

Oneida Tribe of Indians of Wisconsin

BUSINESS COMMITTEE



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



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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GTC Resolution # 11-04-00-A
*Adoption of Per Capita Plan Z -
Fixed Per Capita Fund Option and Unexpended Budget Fund*

- 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, and
- WHEREAS, the Oneida General Tribal Council is the governing body of the Oneida Tribe of Indians of Wisconsin, and
- WHEREAS, in July 2000, the Oneida General Tribal Council has directed a per capita payment be made based on direction that was made in April 1999, based on 35% of the net gaming revenue, and
- WHEREAS, the motion made at the April 1999 General Tribal Council meeting by Madelyn Genskow amended the per capita payment to require certain protections and states that:
1. No benefits or services to Oneida Tribe enrolled members shall not be cut due to the per capita decision.
 2. All laws, policies, procedures, acts, ordinances specifically the Oneida Lay Off Policy shall be strictly enforced to protect our Tribal members who work for the Oneida Tribe.
 3. Payout will be 35% of the net gaming profit to all Oneida enrolled members and in accordance with federal laws, and
- WHEREAS, the Oneida Business Committee has presented information showing that this per capita payment cannot be made and meet the protection criteria identified by the amendments, and
- WHEREAS, the Oneida Business Committee has also presented information identifying that payment of a per capita based on 35% of net gaming revenues which include as gaming related expenses the protection criteria identified in the amendments, i.e. amended net gaming revenues, will result in a negative impact to benefits and services as well as to the Tribal structure, and
- WHEREAS, the Oneida Business Committee has a fiduciary responsibility to the Oneida Tribe to protect the assets of the Oneida Tribe as well as to distribute benefits and services to the membership, and
- WHEREAS, the Oneida Business Committee has a responsibility to carry out the lawful directives of the General Tribal Council, and
- WHEREAS, the General Tribal Council has stated at the April 1999, August 1999, December 1999, and July 2000 General Tribal Council meetings that it desires to receive a per capita allocation, and

WHEREAS, the Oneida Business Committee has developed a per capita plan that consists of –
1. **Fixed Per Capita** - a per capita payment of \$750 for every member which shall be paid each year; and
2. **Unexpended Fund Per Capita** - a future per capita investment allocation based on 50% of the unexpended funds at the conclusion of the fiscal year, and

WHEREAS, the Oneida Business Committee has determined that this type of a per capita payment meets the General Tribal Council's identified need for a per capita payment as well as the governmental/employer/business needs of the Oneida Tribe,

NOW THEREFORE BE IT RESOLVED, that the Oneida Business Committee has developed a per capita plan that consists of 1. Fixed per capita - a per capita payment of \$750.00 for every enrolled tribal member shall be paid once a year for three years in accordance with the per capita ordinance and

NOW THEREFORE BE IT RESOLVED: it shall be funded by the set aside of \$11.4 million per capita fund from FY2000 which will fund the first per capita payment to be made in February 2001, and which will be brought into FY2001 budget for this per capita disbursement. The per capita payments in FY2002 and FY2003 will be funded by unexpended funds/carry over from previous fiscal years and will serve as a foundation for the amounts required. In addition, per capita for FY2002 and FY2003 will be budgeted for in the tribal budgeting process so as not to negatively cut back on jobs, services and benefits for tribal membership. This plan will only continue for the duration of the present Gaming Compact

NOW THEREFORE BE IT FURTHER RESOLVED, that these per capita payments shall continue so long as the current Gaming Compact is in effect, May 2003, and

NOW THEREFORE BE IT FINALLY RESOLVED, that the per capita payment shall be made in accordance with the Oneida Per Capita Ordinance.

CERTIFICATION

I, the undersigned, as Vice Chair of the Oneida Business Committee, hereby certify that the Oneida General Tribal Council in session with a quorum of 432 members present at a meeting duly called, noticed and held on the 4th day of November, 2000; that the foregoing resolution was duly adopted by a two-thirds (2/3) vote of those present and that said resolution has not been rescinded or amended in any way.



Cristina Danforth, Vice Chair
Oneida Business Committee