



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

Phone: 869-2771



Oneida, WI 54155

*Approved
As Read
6/8/82*

-SPECIAL MEETING-



UGWA DEMDLUH YATENE

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.

MAY 5, 1982

Meeting called to order at 10:30 A.M. by Chairman.

Present: Gary Metoxen, Wendell McLester, Gordon McLester, Mark Powless, Frank Cornelius.

Excused: Tony Benson, Howard Cannon, Norbert Hill, Joy Ninham

POSITION PAPER DRAFT BY SUB-SOMMITTEE

The Sub-Committee reported on the drafting of a position paper on the veto of the cigarette tax. A letter was drafted to Governor Dreyfus.

"Dear Governor Dreyfus:

On April 29, 1982, you vetoed that portion of the Budget Repair Bill No. 783, relating to the taxation of Indian Cigarette Sales on Indian Reservations in Wisconsin. Your veto was proper in view of the fact that the State of Wisconsin and Indian Tribal governments are in the process of negotiating a compromise settlement to resolve the tax issue regarding sales of untaxed cigarettes to non-Indians on Indian reservations.

The negotiating process has been continuous since May, 1981. Meetings have been held in Oneida, Green Bay, Appleton and Madison between representatives of Tribal governments and State legislators. Though the negotiating process has been slow and tedious, this process should be permitted without coercion, undue influence and political pressure.

A bill, similar to the rider attached to the Budget Repair Bill, was introduced in the assembly in the last session. It was, however, not reported out of Committee, and, therefore, died. There were indications from the sponsoring legislators that they would continue to prepare and propose such legislation unless and until a proposal and agreement could be developed between the Indian governments and the State. Your veto reinstates the status quo prior to this Budget Repair Bill and will encourage a negotiated settlement that will be mutually acceptable to both of our governments.

In conclusion, your veto of the Indian Cigarette Tax provision of the Budget Repair Bill will permit the completion of the negotiating process. I want to personally thank you for that line item veto. It allows us to continue negotiating "in good faith" on that Government-to-Government relationship".

There was some discussion on some minor changes. The Chairman will make these changes and add a paragraph of thanks to the governor.

Another letter was drafted to Senator Klecza, Joint Finance Committee. Discussion followed on some minor changes and the Chairman will finalize this letter and send it. Francis asked if they have a newsletter for the legislator in Madison. Gary said he would check with the governor's aide Anita Herrera to see if there was one.

Mark moved to have the Chairman finalize the letters and send them out. Frank seconded. Motion carried.

Wendell moved to recess at 11:45. Mark seconded. Motion carried.

Meeting reconvened with the Oneida Housing Authority.

Also present were Cliff Webster, Jean Johnson, Ron John, Roberta Kinzuma, Alberta Baird, Jerry Hill.

The Business Committee and Housing Authority met to discuss the bill. "Special Meeting, April 16, 1982, Association of Indian Housing Authorities regarding Indian Housing Act of 1982 (H.R. 5988).

The most objectionable part is Tribal Trust funds will be exposed to the discretion of the Secretary of Interior by prior agreement of the Tribes.

Loretta Webster arrived.

If the Tribe sends their position in by Thursday, our position will be put in the record. A copy of the GLITC Resolution was handed out to everyone. (Resolution #423-82B)

"THEREFORE BE IT RESOLVED, the Tribes of Wisconsin represented by Great Lakes Inter-Tribal Council, Inc. and the Menominee Tribal Chairperson, hereby oppose HR 5988, as currently written; and,

BE IT FURTHER RESOLVED, the Tribes represented urge the House Committee on Interior and Insular affairs to redraft HR 5988, to address the previously identified concerns, and to allow tribal involvement and input in the drafting of any and all legislation affecting Tribes nationally."

The position taken by GLITC goes along the same lines as the Oneida Tribe. Jerry Hill will send a telegram opposing the Bill this afternoon. The Housing Authority would send a letter along with the Business Committee's letter.

MEMO Re: Discontinuation of Housing Development

Memo from the Department of Housing and Urban Development dated April 26, 1982 in reference to the Tribe and the Housing Authority agreeing to voluntarily alleivate further housing development in lieu of using these funds for the purpose of CIAP monies. After discussion on this memo it was decided to also send letter of opposition. The Business Committee will also contact SENSE to see if they can be of any help in the Tribe opposing this action and send Jean Johnson address to them so they will get copies of anything on housing.

DOG ORDINANCE

Jerry Hill informed everyone that this Ordinance is just about finished.

Ron John asked if something could be done about the parking problem on Bingo nights especially for the elderly people trying to park. Loretta will check this out and see what can be done and report back on it.

Housing Authority left at 2:15 P.M.

Jerry Hill had been working on a draft during the meeting and he presented this draft to the Business Committee for review:

POSITION OF ONEIDA TRIBE OF WISCONSIN REGARDING
THE INDIAN HOUSING ACT OF 1982

The Oneida Tribe of Wisconsin desires that the following statements be entered into the Congressional Record regarding the above proposed legislation.

TITLE I. INDIAN HOUSING IMPROVEMENT FUND

This Title would place unnecessary discretionary powers in the Secretary of Interior and work to undermine self-government. Indian preference is not provided for, and § 101 (c) (4) would eliminate Tribal control when Tribes could perform the same services by a 638 contract.

TITLE II. INDIAN HOUSING FINANCE FUND

While the problem of accountability inhibits other Tribes from showing management competence, the Oneida Tribe of Wisconsin and others has maintained an effective and efficient Tribal Housing Authority. This Title would in effect be an encumbrance of Tribal Trust Funds and again place more discretionary power in the hands of the Secretary. It could require Tribes to maintain two housing authorities. Finally, this Title, if passed, would be an unconstitutional denial of due process to Tribal governments due to the totally inadequate notice provisions. There may be other constitutional considerations, as well.

TITLE III. INDIAN HOUSING LOAN GUARANTY FUND

Tribal Courts are not specifically included in the term "courts of competent jurisdiction", § 309(a)(1). It further implies foreclosures of Indian lands independent of Tribal government authority.

TITLE IV. MISCELLANEOUS PROVISIONS

Neither this title nor any other provisions of the proposed Act provides for 638 contracting by Tribes for housing nor sovereign immunity.

Mark made a motion to accept the draft with corrections and the addition of the conclusion taken from the GLITC Resolution #423-82B. Gordon seconded. Motion carried.

FINANCE AND APPROPRIATION RECOMMENDATIONS

Wendell moved for approval of the recommendation of \$277 Tribal Contribution for indirect cost for a grant from the Nicolet Federated Library System to the Oneida Library. Gordon Seconded. Motion Carried.

Frank moved for approval of the recommendation for Headstart proposal for Supplemental Funds. (Ad Hoc Business Committee approval on 4/28/82). Seconded by Wendell, Motion Approved.

Frank moved to approve the recommendation of the Bingo Project quarterly budget modification. Mark Seconded. Motion Approved.

Gordon moved for approval of the recommendation for the ONMB Kitchen quarterly budget modification. Frank Seconded. Motion approved.

Frank moved for approval of the recommendation of \$300 for an advertisement in the Oneida Pow-Wow Program Book. Gordon seconded. Motion approved.

Frank moved to approve the recommendation to transfer of \$3000 from Enterprise acquisition, Loc #45, out of the Enterprise & Discretionary account No. 65102. Wendell Seconded. Motion approved.

Mark moved to approve the recommendation by Rose Melchert to purchase the Bliersers Communications System Ultracom IV at an installed purchase price of \$14,097.86. The funds will be coming from "Reserve for Contingencies" by reduced by \$15,000 in the Enterprise & Discretionary account in order to pay for the purchase and installation of the communications system. Gordon Seconded Motion approved.

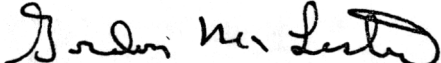
TRAVEL REQUEST

Gary requested travel to Madison, May 6 and May 11 on Cigarette Tax and GLITC Meeting. Frank moved to approve. Wendell seconded. Motion carried.

Wendell requested travel to Minnesota on May 17 for Single Audit Concept, to Duluth on May 18, 19 on 638. Frank moved to approve. Mark seconded. Motion carried.

Mark moved to recess at 3:45. Wendell seconded. Motion Carried

Respectfully Submitted,



Gordon McLester, Tribal Secretary