



Oneidas bringing several hundred bags of corn to Washington's starving army at Valley Forge, after the colonists had consistently refused to aid them.

Oneida Tribe of Indians of Wisconsin

BUSINESS COMMITTEE



UGWA DEMOLUM YATEHE
Because of the help of this Oneida Chief in cementing a friendship between the six nations and the colony of Pennsylvania, a new nation, the United States was made possible.

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BC Resolution # 9-12-07-A

The Per Capita Ordinance and the \$5,000 and \$10,000 Per Capita Payments Approved by the General Tribal Council on August 11, 2007

- WHEREAS,** the Oneida Tribe of Indians of Wisconsin is a federally recognized Indian government and a treaty tribe recognized by the laws of the United States of America; and
- WHEREAS,** the Oneida General Tribal Council is the governing body of the Oneida Tribe of Indians of Wisconsin; and
- WHEREAS,** the Oneida Business Committee has been delegated the authority of Article IV of the Oneida Tribal Constitution by the Oneida General Tribal Council; and
- WHEREAS,** on August 11, 2007, the General Tribal Council approved a one-time special per capita payment in the amount of \$5,000 for Tribal members under 62 and \$10,000 for those 62 and over (hereinafter "special per capita payment"); and
- WHEREAS,** the Oneida Business Committee adopted the Per Capita Ordinance (hereinafter the "Ordinance") by passage of BC-7-12-00-B and amended by resolutions BC-11-06-02-A and BC- 6-16-04-C; and
- WHEREAS,** one purpose of the Ordinance is "[t]o specify the procedure to be followed in the event that per capita payments are issued by the Tribe;" and
- WHEREAS,** there have been questions about how the special per capita payments will be processed; and
- WHEREAS,** the Oneida Business Committee believes that it is necessary to emphasize and reiterate that the time lines found within the Ordinance are applicable to the special per capita payment; and
- WHEREAS,** the Oneida Business Committee believes that establishing a December 31, 2007 enrollment deadline is the best way to address eligibility as it relates to the August 11, 2007 General Tribal Council action; and

WHEREAS, the Administrative Procedures Act (APA) authorizes the Oneida Business Committee to enact legislation on an emergency basis, to be in effect for a period of six (6) months, renewable for an additional six (6) months; and

WHEREAS, the Oneida Business Committee finds that addressing the August 11, 2007 General Tribal Council action is an emergency situation which requires the immediate passage of amendments to the Ordinance; and

WHEREAS, emergency adoption of amendments to the Ordinance is necessary for the preservation of the public health, safety, or general welfare of the reservation population, and that observance of the regular APA adoption requirements for passage of laws would be contrary to public interest.

NOW THEREFORE BE IT RESOLVED, that the following amendments to the Ordinance are hereby adopted:

9.5-3. Deadlines. The following deadlines shall apply in regards to the payment of all per capita payments. Where the dates fall on a Saturday or Sunday the deadline shall be construed to be the close of business on the following Monday.

(a) Eligibility. Eligibility falls into two categories, both of which must be met:

(1) Filing Deadlines. An individual must file an application for enrollment no later than the close of business on January 31st.

(A) Provided that, for the December 12, 2007 special per capita payment, the filing deadline shall be October 31, 2007.

(2) Enrollment Deadlines. An individual is considered enrolled for the purposes of a per capita payment if the individual has been approved for enrollment by a vote of the Oneida Business Committee by February 28th of any year.

(A) Provided that, for the December 12, 2007 special per capita payment, the enrollment deadline shall be December 31, 2007.

9.5-3. Deadlines. (c) Payments Sent. Per capita payments shall be mailed on September 30th, unless directed otherwise by the General Tribal Council.

NOW THEREFORE BE IT RESOLVED, Tribal members who returned a properly notarized notice and address verification form by September 4, 2007, in accordance with 9.5-3(b) of the Ordinance shall be eligible for the special per capita.

BE IT FURTHER RESOLVED, Tribal members who missed the September 4, 2007, deadline for filing a verification form have until September 1, 2008, to file a request for a prior payment to receive the special per capita payment in accordance with 9.5-3(d)(2) of the Ordinance.


BE IT FURTHER RESOLVED, those Tribal members who turn 62 after the special per capita payment is made, but on or before December 31, 2007, shall receive an initial payment of \$5,000 and another payment of \$5,000 in January of 2008 in accordance with past and current practice.

BE IT FURTHER RESOLVED, Tribal members who returned the notice and address verification forms by September 4, 2007, but who passed away after September 4, 2007 and before September 30, 2007, are eligible for the special per capita payment to be paid to their estate in accordance with 9.5-4.

BE IT FINALLY RESOLVED, those Tribal members who were considered minors for the September, 2007, per capita payment will continue to be considered minors for the special per capita payment in accordance with 9.6-1.

CERTIFICATION

I, the undersigned, as Secretary of the Oneida Business Committee, hereby certify that the Oneida Business Committee is composed of 9 members of whom 5 members constitute a quorum. 8 members were present at a meeting duly called, noticed and held on the 12th day of September, 2007; that the foregoing resolution was duly adopted at such meeting by a vote of 4 members for; 3 members against; and 0 members not voting; and that said resolution has not been rescinded or amended in any way.

A handwritten signature in cursive script, appearing to read "Patricia Hoeft", written over a horizontal line.

**Patricia Hoeft, Tribal Secretary
Oneida Business Committee**