



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

ONEIDA BUSINESS COMMITTEE

Resolution #10-01-08-B

*Approving the Amended and Restated Oneida Tribe of Indians of Wisconsin
Elder, Education and General Welfare Trust of January 22, 2008,
and*

*Approving the Oneida Trust Committee's Assumption of Authority over the
Principal and Interest of the Emigrant Indian Trust of March 18, 1977*

- WHEREAS, the Oneida Tribe of Indians of Wisconsin is a federally recognized Indian government and 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, the Oneida General Tribal Council has been delegated the authority of Article IV, Section 1 of the Oneida Tribal Constitution; 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 Business Committee has been delegated the authority of Article IV, Section 1, of the Oneida Tribal Constitution by the Oneida General Tribal Council; and
- WHEREAS, the Oneida General Tribal Council, by GTC Resolution 74-4-28, established the Oneida Trust Committee to receive, hold and distribute Emigrant New York Claim settlement funds from the Bureau of Indian Affairs of the United States Department of Interior; and
- WHEREAS, the Emigrant Indian Trust of the Oneida Tribe of Indians of Wisconsin ("Emigrant Indian Trust"), dated March 18, 1977, also known as Docket 75, names the Oneida Tribe of Indians of Wisconsin as beneficiary of funds held in trust by the Bureau of Indian Affairs of the United States Department of Interior; and

WHEREAS, the Oneida Trust Committee has been authorized to hold, invest, administer and distribute trust funds on behalf of tribal member beneficiaries pursuant to Oneida General Tribal Council Resolution 1-8-77-C, the Emigrant Indian Trust of March 18, 1977, and the Oneida Per Capita Ordinance, as amended; and

WHEREAS, Article XIX of the Emigrant Indian Trust provides that the Oneida Trust Committee reserves the right to discontinue the Bureau of Indian Affairs management and investment of the principal and interest of the original Emigrant New York Claim; and

WHEREAS, the Oneida Trust Committee took action on January 22, 2008 to approve the amended and restated Emigrant Indian Trust to the Oneida Tribe of Indians Elder, Education and General Welfare Trust ("Elder Trust"); and

WHEREAS, the amended and restated Elder Trust reflects the changes in trust administration since the original Emigrant Indian Trust of March 18, 1977, but materially and substantially retains the initial Docket 75 settlement allocations and trust distribution plans provided for in the original Emigrant Indian Trust; and

WHEREAS, the Oneida Trust Committee has made the decision to exercise its reserved right under Article XIX of the Emigrant Indian Trust to discontinue the Bureau of Indian Affairs of the United States Department of Interior management and investment authority over the principal and interest of the original Emigrant Indian New York Claim trust funds; and

WHEREAS, a Memorandum of Agreement, as amended, exists between the Oneida Trust Committee and the Oneida Business Committee acknowledging the autonomous and independent authority of the Oneida Trust Committee to carry out its duties and obligations to hold, invest, administer and distribute the Trust funds pursuant to governing instruments and documents.

NOW THEREFORE BE IT RESOLVED, that the Oneida Business Committee hereby approves the amended and restated Oneida Tribe of Indians of Wisconsin Elder, Education and General Welfare Trust of January 22, 2008, to be effective upon full execution of signatures; and

BE IT FURTHER RESOLVED, that pursuant to Article XIX of the Emigrant Indian Trust of March 18, 1977, and consistent with the provisions of the Emigrant Indian Trust, the Oneida Business Committee acknowledges that the Oneida Trust Committee in good faith hereby exercises its right to discontinue and relieve the Bureau of Indian Affairs of the United States Department of Interior of its management and investment authority over the principal and interest of the original Emigrant Indian New York Claim trust funds; and

BE IT FURTHER RESOLVED, that the Oneida Business Committee hereby supports and affirms the Oneida Trust Committee action, consistent with its delegated authority from the Oneida General Tribal Council, to assume management and investment authority over the principal and interest of the original Emigrant Indian New York Claim trust funds; and

BE IT FURTHER RESOLVED, that Section 3.1(e) of the restated Elder Trust provides that the Docket 75 trust funds as established by the Emigrant Indian Trust are intended to continue for the benefit of the future generations of the Oneida Tribe of Indians of Wisconsin until fully expended; and

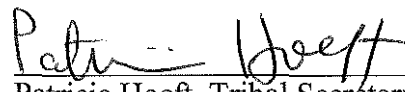
BE IT FURTHER RESOLVED, that the Oneida Business Committee hereby supports the Oneida Trust Committee seeking any Docket 75 changes necessary to obtain United States Department of Interior Secretarial consent to effectuate the restated Elder Trust; and

BE IT FURTHER RESOLVED, that Section 12.4 of the restated Elder Trust provides that none of the amendments contained therein shall be construed nor intended to relieve the United States of America of any contract, settlement, trust or fiduciary responsibilities it may owe to the Oneida Tribe of Indians of Wisconsin; and

BE IT FINALLY RESOLVED, that any action taken by the Oneida Trust Committee, and supported and acknowledged by the Oneida Business Committee, to assume authority over the Trust funds shall not be construed nor intended to relieve the United States of America of any federal trust responsibility obligations owed to the Oneida Tribe of Indians of Wisconsin consistent with applicable federal treaties, laws and regulations, Presidential Executive Orders, and United States Supreme Court decisions.

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. 7 members were present at a regular meeting duly called, noticed, and held on the 1st day of October 2008; that the foregoing resolution was duly adopted at such meeting by a vote of 6 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 I, the Chair votes "only in the case of a tie."