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Legislative Reference Office**

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**Memorandum**

**TO:** Legislative Operating Committee  
**FROM:** Douglass A. McIntyre, Staff Attorney  
**DATE:** November 18, 2015  
**RE:** Community Support Fund Policy Amendments: Public Meeting Comment Review

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On October 29, 2015, a public meeting was held regarding amendments to the Community Support Fund Policy. These amendments would:

- Clarify that the Fund is a fund of last resort;
- Now require an applicant to provide additional information including sufficient documentation of:
  - enrollment in the Tribe
  - household income for a period of thirty (30) days prior to the application
  - status of employment;
- Remove the cost share feature from the Fund;
- Add new items to the listed items covered by the Fund including Utility Disconnections, Inpatient Treatment, Fire recovery/natural disaster assistance, Home renovations required for handicap accessibility, Family Medical Leave Act Wage Replacement, Social Security Disability Determination rent/utility assistance;
- Add new items to the listed items not covered by the Fund including Appliance Repair/Replacement, Homeless lodging assistance, Stabilization rent assistance, Department of Correction re-entry assistance, Health membership fees, Food and personal care items;
- Only all enrolled members or individuals acting on behalf of enrolled members to seek assistance from the Fund.

This memorandum is submitted as a review of the comments received during the public meeting process, and written comments received before the comment period ended on November 5, 2015. The public meeting draft with comments, as well as the transcripts and written comments received, have been attached for your review.

**Comments 1 & 2. General Statements on the Fund.**

**Comment 1.**

**Nancy Barton:** The other part that I wanted to talk about is I think we have, we're very fortunate, we're lucky, this form, this fund was set up a long time ago because people were coming to the Business Committee with certain issues. They had medical issues, they had family issues, emergency issues and there was no fund and so it was created by the Business

Committee because they didn't want to keep hearing the request. A certain fund was established and was sent over to Center of Self-Efficiency. And it is a good thing and I think it should remain but I think that it needs a lot of work. I said two and a half, three years ago, when this policy came forward the last time, the original policy was in effect for many many years. And it worked. And then one person can come in and decide on any given day that they want to take a law and amend it and it can be crucial to Tribal members because based on that person's own personal views, they can chose to hinder and punish people that are eligible for programs. And so I felt like, and I brought it up to the LOC the last time but they didn't want to listen and so here we are and to me I feel like this whole issues here; bring it back, the first time when it got changed that it just a big waste of time and money when we do things like this. So I asked that last time it got changed to wait, stop can't see you what's going on here and it went forward. So I feel like it's a big long standing issue, we're going three and a half years now this is the second time it's been brought back and unfortunately because you can read through the lines. Ok.

**Comment 2.**

**Cathy L. Metoxen-written:** Community Support – being set-up to punish the poor and depreciate the less fortunate and minimize and devalue a certain category of tribal members.

*Response*

The commenters give general statements on the Policy. There are no recommended changes based on this comment.

**Comment 3. Prior Resolutions.**

**Bradley Graham:** Ok, where you got line 144, no go under Article 2, sorry about that, I'm going by their, I didn't have the redline, blue line version right away so you'll have to give me a little time. I should have had all the BC amendments and added in with this, there's a 10/13 or whatever was missing.

*Response*

The commenter correctly points out that a resolution is missing from the draft. Section 2-1 should be amended to read:

2-1. This Policy is adopted by the Oneida Business Committee by resolution #BC-5-15-96-A, amended by resolution #BC-01-08-97-G, BC-12-1-13-D and amended by resolution #BC-\_\_\_\_\_.

**Comments 4, 5, 6, 8, 9 & 10. Definitions.**

**Comment 4. Bradley Graham:** Ok and them under definitions, Business Days you have as recognized holiday the official calendar of the Tribe. What is that? Where is it? If you do have an official calendar, and what you're going by other than a regular calendar, you should print it out in the paper so everyone knows what's going on. Cause otherwise if you go business days Monday through Friday, you know what do you consider official holidays so that should be something.

**Comment 5. Bradley Graham-written:** For 3-1(b), not everyone knows the tribe's holidays.

Economic Support should send out a list of days, post an article in the newspaper or include with the benefits book that should be send out.

(b) “Business days” ~~shall mean~~means Monday through Friday ~~8:00 a.m. to 4:30 p.m.,~~ except ~~for those days~~ recognized as holidays ~~as listed~~ on the official calendar of the Tribe.

*Response.*

The Secretary’s Office, the Tribal website and various postings around the Tribe list the Tribal holidays. Suggested change to:

“Business day” means Monday through Friday, 8:00 a.m. – 4:30 p.m., excluding Tribal holidays.

**Comment 6. Bradley Graham:** Case Manager, Employee is it just one case manager or is there more? And that would be under 174. I’d like that defined, you know how many there is.

**Jennifer Webster:** We can just add an “s” to that. . . we can just add an “s” to that in case there’s more than one.

(c) “Case Manager” ~~shall mean the~~means a employee of the ~~Social~~Economic Support Services Area responsible for administering Community Support Services Fund benefits ~~according to the established guidelines set forth below.~~

*Response.*

Generally a definition is used in the singular. Speaking to the Department operating the CSFP, there is only one case worker within the program. However, it is not recommended that this number be included in the law as it will likely be subject to change. There are no recommended changes based on this comment.

**Comment 7. Cost Share Provision.**

**Bradley Graham-written:** Cost share should be completely removed or those under the federal poverty guidelines should be exempt from the responsibility of cost sharing.

~~(f) “Cost share” shall mean the request to have the applicant agree to contribute to the cost of the assistance given.~~

*Response.*

The comment dates back prior to cost share being removed from the draft. There are no recommended changes based on the comment.

**Comment 8. Bradley Graham:** Huh, and then on under line 198, is this Community Support or Economic? Because if you look back farther into it, it does have the next page 7 of 11 under Article 4 has does have Economic Support Services. So is this being changed from Community Support to Economic.

**David P. Jordan:** It says Community Support on the 198 that I’m looking at.

(h) “Fund” ~~shall mean~~ means the Community Support Services Fund as originally established under # BC 5-15-96-A.

*Response.*

The new language is not needed as the original resolution is cited in Section 2-1 and at the very end of the Policy. Since it adds confusion it is recommended that the additional language be deleted. Additionally, the Fund should refer to the “Community Support Fund” as the fund is currently now know.

**Comment 9. Melinda Danforth-written:** I see the Community Support Fund policy is on the agenda. I would request the LOC look at the definition of family and who qualifies for funeral travel. Our family recently traveled to Montana for the loss of our niece, and while we were able to pay for our travels as a family, many tribal members cannot afford to do so. The only persons eligible are if the person who passed away was the mother, father, grandparents or siblings (immediate family) of the person requesting support. I find this conflicting culturally with our definition of family/extended family. Yaw^ko for taking this in to consideration.

(i) “Immediate family” ~~shall mean~~ means that group of persons who make up a family unit normally defined as husband, wife, children, sister, brother, in-laws, step family, grandparents and grandchildren, and/or a person who has Legal responsibility for a member of their immediate family.

*Response.*

The commenter requests an expanded definition for “immediate family”. This is a Policy decision for the LOC.

**Comment 10. Bradley Graham:** Huh? Ok and then in the version now, page 6 of 11, 214 I’d like to see that kept in, the definition of the Reservation lands and waters. It’s in other policies too so I’d like to see it kept in this one.

(n) ~~“Reservation” shall mean all the lands and waters within the exterior boundaries of the Reservation of the Oneida Tribe of Indians of Wisconsin, as created pursuant to the 1838 Treaty with the Oneida 7 Stat. 566, and any lands added thereto pursuant to federal law.~~

*Response.*

The commenter requests that the term “Reservation” not be removed from the Policy. However, the term was removed from the definition section because it is not used anywhere in the body of policy. In the event that Reservation becomes part of the policy, the definition would be added. There are no recommended changes based on this comment.

**Comment 11. Operators of the Fund.**

**Douglass McIntyre:** I can briefly answer that. So as the fund is currently written it was under the Social Services and then it was switched to the Economic Support Services so that is the department that is currently running it. Actually that was the department that was currently

running it when Brad put in the request. I believe they have now switched it over to the Self-Sufficiency, Self-Sufficiency, I'm not sure what that department is called.

**Jennifer Webster:** Center for Self-Sufficiency.

**Douglas McIntyre:** Yes, I believe it is under that, certainly we'll get the whatever department it's under correct in there. I was going to make the change in this draft but I didn't want to sort of throw a curve ball out there confuse everybody and then have 20 people ask what's happening.

**Jennifer Webster:** And make the changes again, ok

**Bradley Graham:** Alright then let's get that changed and done right.

**Jennifer Webster:** That's what he's going to do. That's what he's going to do

*Response.*

The Community Support Fund is currently managed by the Economic Support Department which is under the umbrella of the Center for Self-Sufficiency which is under the umbrella of the Social Services Department. It is recommended that general terms be used to replace specific departments, such as "~~Social Service~~**Economic Support Services**". This would allow flexibility of management of the Fund without requiring the Policy to be changed. Suggested changes would be:

4-1. The Social Services Area of the Governmental Services Division shall ~~create and administer~~**be responsible for administration of** the Fund, **but may delegate the operation of the Fund to a Department within its control.**

#### **Comment 12. Creation of the Fund**

**Bradley Graham:** if you go under line 228 where it say the Governmental Service Division shall create, I'd like that "shall create" taken out and have them make suggestions. I don't think anybody under any of these policies shall have the right to create. And that goes for all the parts that are in here.

4-1. The ~~Social~~**Economic Support** Services Area of the Governmental Services Division shall create and administer the Fund

*Response.*

The commenter suggests that "create" be removed. This can be done without any effect to the Policy.

#### **Comment 13 & 14. Reporting.**

**Comment 13. Bradley Graham:** It's down a little further in there. Line 235, I'd like that changed to quarterly reports and annual and semiannual reports. For the under the 235 (b).

**Comment 14. Bradley Graham-written:** In 4-1(b) reporting should be quarterly.

**(b) The Governmental Services Division Director shall report semi-annually to the Oneida Business Committee.**

*Response.*

The commenter suggests that the reporting process be changed from the current semi-annual report found in 4-1(b) to quarterly reporting. This is a policy decision for the LOC.

### **Comment 15. Transparency.**

**Ed Delgado:** In the last request as I mentioned before, transparency this is Tribal money. And I think the Tribal members deserve some measure of transparency. Now recently we had a Tribal elder who received \$5000 for implants whereas the average Tribal member would never get that. But this was a Tribal member who voluntarily told everyone because she thought that is wrong that she should get it, she could afford it but she got it anyway. But how many Tribal members in the past have gotten \$5000 worth of implants for their teeth? How many times it just seems like if you have transparency, transparency isn't there for people to look in there and try to ridicule people that might need help. Transparency is there to identify those who might be abusing the system and not being held accountable for it. There are people who use abuse the system and they can do it more easily if they are able to hide under a veil of secrecy. Again that's Tribal money and the Tribe Tribal members should know how it's being spent, whose receiving it, if someone should wanna look that up. No normal person is going to publish that kind of stuff if it's fair and square, but it deserves to publish if someone or some people are abusing the system over and over again or some people might make a \$100,000 a year and you're getting rent assistance or utility assistance or food assistance. You might want to look into that too. Transparency in most places, governments provide for transparency. When people use our Government money. Yaw^ko.

*Response*

The commenter expresses a general concern for transparency concerning favoritism and income qualifications. There are no specific recommends for changes in the comment.

### **Comment 16. Benefits Book.**

**Bradley Graham-written:** Is 4-1(c) going to take the form of the benefits book?

(c) The **SocialEconomic Support** Services area shall ensure that the Tribal membership is informed of what assistance is available through the Fund, how to apply for assistance, and specify who is eligible for assistance.

*Response.*

This law concerns the Community Support Fund Policy and not the broader benefits available to the membership. There are no changes to the Policy recommended from this comment.

### **Comments 17, 18 & 19. Fund of last resort.**

**Comment 17. Ed Delgado:** I really don't know how much the Community Support fund is. My guess is \$500,000. I may be well off but I have heard a couple times you know that the Tribe can't be everything to everybody. It's a limited amount, we do have a lot of extreme poverty on this Reservation. I mean even on Site I there are some kids who go to one of the elders down

there and tell her that they're hungry and she cooks them meals. There's two or three kids like that. So there is extreme poverty on this Reservation. I think the housing presentation that General Tribal Council, that was given to GTC at one of the meetings, I think maybe the last meeting showed that in the Hobart side of the Oneida Reservation we are only about half, the average incomes in only about half of the non-Indian population of that area. So poverty still exists. There are a couple of items in here that could possibly be very expensive.

**Comment 18. Nancy Barton:** Ok so I guess that's where I'll start. On number 36 new items added to the list and we talked about this yesterday at the Business Committee meeting that someone should be here from Contract Health or from the Health Center. Those people that receive Indian health service dollars because my understanding and investigating these services or these items is that community support is a fund of last resort. We should not be using this money unless there are no other resources that exist. And so under Indian health service my understanding is the money comes to the Tribe and the Tribe can then decide how that money is to be spent. So hearing aids is one issue that I think the that Health Center needs to come forward with with what is their policy what is there funding line and so that that can be clarified.

**Comment 19. Bradley Graham-written:** In section 4-4, the fund should not be a "fund of last resort".

4-4. The Fund is a fund of last resort and provides assistance when there is no other financial assistance available.

*Response.*

The commenters have mixed remarks on the issue of the Fund being a "fund of last resort". For Fiscal Year 2016, the Fund will have a budget of approximately \$380,500. Any changes based on these comments are a policy decision for the LOC.

**Comment 20. Other Financial Assistance Available.**

**Bradley Graham-written:** 4-4 what type of proof is needed should be listed.

4-4. The Fund is a fund of last resort and provides assistance when there is no other financial assistance available.

*Response.*

A more specific description is provided in 8-2:

~~(b) No assistance shall be provided without~~(b) sufficient documentation that the applicant sought assistance from other agencies with an explanation of benefits received or refusal of assistance by the other agencies.

It is a policy decision if the LOC wishes to list more specific examples of documentation or leave to the discretion of the Fund operators. However, any changes should be made to Section 8-2.

**Comment 21. Suggested Items to be Covered by the Fund.**

**Bradley Graham-written:** Add in “All Tribal members who are on a fixed income or no income, who are below Federal and State Poverty Guidelines, shall have their bills paid.”

*Response.*

According to the June 23, 2015 enrollment statistics from the Enrollment Department, there are approximately 17,059 total members with approximately 25% (or 4,187 members) being baby boomers. It is unknown how many members are on fixed or no income. Any changes based on this comment are a policy decision for LOC.

**Comment 22. General Comment Items Covered by Fund.**

**Nancy Barton-written:** Purchase of Hearing Aids Is a New Item to be Covered. Where is the fiscal analysis on this? Taking out of the "Community Support Fund" How can you justify denying tribal members food and personal care items such as shampoo and kotex? Stabilization Rent Assistance is also being cut out so if you come in with an Eviction Notice or utilities disconnection will get you kicked out of housing tomorrow. What you are creating is a homeless population of our most vulnerable people including single parents.

*Response.*

The comment is a general comment on what is included and excluded in the policy. There have not been any financial analyses done on any of the items covered by the Fund to determine what is or isn't covered. Any changes based on this comment are a policy decisions best left to the LOC.

**Comment 23 & 24. COBRA Payments.**

**Comment 23. Bradley Graham-written:** 6-1(a) should include all health insurance that is not paid for by healthcare provider (Medicare, Medicaid, etc.) and not just COBRA payments.

**Comment 24. Nancy Barton-written:** Instead of health insurance the fund may be used to cover Cobra Insurance payments and that is a change. I don't know what COBRA is and I don't know how I feel about this.

6-1 (a) **Health insurance, including COBRA Insurance Payments**

*Response.*

COBRA (Consolidated Omnibus Budget Reconciliation Act) is a type of insurance that covers an individual or their family for a limited period of time after the individual is terminated or loses coverage because of reduced work hours. One of the commenters requests that all health insurance not paid by the healthcare provider be covered by the fund. Any changes based on the comment are policy decisions best left to the LOC.

**Comment 25 & 26. Medical Equipment.**

**Comment 25. Nancy Barton:** The next one over is rental of medical equipment and again, we're talking about the Health Center. There are resources available, there's a vast amount of resources in Brown and Outagamie County regarding medical equipment. And so adding this to

here to me looks like someone didn't do their homework and that needs to be further looked into too. There's an options program that is located on the campus of NWTC and you can go there anytime and borrow any kind of medical equipment that you need and when you're done with it you bring it back and I'm pretty sure they're nonprofit. But also this a Health Center related issue that needs to be looked over at them. The other thing that I wanted to note was, you know I'm aware of some of these policies that were created and designed specialized for the certain people at a certain time.

**Comment 26. Bradley Graham:** Nancy covered that medical equipment.

6-1 ~~(d) Rental of medical equipment~~  
**(d) Medical-related equipment, supplies, or furniture, but must use rental equipment, supplies, or furniture when available**

*Response.*

The commenters express concerns over having the current 6-1(d) or the suggested change for 6-1(d) in the Policy citing several available options local to the Brown/Outagamie area. The language in Section 4-4 makes this a "fund of last resort" which would indicate that other options (such as the ones cited) should be explored. Additionally, the Policy does not specifically limit this provision to those living in the Brown/Outagamie county area. Any changes are policy decisions best left to the LOC.

#### **Comment 27, 28, 29. In-Patient Treatment**

**Comment 27 Nancy Barton:** The other thing that I wanted to talk about on here and it's not on here, oh yes it is. Ok is the inpatient treatment and there's no one here from Behavioral Health or the Health Center and we talked about this yesterday was further defining that Indian health service is, yes David

**David P. Jordan:** We're just here to take comments, there's nobody here to hear any of this other than for the LOC to take the comments down and for us to consider the changes.

**Nancy Barton:** Ok so inpatient treatment I guess needs to further identified because also those funding sources come from Indian health services which our Tribe has put timelines or policies on the amount of time that a person can go to treatment. Which means either 10 days or it used to be 38 days, 30 days now it's only 28. So when you open the door to inpatient treatment, that is saying that a person could, if they chose to, go to a treatment facility and voluntarily select to stay there for 3 to 6 months or a year if they wanted too. So we have to I guess be careful with the funding line regarding inpatient treatment.

**Comment 28. Nancy Barton-written:** Pg 8 of 11, line 303 (h) inpatient treatment with a limit of once per lifetime. This is very unclear as contract health has policies that need to be looked at.

**Comment 29. Nancy Barton-written:** 4. INPATIENT Treatment- is an item that is going to be added to the New Items covered. Again, you are talking about Contract Health because Debbie Danforth get Indian Health Services money, they decide where that money is allocated. There SOP only covers 28 days of in-patient treatment. These specific things that changed were directly related to one individual's specific request, not the most amount of people

6-1 **(h) Inpatient Treatment (with a limit of once per lifetime)**

*Response.*

The commenter expresses concern with the inclusion of inpatient treatment due to the vagueness of the wording and concerns of the costs of long stays. Any changes based on the comments are policy decisions for the LOC.

**Comment 30. Home Renovation for Handicap Accessibility**

**Nancy Barton-written:** 5. Home Renovations Required for Handicap Accessibility-Why isn't this being covered in Elderly Services.

6-1 (j) Home renovations required for handicap accessibility (if written authorization from the landlord)

*Response.*

The commenter expresses concern with the suggested addition in (j). Speaking with Elderly Services, this is something that would not be covered by any of the Departments current programs. Additionally, Elderly Services are generally limited to the Reservation, which 6-1(j) is not in the Policy. Any changes are policy decisions best left to the LOC.

**Comment 31 & 32. Family Medical Leave Act**

**Comment 31 Nancy Barton:** The other thing that I wanted to talk about was the Family Medical Leave Act wage replacement that that specifically be identified as a catastrophic event or illness. That that cannot be used for maternity leave because it currently covers maternity leave but that is not considered a catastrophic or an emergency unless and I understand the case by case basis but you have be careful when you open the door when you say Family Medical Leave Acts so that needs to be further investigated.

**Comment 32. Nancy Barton-written:** 6. FMLA Wage Replacement- Non-Emergency Maternity

6-1 (k) Family Medical Leave Act Wage Replacement

*Response.*

It appears that the commenter expresses concern about including the Family Medical Leave Act because it covers maternity leave and the language could “open the door.” Any changes based on the comment are a policy decisions best left to the LOC.

**Comment 33 & 34. Social Security Disability Determination Rent and Utility Assistance.**

**Comment 33. Ed Delgado:** One of them is social security disability determination, rent and utilities assistance with a maximum of 12 months. Now that could be a \$12,000 expense to the Community Support thing. I could see a very easily if I was a about five years younger and try to apply for disability or didn't have social security. That would be a good way to make some money or get my rent paid. Apply for disability and wait for a determination. Sometimes it does take a year sometimes it takes longer, sometimes maybe 3 or 4 months. But it could make a good way to make some to make some decent money or assistance while even knowing that you

probably won't qualify. So I think it needs to be clarified a little bit.

**Comment 34. Nancy Barton-written:** Social Security Disability Determination Rent and Utility Assistance - The only people who can get help with rent and utilities are people who are pending Disability Determination and you cannot do that. That is discriminating against poor tribal people.

6-1 (l) Social Security Disability Determination rent/utility assistance (with a maximum of twelve (12) months per lifetime)

*Response.*

One commenter asks for clarification on the provision citing the potential expense. The other commenter requests that this not be included but broader rent and utility assistance for the poor be provided. Any changes are policy decisions for the LOC.

**Comment 35 & 22. Hearing Aids.**

**Comment 35. Nancy Barton:** And so this one I have Doug, I'm not sure if this is the most updated because the one that I had in the new items to the list it did have hearing aids and this one doesn't.

**Douglass McIntyre:** I'm not sure why, yeah hearing aids should be included in the. . .

**Nancy Barton:** It should be

**Douglass McIntyre:** Yes

**Comment 22 (partial comment, the full comment is above). Nancy Barton-written:** Purchase of Hearing Aids Is a New Item to be Covered. Where is the fiscal analysis on this?

6-1 (m) Purchase of hearing aids

*Response.*

The commenter questions why hearing aids should be included. Any changes are policy decisions best left to the LOC.

**Comment 36, 37, 38. Funeral Travel.**

**Comment 36. Nancy Barton:** And one of them that I wanted to talk about is the emergency travel regarding funerals. And we talked about this on many occasions, had many meetings, tried to find the right entity to take care of it. And we know that emergencies that don't happen between 8 and 4:30 Monday through Friday, there are night and weekend situations and nobody wanted to take it. Enrollments didn't want to take it, Center for Self-Sufficiency didn't want it but I encourage that a off hours system be designed so that when Tribal members have an emergency other than the 8-4:30 that there was a place that they to call and that the systems would be set up so that if a person needed to travel to, I'll use Arizona again, on a Saturday because some family member died, there is no system put in place. So what the this fund said to do is to you figure out how to get there and when you get back we'll reimburse you. So to me if you found a way, whether you borrowed the money or however you got there, to me that's no longer considered an emergency. You found the resources to get there, we should not be reimbursing for funeral travel. We have a department and entity that handles all other funeral

issues. The burials, the cemetery and all of those other issues that needs to be collaborated and that it's really not serving the purpose that it needs to.

**Comment 37. Luanne Green:** Hi I want to talk about that funeral thing. I called Enrollments some time ago and when a family member passed I asked about the procedure for getting some relatives to funeral. And there really isn't any at that time, I don't know if that changed. Their response was in order to receive the life insurance, that \$15,000 life insurance, you have to go to Enrollments with a death certificate. And the death certificate isn't issued until like 10 days after the person expires. So even though we have that life insurance for funerals, there's still a gap in getting people to the funerals. We had people, I have relatives in Canada and Arizona and California and everywhere and not saying that they all need to come to my funeral or would come but if they wanted to, there's still that gap there that existed years ago and people wanted to come for the funeral, it's not just the funeral expenses, it's getting to the funeral. And so you know people aren't if they do have to borrow money to get there, maybe that should be repaid out of that \$15,000 but, but to me there is still that issue there when you have 2 or 3 days you know to get depending on where you're at, to get together some money to get to the funeral.

**Comment 38. Nancy Barton-written:** Pg 8 of 11, 269 – Reimbursement of funeral travel.

6-4. Travel expenses to arrange or attend a funeral for immediate family members outside the State of where an applicant resides shall must be paid by the applicant first, and the Fund shall reimburse those applicants for mileage, lodging, or airfare expenses up to a maximum amount of five hundred dollars (\$500)

*Response.*

One commenter does not believe that funeral travel assistance should be covered citing that applicants have found a way to pay for the travel and therefore it is no longer an emergency. Another commenter suggests taking the expense out of the life insurance policy. However, each life insurance policy has a listed beneficiary and it is not likely that the Tribe can pull money away from the beneficiary to pay for the travel of others. However, this option can be explored in-depth at the LOC request. Any changes based on these comments are a policy decision for the LOC.

#### **Comment 39. Appliance Repair/Replacement.**

**Nancy Barton:** So then I guess I'll reword all of that, I agree with the appliance home repair replacement. I don't think that should be an item should be added.

*Response.*

The commenter agrees with the fund specifically not including appliance repair and replacement in 7-1(h).

#### **Comment 40, 41, 42 & 43. Homeless Lodging Assistance.**

**Comment 40. Nancy Barton:** In the next column over I'd like to say that I'm really happy that we have finally added that homeless lodging and that comes from the Department and I'm not sure what assistance they're offering but I'm glad that it's been added. I didn't have an opportunity to look at the Department. . .

**David P. Jordan:** Nancy, it says that it is not covered, that row

**Nancy Barton:** New items added to the list of things not covered by the fund so that means that it is being added

**David P. Jordan:** It's being added that they're not covering it.

**Douglass McIntyre:** It's specifically prohibited from being covered

**Nancy Barton:** Ok so then I would like to back up and I think that it should be added back in. I miss interpreted what it said. My understanding was that this was new items that weren't in the fund before but now are being added... but I would like see the fund cover homeless lodging assistance. We had a Tribal member who passed away earlier this year and he was homeless. We have homeless people in this, in our Tribe and we haven't dealt with that whole situation yet. We don't know what those numbers are and I think that this would be a good way to identify how many homeless people do we have and we don't have a way to identify those numbers until they come and ask for help. And so that's a way to track data and statistics. If they're coming in and say I'm living in my car and we need a place to stay whether it's individual or family, because we have a lot of families that are homeless that live with other families. And so I would like to see the homeless lodging assistance be added to this fund.

**Comment 41. Ed Delgado:** You are not covering homeless lodging assistance. When I was chair we had a lot of instances where Oneida Tribal members were homeless and they came here and tried to get assistance. Maybe you want to include that if they have children because it's it's devastating for Tribe not be able or not willing to take care of homeless children. And there are predicaments where people lose their homes. Single mothers, sometimes they live month to month. Hoping that the absent parent will provide that income that they're supposed to pay but sometimes don't. They don't pay it that family is in dire straits. And perhaps they should be able to go to their Tribe and their Tribe should provide that assistance. Again, we need to be careful and find out that we are serving those that are truly in need and not try and not fund those who are just using it to as an easy way out.

**Comment 42. Nancy Barton-written:** Pg 9 of 11 – 345 Items not covered by the Fund. Homeless lodging assistance – that being prejudice against homeless people

**Comment 43. Nancy Barton-written:** 2. I was extremely saddened and disturbed that this fund will NOT be covering homeless lodging assistance. Again, historical statistical information needs to be provided from the Center for Self- Sufficiency regarding the number of people applying for lodging and assistance in fiscal 2015.

How could we as Oneida people turn our backs on the most vulnerable people? The homeless go hand-in-hand with a vast array of social problems including mental illness and unemployment. Although this is a complex and unaddressed issue, it exists within our nation. A tribal member was homeless and was found deceased behind Wal-Mart where many of our own tribal members along with other Native people congregate together as a homeless community. Do NOT ignore the homeless people, or deny them assistance for a warm place to sleep and something to eat ..

*Response.*

7-1 includes items not covered by the fund and in part reads:

(i) Homeless lodging assistance

The commenters appear to be offering different perspective on whether the policy should cover homeless lodging assistance or not. Any changes based on these comments are a decision best left to the LOC.

**Comment 44, 45 & 46. Department of Corrections Reentry Assistance**

**Comment 44. Nancy Barton:** The other thing that was not added to the fund was the Department of Correction re-entry assistance. From my understanding, the Department of Correction assistance program that recently, it doesn't, it's not funded anymore. There's not a program within our Tribe, there really wasn't anything for them anyway. There was a person who was hired as an advocate or a resource person who could lead them around to other programs who also was not able to assist them. A person got a \$25 food card and was sent out the door and wished good luck. And so I think that this Department of Correction re-entry assistance is a way to identify how many of our Tribal members are coming out of prison. Men and women and what do we have to offer them when they come out of that situation to hold them up and to start all over. I feel a need to encourage them and let them know that there are things that are available to start all over that we don't continue to punish them, they've been punished. They're probably on probation with you know specific criteria that they need to meet and that the Tribe has the opportunity to help those people be successful in their endeavors.

**Comment 45. Nancy Barton-written:** Line 347 – Department of Correction re-entry assistance.

**Comment 46. Nancy Barton-written:** 3. Department of Corrections - Re-entry. When you come out of incarceration, whether a man or a woman, the least we could do is to be able to offer those people who have already been punished a way to start over and let them know we are going to hold them up while they rebuild their lives and hope they don't go back.

*Response.*

7-1 includes items not covered by the fund and in (k) includes Department of Correction re-entry assistance.

The commenter requests that Department of Correction re-entry assistance be removed from the list of items not covered by the Fund citing no other resources available. Any changes based on this comment are a decision best left to the LOC.

**Comment 47. Healthcare Membership**

**Nancy Barton:** Health membership fees should definitely not be covered. That means you are opening the door for 17,000 Tribal members. . .

**Jennifer Webster:** It's on the list not to be covered . . . so we're good there

**Nancy Barton:** Yes I saw that but it was on there before, it was a item that was previously approved because somebody said you well guys have the fitness center there and I have a doctor's slip in Arizona that says I wanna go to a membership, a fitness club then those funds were they were paid for. So you know a health membership is not a item. So I'm agreeing not to be to have it covered.

*Response.*

The commenter is in agreement with the inclusion of healthcare membership in the items specifically prohibited from coverage under this Policy. There are no recommended changes.

**Comment 48. Food and Personal Items.**

**Nancy Barton:** Under food and personal care items I disagree that that is an item that should be continued until something else comes along. I have a, for those of you that don't know, I have a General Tribal Council petition for an emergency food pantry that hopefully will come to the floor of General Tribal in the next budget year. But in between now and then, I don't believe that food, personal care that's a whole other subject. We had a closet over at Social Services where when people came if they said I need shampoo, I need laundry soap, those things were available. You could give that family or that individual a package and help them. And so food that's a whole another issue, we currently, my understanding is that we hand out, distribute Festival Food cards to the amount is \$25 per person per month and I don't feel that that is currently meeting the needs of any Tribal member. And there are provisions and restrictions on the food because if you don't bring your receipt back or perhaps you buy something by mistake, you could be punished in the future for not bringing your receipts back or possibly buying something that the person who handed you the food card thought you shouldn't be eating. So those are the things that I wanted to bring up on those two lines.

*Response.*

7-1 includes items not covered by the fund and (j) includes **Food and personal care items**. The commenter request that this item not be included in the items specifically prohibited from coverage. Any changes based on this comment are best left to the LOC.

**Comment 49. Documentation of Household Income**

**Bradley Graham-written:** Article VIII 8-2(D) 551 and social security do not receive check stub or payroll printout, just a yearly statement. (Application checklist included) Add in "SSI and Social Security shall be excluded, along with all other income that does not receive a weekly or monthly statement"

8-2. Supporting documentation ~~shall be~~is required in all cases. The applicant is responsible to provide all documentation requested by the Case Manager. **No assistance may be provided without:**

~~(a) No assistance shall be provided without~~(a) sufficient documentation of the catastrophic event ~~or, illness or, injury~~ **or emergency event** as requested by the Case Manager.

~~(b) No assistance shall be provided without~~(b) sufficient documentation that the applicant sought assistance from other agencies with an explanation of benefits received or refusal of assistance by the other agencies.

**(c) sufficient documentation of enrollment in the Tribe**

(d) sufficient documentation of all household income the thirty (30) Business days immediately prior to the submission of the application.

(e) sufficient documentation of status of employment is required and includes the following documentation:

(1) Leave of absence paperwork

(2) Balance of personal and vacation time accumulation

(3) Disability insurance or workmen's compensation coverage

(4) Check stubs

*Response.*

The commenter stats that certain people, citing people receiving social security, do not get a check stub and would not be able to show the proof in 8-2(d). He suggests making these and any other income that does not receive a weekly or monthly statement exempt from (d). Any changes are a policy decision for the LOC.

**Comment 50. Time Since Event.**

**Bradley Graham:** Ok line 281, it says amount of time elapse since catastrophic event. If you look at the back of this document under line 419 it's got 30 days after the event. I like that taken out. It'd be on page 11/11 line 419 completely removed, 419 through 421. Cause there's situations where if you do have a medical event and it's like on a Friday or a weekend, you can't contact Contract Health or nobody and by time they get done with it, it might take them a month or two, so that would take you past the 30 days so that's a violation of our rights to be denied them.

8-65. Application for assistance ~~shall~~ **must** be made within a reasonable time period, not to exceed thirty (30) Business days of a catastrophic event or illness ~~or~~, injury ~~or~~ **emergency event**. Applications made after thirty (30) Business Days ~~shall~~ **will** not be considered.

*Response.*

The commenter expresses concern over the thirty (30) day limitation on 8-5 citing the length of time it takes to get medical information. Any changes are a policy decision for the LOC.

**Comment 51. Appeals**

**Bradley Graham:** Skip back here quick, if you go back to line 426 where it says or 427 its says maybe appealed as a final decision to the Judiciary. I'd like the Judiciary taken out completely and GTC added. Judiciary should have nothing to do with any of this because they do not really exist because the Constitution has not been finalized. So therefore they're a [inaudible] body.

9-1. An appeal of the Case Manager's decision shall be made to the Case Manager's supervisor. If the supervisor upholds the decision, it may then be appealed to the Area Manager of the Social Services Division. **If the decision is upheld by the Area Manager, the decision may be appealed as a final decision to the Judiciary.**

*Response.*

The commenter requests removing the judiciary from the appeals process. Regardless of the pending finalization of the changes to the Constitution, the Judiciary is a body passed by GTC resolution and exists. However, it is a policy decision for the LOC if it wants to make changes based on this comment.

### **Comment 52 & 53. Miscellaneous**

#### **Comment 52.**

**Nancy Barton-written:** 1. Community Support" amendments. Upon reviewing these amendments it is apparent that those programs and entities who have budgets and inputs into these services have not completely or cooperatively worked together to insure that these services are not being duplicated.

Statistical information needs to be provided regarding each and every one of these services under the New Items not being covered, such as appliance repair & replacement is unclear. Exactly what appliances would you be repairing or replacing and to whom you would be replacing all 17,500 tribal members regardless of location and income?

*Response.*

The comment is a general comment on the Fund and suggest statistical information be provided on the new items not covered by the fund. This would be a requirement of the Fund operators and no changes to the policy are recommended. Additionally, appliance repair/replacement is not covered under the policy.

#### **Comment 53.**

**Nancy Barton-written:** The former Director of the Center for Self-Sufficiency before she retired, she left a legacy that prevented the people who need the funds the most almost unable to access tribal funds due to a hateful disposition.

*Response.*

The comment is a general comment on the Fund. There are no recommended changes based on the comment.

### **Conclusion**

There were multiple comments provided on the Community Support Fund Policy Amendments at public meeting and in writing which the LOC should consider and incorporate as appropriate. It is recommended that a work meeting be scheduled with invitations to the interested parties to review the comments and provide direction to any changes necessary based on the comments.