of the resolution of the Tunica-Biloxi Tribal Council adopting them.