



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.

**P.O. Box 365 • Oneida, WI 54155**  
**Telephone: 920-869-4364 • Fax: 920-869-4040**

Resolution 06-24-09-A

*Approving a Limited Waiver of Sovereign Immunity for  
A Premium Stabilization Fund Agreement between  
The Oneida Tribe of Indians of Wisconsin and  
The EPIC Life Insurance Company*

- WHEREAS, the Oneida Tribe of Indians of Wisconsin is a federally recognized government and Treaty Tribe recognized by the law of the United States; and
- WHEREAS, the Oneida General 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, Section I of the Oneida Constitution by the Oneida General Tribal Council; and
- WHEREAS, the Oneida Business Committee may be delegated duties and responsibilities by the Oneida General Tribal Council, and is at all times subject to the review powers of the Oneida General Tribal Council, and
- WHEREAS, the Oneida Tribe of Indians of Wisconsin desires to continue to improve the standard of living and quality of life for its membership while acting in a fiscally responsible manner; and
- WHEREAS, the Oneida General Tribal Council, by General Tribal Council motion on August 11, 1997, directed the Oneida Trust Committee to work with Bill Gollnick and bring back a Comprehensive Plan on a Tribal Social Security System, and the Oneida Trust Committee has diligently identified potential social security plan alternatives to meet the needs of the entire tribal membership; and
- WHEREAS, the Oneida Trust Committee has determined that a life insurance plan is the only viable and fiscally feasible option available to all enrolled tribal members that is tax efficient, flexible and meets the objectives set forth in the General Tribal Council motion directive of August 11, 1997; and

- WHEREAS, the Oneida Business Committee and Oneida Trust Committee passed Joint Resolution #10-01-08-A, supporting the proposed Oneida Life Insurance Plan Plus that would consist of \$15,000 of life insurance benefits directly payable to the insured's designated beneficiary or beneficiaries; and
- WHEREAS, GTC Resolution 1-17-09-B approved the Oneida Life Insurance Plan Plus to replace the Oneida Burial Fund, and that the Oneida Business Committee and Oneida Trust Committee shall implement the Oneida Life Insurance Plan Plus for Fiscal Year 2010; and
- WHEREAS, The EPIC Life Insurance Company will insure all enrolled tribal members and administer the life insurance benefits under EPIC Group Term Life Insurance Policy No. 11-803478 that is tailored to meet the specific needs of the Oneida Life Insurance Plan Plus program; and
- WHEREAS, the EPIC Group Term Life Insurance Policy No. 11-803478, contains a Premium Stabilization Fund Agreement that establishes a calculation and payment of billed premiums due and payable by the Oneida Tribe to EPIC, and functions to preserve a negotiated premium rate for an initial period of three years effective October 1, 2009, at 12:01 a.m.; and
- WHEREAS, the Premium Stabilization Fund Agreement provides for a limited waiver of sovereign immunity for purposes of allowing The EPIC Life Insurance Company to enforce the provisions of the Premium Stabilization Fund Agreement; and
- WHEREAS, the Oneida Tribe and The EPIC Life Insurance Company agree to the exclusive jurisdiction and venue of the federal United States District Court for the Eastern District of Wisconsin, or the exclusive jurisdiction and venue of the Brown County Circuit Court, Wisconsin, if the United States District Court for the Eastern District of Wisconsin declines or cannot accept jurisdiction; and
- WHEREAS, the Oneida Tribe and The EPIC Life Insurance Company agree that any monetary judgment that may be issued by a court of competent jurisdiction against the Oneida Tribe under the limited waiver of sovereign immunity shall be limited to a dollar amount of Five Million Dollars (\$5,000,000); and
- WHEREAS, all limited waivers of sovereign immunity shall be made in accordance with the Oneida Nation Sovereign Immunity Ordinance; and
- WHEREAS, the Oneida Trust/Enrollment Committee, by OTC Resolution 06-24-09-A, supports the Premium Stabilization Fund Agreement between the Oneida Tribe of Indians of Wisconsin and The EPIC Life Insurance Company for the EPIC Group Term Life Insurance Policy No. 11-803478, effective October 1, 2009.

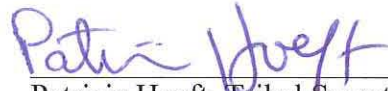
NOW THEREFORE BE IT RESOLVED, that the Oneida Business Committee hereby approves the Oneida Life Insurance Plan Plus program to be administered by The EPIC Life Insurance Company who will insure all enrolled tribal members under EPIC Group Term Life Insurance Policy No. 11-803478, effective October 1, 2009.

BE IT FURTHER RESOLVED, that the Oneida Business Committee hereby approves the limited waiver of sovereign immunity provisions as set forth in the Premium Stabilization Fund Agreement between the Oneida Tribe of Indians of Wisconsin and The EPIC Life Insurance Company for EPIC Group Term Life Insurance Policy No. 11-803478, effective October 1, 2009.

BE IT FINALLY RESOLVED, that Oneida Tribal Chairman Richard G. Hill is hereby authorized to execute the Premium Stabilization Fund Agreement between the Oneida Tribe of Indians of Wisconsin and The EPIC Life Insurance Company for EPIC Group Term Life Insurance Policy No. 11-803478, effective October 1, 2009.

#### 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 constitute a quorum. 9 members were present at a regular meeting duly called, noticed, and held on 24<sup>th</sup> day of June 2009; that the foregoing resolution was duly adopted at such meeting by a vote of 8 members for; 0 members against, 0 members abstaining; and that said resolution has not been amended or rescinded in any way.



Patricia Hoeft, Tribal Secretary  
Oneida Business Committee

\*According to the By-Laws, Article I, Section 1, the Chair votes "only in the case of a tie."