

# Oneida Nation

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Oneida, WI 54155

## GTC Resolution # 03-17-19-A

### Reconfirming the Declaration of Confidentiality of General Tribal Council Meetings

- WHEREAS,** the Oneida Nation 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 Nation; and
- WHEREAS,** the Oneida Constitution identifies three different meetings of the General Tribal Council - the January Annual meeting, the July Semi-Annual meeting and Special meetings; and
- WHEREAS,** all meetings of the General Tribal Council, since adoption of the agenda, have been open only to membership of the Oneida Nation for the purposes of discussing issues facing the Oneida Nation; and
- WHEREAS,** non-members have been allowed to be present in General Tribal Council meetings upon adoption of a motion authorizing the non-member to be present for a specific purpose; and
- WHEREAS,** as the number of members, the governmental activities of the Oneida Nation, number of enterprise activities of the Oneida Nation, and the finances of the Oneida increased, it became more important to deliver information as well as keep that information confidential; and
- WHEREAS,** the General Tribal Council directed that the finances and audits of the Oneida Nation and its business enterprises be presented by the Treasurer at General Tribal Council meetings, and directed that that information remain confidential, *see July 9, 1983 GTC Minutes, pg. 1 and July 6, 1993, pg. 3, as examples*; and
- WHEREAS,** Chairmen, members and legal counsel have reminded the General Tribal Council that speaking to the press or discussing matters raised in General Tribal Council meetings may be determinantal to the Oneida Nation and they should be kept confidential, *see March 21, 1991 GTC Minutes, pgs. 3,6,7, January 15, 2000 GTC Minutes, and November 15, 2014, pg. 21*; and
- WHEREAS,** at a General Tribal Council meeting on August 8, 1994, the Chair notified the members that someone was taping the meeting and directed that member to stop, after some discussion, the following motion was made and carried:  
"Motion...to allow individuals to tape the General Tribal Council meetings, if the General Tribal Council approves"; and
- WHEREAS,** at that same meeting, the General Tribal Council approved an amendment that required the member to maintain the tape in the same confidential status as those held by the Secretary, which is confidential and not for release, although the member was ultimately not granted permission to tape the meeting; and

**WHEREAS,** the ability to maintain the confidentiality of documents as well as audio and video recordings confidential is important to allowing information to be presented and discussion to be as open as possible without fear of liability or litigation; and

**WHEREAS,** the advent of video cameras, digital recording devices, and now smart phones and tablet with the ability to audio and video record activities and those recordings can be placed on the Internet in various open to the public locations makes it important for the General Tribal Council to reassert its position that General Tribal Council meetings are for members only and that information presented in those meetings is confidential;

**NOW THEREFORE BE IT RESOLVED,** the General Tribal Council reaffirms its declaration that General Tribal Council meetings are confidential meetings for members only and not subject to public access regarding documents and audio/video recordings without specific permission of the General Tribal Council.

#### CERTIFICATION

I, the undersigned, as Secretary of the Oneida Business Committee, hereby certify that the Oneida General Tribal Council, in session with a quorum of 1,381 members present, at a meeting duly called, noticed and held on the 17<sup>th</sup> day of March, 2019; that the forgoing resolution was duly adopted at such meeting by a majority of those voting and that said resolution has not been rescinded or amended in anyway.

  
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Lisa Summers, Secretary  
Oneida Business Committee