

Oneida Nation

Legislative Reference Office
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Committee Members
Brandon Stevens, Chairperson
Tehassi Hill, Vice Chairperson
Fawn Billie, Councilmember
David P. Jordan, Councilmember
Jennifer Webster, Councilmember

LEGISLATIVE OPERATING COMMITTEE MEETING AGENDA

Business Committee Conference Room-2nd Floor Norbert Hill Center

June 1, 2016 9:00 a.m.

I. Call to Order and Approval of the Agenda

II. Minutes to be approved

1. May 18, 2016 LOC Meeting Minutes

III. Current Business

1. Employment Law
2. Mortgage and Foreclosure Law
3. Per Capita Law Amendments
4. Research Protection Act

IV. New Submissions

1. Petition: Debraska Per Capita Distribution
2. Seal and Flag Law

V. Additions

1. Semiannual Report

VI. Administrative Updates

VII. Executive Session

VIII. Recess/Adjourn

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LEGISLATIVE OPERATING COMMITTEE MEETING MINUTES

Business Committee Conference Room-2nd Floor Norbert Hill Center
May 18, 2016 9:00 a.m.

Present: Brandon Stevens, Tehassi Hill, Fawn Billie, Jennifer Webster, David P. Jordan

Excused:

Others Present: Taniquelle Thurner, Krystal John, Maureen Perkins, Doug McIntyre, Rae Skenandore, Nancy Barton, Gina Buenrostro, Rhiannon Metoxen, Matt J. Denny, Danelle Wilson, Mike Debraska (*via videoconference from SEOTS*)

I. Call to Order and Approval of the Agenda

Brandon Stevens called the May 18, 2016 Legislative Operating Committee meeting to order at 9:00 a.m.

Motion by Fawn Billie to adopt the agenda with the addition of the Semi-annual Report and the Memorandum regarding the Code Reorganization and Administrative Rulemaking template to the Additions section; seconded by Tehassi Hill. Motion carried unanimously.

II. Minutes to be approved

1. May 4, 2016 LOC Meeting Minutes

Motion by Jennifer Webster to approve the May 4, 2016 LOC meeting minutes; seconded by Tehassi Hill. Motion carried unanimously.

III. Current Business

1. Back Pay Amendments (2:53-23:35)

Motion by David P. Jordan to accept the public meeting comments regarding the Back Pay Amendments, to request reports from the Accounting Department and the Oneida Law Office regarding their timeframes for processing back pay awards and to direct the Legislative Reference Office to bring options back to the LOC regarding the back pay formula; seconded by Tehassi Hill. Motion carried unanimously.

2. Marriage Law Amendments (23:36-35:28)

Motion by David P. Jordan to accept the fiscal impact statement that was provided as a handout and to approve the adoption packet for the Marriage Law Amendments to be forwarded to the Oneida Business Committee for consideration; seconded by Fawn Billie. Motion carried unanimously.

3. Employment Law (35:29-1:38:33)

Motion by Jennifer Webster to accept the updated draft of the Employment law based on the public meeting comments; noting the revision to be made to section 300.11-4 changing the language from a fee waiver to a statement that prohibits the Judiciary from assessing court fees upon employees disputing employment matters; and deferring to the Legislative Reference Office for an updated legislative analysis; seconded by David P. Jordan. Motion carried unanimously.

4. Mortgage and Foreclosure Law (1:38:34-1:39:58)

Motion by David P. Jordan to accept the legislative analysis of the Mortgage and Foreclosure law with revisions (adding section references and noting that the Mortgage and Foreclosure law conflicts with the current Real Property Law, and the Mortgage and Foreclosure law will govern upon adoption) and to defer to the Mortgage and Foreclosure law to the Legislative Reference Office to prepare a public meeting packet for a public meeting to be held on June 16, 2016; seconded by Tehassi Hill. Motion carried unanimously.

IV. New Submissions

V. Additions

1. Semi-Annual Report (1:50:19-1:52:22)

Motion by Jennifer Webster to approve the semi-annual report and to direct the LOC chairperson to request permission from the Secretary to include more work progress information in the LOC's semi-annual report; seconded by Tehassi Hill. Motion carried unanimously.

2. Code Reorganization and Administrative Rulemaking Template (1:52:23-2:00:31)

Motion by Tehassi Hill to approve the formatting standards included in the memorandum and the attached Administrative Rulemaking rule template; seconded by Jennifer Webster. Motion carried unanimously.

VI. Administrative Updates

1. Quarterly Report (1:39:59-1:50:18)

Motion by Tehassi Hill to approve the LOC quarterly report and forward to the Oneida Business Committee; seconded by Jennifer Webster. Motion carried unanimously.

VII. Executive Session

VIII. Recess/Adjourn

Motion by David P. Jordan to adjourn the May 18, 2016 Legislative Operating Committee meeting at 11:00 a.m.; seconded by Tehassi Hill. Motion carried unanimously.



Legislative Operating Committee

June 1, 2016

Employment Law

Submission Date: 9/17/14

Public Meeting:
 Emergency Enacted:
 Expires:

LOC Sponsor: Brandon Stevens

Summary: *This item was carried over into the current term by the LOC. The original proposal is for the development of an employment law to replace the current Personnel Policies and Procedures (Previously titled "Personnel Policies and Procedures-Revisions").*

- 9/17/14 LOC:** Motion by Jennifer Webster to add the Employment Law to the Active Files List, with Brandon Stevens as the sponsor; seconded by Tehassi Hill. Motion carried unanimously.
- 10/8/14 OBC:** Motion by Lisa Summers to accept the Legislative Operating Committee update with the following answers: 4) With regard to the Personnel Commission legislation, the Business Committee agrees that the Employment Law should continue forward and shall include consideration regarding how the Personnel Commission and/or their processes are incorporated into the Employment Law legislation; seconded by Trish King. Motion carried unanimously.
- 5/6/15 LOC:** Motion by Jennifer Webster to defer the Employment Law to a Legislative Operating Committee work meeting; seconded by Fawn Billie. Motion carried unanimously.
- 6/15/15:** Work meeting held. Attendees include Brandon Stevens, David Jordan, Matthew Denny, Gina Buenrostro, Don White, Yvonne Jordan, Lynn Franzmeier, Candice Skenandore, Douglass McIntyre, Krystal John.
- 10/5/15 LOC:** Work meeting held. Attendees include Brandon Stevens, David Jordan, Jennifer Webster, Danelle Wilson, Rhiannon Metoxen, Nick Reynolds, Krystal John, and Candice Skenandore.
- 10/8/15 OBC:** Work meeting held. Attendees include Brandon Stevens, David Jordan, Jennifer Webster, Melinda Danforth, Trish King, Tehassi Hill, Jessica Wallenfang, Mitzi Kopetsky, Nathan King, Apache Danforth, Rhiannon Metoxen, Danelle Wilson, Leyne Orosco, and Krystal John.
- 11/18/15:** Gaming Supervisory Advisor Panel held. Attendees include Brandon Stevens, Krystal John, Frank Cornelius, Robert Sundquist, Louise Cornelius, Lisa Duff, Georgianna Mielke, Donna Smith, Luke Schwab, Donald Solecki, Gabrielle Metoxen, Michelle Schneider, Martin Prevost and Laura Laitinen-Warren.
- 11/19/15:** Gaming Management Advisory Panel held. Attendees include Brandon Stevens, Krystal John, Frank Cornelius, Andrew Doxtator, Cherice Santiago, Fawn Teller, Julie Clark, Larae Gower, Shelly Stevens, Jacqueline Smith, Jay Rasmussen, Laura Laitinen-Warren, Michelle Schneider, Travis Cottrell, Louise Cornelius, Jessalyn Marvath, Brenda Mendolla-Buckley, Lucy Neville, David Emerson, Gabrielle Metoxen and Lambert Metoxen.

- 11/30/15:** Work meeting held. Attendees include Brandon Stevens, Geraldine Danforth, Wendy Alvarez, Lucy Neville, Matt Denny, Marianne Close and Krystal John.
- 12/3/15:** Work meeting held. Attendees include Brandon Stevens, Geraldine Danforth, Lucy Neville, Marianne Close, Matt Denny, Wendy Alvarez and Krystal John.
- 12/22/15:** Work meeting held. Attendees include Geraldine Danforth, Wendy Alvarez, Lucy Neville, Matt Denny, Marianne Close and Krystal John.
- 1/6/16:** Work meeting held. Attendees include Brandon Stevens, Geraldine Danforth, Lucy Neville, Marianne Close, Matt Denny, Wendy Alvarez and Krystal John.
- 1/8/16:** Work meeting held. Attendees include Geraldine Danforth, Lucy Neville, Marianne Close, Matt Denny, Wendy Alvarez and Krystal John.
- 2/1/16:** Work meeting held. Attendees include Geraldine Danforth, Lucy Neville, Marianne Close, Matt Denny, Wendy Alvarez and Krystal John.
- 2/8/16:** Work meeting held. Attendees include Brandon Stevens, Rhiannon Metoxen, Geraldine Danforth, Lucy Neville, Marianne Close, Matt Denny, Wendy Alvarez, Krystal John and Maureen Perkins.
- 2/15/16:** Work meeting held. Attendees include Lorena Metoxen, Larry Smith, Donna Smith, Larae Gower, Matt Denny, Geraldine Danforth and Krystal John.
- 2/17/16:** Employment Law information meeting for managers and supervisors held at Skenandoah.
- 2/18/16:** Employment Law information meeting for managers and supervisors held at Skenandoah.
- 2/22/16:** Employment Law information meeting for employees held at Skenandoah.
- 2/25/16:** Employment Law information meeting for employees held at Skenandoah.
- 2/26/16:** Work meeting held. Attendees include Brandon Stevens, Geraldine Danforth, Matt Denny, Lucy Neville, Maureen Perkins and Krystal John.
- 2/29/16:** Employment Law information meeting for managers and supervisors held at Norbert Hill Center.
- 3/1/16:** Employment Law information meeting for managers and supervisors at Main Casino.
- 3/3/16:** Employment Law information meeting for managers and supervisors held at Norbert Hill Center.
- 3/4/16:** Employment Law information meeting for employees held at Norbert Hill Center.
- 3/7/16:** Employment Law information meeting for employees held at Norbert Hill Center.
- 3/10/16:** Employment Law information meeting for managers and supervisors held at Little Bear Development Center.
- 3/14/16:** Employment Law information meeting for employees held at Little Bear Development Center.
- 3/16/16:** Employment Law information meeting employees at Mohawk Room (Radisson). Morning Session
- 3/16/16:** Employment Law information meeting employees at Mohawk Room (Radisson). Afternoon Session
- 3/17/16:** Employment Law information meeting for managers and supervisors held at Social Services (OLC).
- 3/18/16:** Employment Law information meeting for managers and supervisors held at Social Services (OLC).
- 3/21/16:** Employment Law information meeting employees held at Social Services (OLC). Morning Session
- 3/21/16:** Employment Law information meeting employees held at Social Services (OLC). Afternoon Session
- 3/23/16:** Employment Law information meeting for Gaming Panels at Employee Services Morning Session
- 3/23/16:** Employment Law information meeting for Gaming Panels at Employee Services Afternoon Session

- 3/25/16:** Employment Law information meeting for managers and supervisors held at Oneida Health Center.
- 3/28/16:** Employment Law information meeting for managers and supervisors held at Oneida Health Center.
- 3/29/16:** Employment Law information meeting for employees held at Oneida Health Center.
- 3/30/16:** Employment Law information meeting for employees held at Oneida Health Center.
- 3/31/16:** Employment Law Public Meeting held.
- 4/7/16:** Work meeting held. Attendees include Lucy Neville, Marianne Close, Wendy Alvarez, and Krystal John.
- 4/29/16:** Work meeting held. Attendees include Brandon Stevens, Geraldine Danforth, Lucy Neville, Marianne Close, Maureen Perkins and Krystal John.
- 5/4/16 LOC:** Motion by Jennifer Webster to accept the Employment law public meeting comments and defer the consideration of the comments to a work meeting to be held on Thursday, May 12, 2016 in the Business Committee Conference Room from 10:30 a.m. - 1:30 p.m.; seconded by David P. Jordan. Motion carried unanimously.
- 5/13/16:** Work meeting held. Attendees include Geraldine Danforth, Matt Denny, Wendy Alvarez and Krystal John.
- 5/18/16 LOC:** Motion by Jennifer Webster to accept the updated draft of the Employment law based on the public meeting comments; noting the revision to be made to section 300.11-4 changing the language from a fee waiver to a statement that prohibits the Judiciary from assessing court fees upon employees disputing employment matters; and deferring to the Legislative Reference Office for an updated legislative analysis; seconded by David P. Jordan. Motion carried unanimously.
- **Next Steps:** Accept the updated legislative analysis for the Employment Law and direct the sponsor and the drafting attorney conduct an informational meeting for the Oneida Business Committee to solicit input and, provided there are no major changes, bring an adoption packet back once all input has been collected.



Chapter 300 EMPLOYMENT LAW

<i>Analysis by the Legislative Reference Office</i>				
Title	Employment Law (Law)			
Requester	OBC Directive	Drafter	Krystal L. John	Analyst Maureen Perkins
Reason for Request	To develop an employment law to replace the Personnel Policies and Procedures (PPP), also known as the blue book.			
Purpose	To provide a fair, consistent and efficient structure to govern all employment matters [see 300.1-1].			
Authorized/ Affected Entities	Human Resources Department (HRD), current and future Tribal employees, Tribal Entities, Supervisors, Reviewing Supervisors, Oneida Business Committee (OBC), Oneida Judiciary			
Related Legislation	Anonymous Letters Policy, Lay Off Policy, Furlough Policy, Conflict of Interest Policy, Drug and Alcohol Free Workplace, Garnishment Ordinance, Military Services Employee Protection Act, Early Return to Work, Oneida Safety Law, Oneida Worker’s Compensation Law, Computer Resources Ordinance, Clean Air Policy, Paper Reduction Policy, Social Media Policy, Oneida Travel and Expense Policy			
Enforcement/ Due Process	Employee supervisors shall use the corrective action procedures in the handbook to address employees’ unacceptable work performance and/or behavior [see 300.10-1]. Employees, excluding at-will employees, may contest a corrective action internally [see 300.11-2(a)], appeal to the Trial Court [see 300.11-2(b)], and appeal to the Oneida Appellate Court [see 300.11-2(c)].			

Overview

This is a new Law that will replace the current Personnel Policies and Procedures which have not been comprehensively updated in over 30 years. The Law provides a fair, consistent and efficient structure to govern all employment matters. The Law streamlines current processes to reduce cost, time and resources. The Law contains the framework and much of the detailed content of the current Policies and Procedures have moved to the Handbook. The GTC retains authority to amend or repeal the law under the Legislative Procedures Act. Under the Administrative Rulemaking Law, the HRD would be delegated the authority under the Employment Law to create and amend the Handbook [see 300.501(a)] with OBC approval. The Law dissolves the Personnel Commission and redirects the duties currently assigned. Hearing Body Authority will move to Oneida Judiciary and the duties within the hiring process will move to HRD.

- Dissolves Personnel Commission moving duties to HRD.
- Personnel Commission hearing body authority for appeals will transfer to the Oneida Judiciary.
- Change to at-will employment for all temporary and probationary employees.
- Temporary employees no longer receive holiday pay.
- Family medical leave was added which offers extended leave for family medical situations.
- Funeral Leave for immediate family has increased to five (5) days and is non-discretionary.

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24**Repealed Resolutions**

The following resolutions are being repealed and placed into the Law or Handbook.

Repealed Resolution	Analysis
(a) The Oneida Tribal Management System and amendments to the Tribal Management System, including the Personnel Policies and Procedures adopted by the Oneida Business Committee on May 7, 1985;	The Employment Law and accompanying Handbook will replace the Tribal Management System, including the Personnel Policies and Procedures.
(b) BC Resolution BC-05-11-11-A entitled Establish Tuberculosis Control Program	The TB program is included in the Law [see 300.5-5 (a)].
(c) The Employee Protection Policy adopted by emergency pursuant to BC-4-20-95-B, permanently adopted pursuant to BC-12-6-95-B and subsequently amended pursuant to BC-1-20-99-B and BC-6-30-04-J;	Employee Protection is included in the Handbook [see XIV 14-1 to 14-3].
(d) The GED Policy approved by the Oneida Business Committee on October 21, 1992;	GED Policy is included in the Law [see 300.6-3] and the Handbook [see IV 4-3(b)].
(e) BC Resolution BC-07-22-09-B entitled Oneida Nation Veterans Affairs Committee, Paid Time Off for Selected Color Guard Members Who Are Employees;	Color Guard leave is included in the Handbook [see XI 9-8].
(f) The Parent Leave Policy adopted pursuant to BC-03-02-94-A;	Parent leave is included in the Handbook [see XI 9-7].
(g) BC Resolution 04-05-95-A regarding a paid break for donating blood at a blood drive coordinated by the Nation;	Paid blood donation break is included in the Handbook [see VIII 8-1(d)].
(h) BC Resolution 05-12-93-J regarding HRD's role in the interpretation, implementation and enforcement of the Personnel, Policies and Procedures;	HRD's role and responsibilities are included in the law [see 300.5].
(i) GTC Resolution 05-23-11-A entitled Personnel Policies and Procedures Amendments to Strengthen Indian Preference in Hiring.	Some of the content of this resolution appears in the Law [see 300.1-1 and 300.6-2] and Handbook [see III 3-4], some of the content has changed.

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32**Proposed Amendments****Current Policies and Procedures Section II Recruiting**

- Repeal GTC Resolution 5-23-11-A
- Change policy regarding labor pools to improve efficiency in hiring
- Temporary employees changed to at-will with no appeal rights
- Temporary employees will no longer receive holiday pay

Current Policies and Procedures	Proposed Law	Analysis
Section II Recruiting		
1. Recruiting Strategy	Removed	This is an outdated HRD process that is being removed.

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Current Policies and Procedures	Proposed Law	Resolutions	Analysis
<p>Section II B Labor Pools 3. ...All qualified applicants will then be placed in a pool according to the Tribe's Oneida and Indian Preference Policy and the date the application was received. All applicants will be notified of acceptance into or rejection from the pool.</p>	<p>Handbook 5.7(d) (1) Work with a Hiring Representative to interview, pursuant to Article 5-8, and rank, pursuant to Article 5-9, each applicant in the labor pool. When all interviews and rankings of the labor pool are complete, the Supervisor shall make a selection pursuant to Article 5-10; or (2) Request that a hiring representative complete a pre-screening of the labor pool based on the applications submitted and the screening process contained in Article 5-6 to provide the supervisor with the top (3) qualified applicants for the position. The supervisor may then interview the top three (3) applicants in the labor pool pursuant to Article 5-8(a) and (b), and rank them, pursuant to Article 5-9. When all interviews and rankings are complete, the supervisor shall make a selection, provided that, if there is one (1) or more Oneida applicant in the top three (3) most qualified, an Oneida applicant must be selected.</p>	<p>GTC Resolution 5-23-11-A Personnel Policies and Procedures Amendments to Strengthen Indian Preference in Hiring: "...requiring that all Labor Pool Positions will be considered based, first on Indian Preference and second, on the date the application was received would also increase the number of Tribal members who are employed by the Tribe".</p>	<p>Indian Preference still applies to Labor Pools. This Law requests GTC to repeal GTC Resolution 5-23-11-A and changes the policy removing the date the application was received as a place in the pool. The reasoning behind this change is that it is creating inefficiency within hiring.</p>

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Current Policies and Procedures	Proposed Law	Analysis
<p>Emergency Temporary Positions g. Temporary employees that are terminated due to documented cause will have the right to the appeal process as outlined in the personnel policies and procedures.</p>	<p>Handbook V 5-17. At-Will Employees. (k) At-will employees, excluding political appointees that are hired through the normal hiring process, do not have access to the grievance process provided in article 13.</p>	<p>Change to at-will employment for temporary employees. Temporary employees do not have access to appeal process.</p>
<p>4. Benefits Emergency Temporary...eligible for benefits as defined in this section of the Personnel Policies and Procedures as Mandatory Benefits and Holiday pay.</p>	<p>Handbook XII 7-11. Paid Holidays. (d) The following employees are not eligible for paid holidays: (4) Temporary at-will employees;</p>	<p>Temporary employees no longer receive holiday pay.</p>

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Current Policies and Procedures Section III Selection Policy

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- Oneida and Indian Preference changed for descendants per GTC resolution and BC action.

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- Step relationships added to the immediate family definition for purposes of determining nepotism and conflict of interest.

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- Electronic submission of applications added.

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- Initial posting for Oneida applicants only has been removed; Oneida's are still given preference in the interview process and Oneida and Indian Preference still apply to all hiring decisions.

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- 45 • Selection has changed from the top two to the top three candidates.
- 46 • Interim transfers have been reduced to a maximum of one year.
- 47 • Change in the transfer process.
- 48 • Employees separated or terminated during probationary period no longer receive credit
- 49 for accrued personal time off.

Current Policies and Procedures	Proposed Law	Resolution	Analysis
<p>Priorities of Indian Preference</p> <ol style="list-style-type: none"> 1. Enrolled Oneida Tribal member; 2. Oneida Indians eligible for enrollment in the Oneida Tribe; 3. Documented first generation Oneida descendant; 4. Other Native American Indian; 5. Other (non-Indian). 	<p>300.6-2. Oneida and Indian Preference. The Nation shall apply Oneida and Indian Preference to all hiring practices.</p> <p>(a) Unless otherwise prohibited by law or grant funding requirements, the Nation shall apply the following order of Oneida and Indian Preference in staffing decisions:</p> <ol style="list-style-type: none"> (1) Persons who are tribal members. (2) Persons who meet the blood quantum requirements contained in the Membership Ordinance, but are not currently tribal members, and/or persons who are documented first generation descendants of a tribal member. (3) Persons enrolled in any federally recognized tribe other than this Nation. (4) All other non-Indian persons. <p>(b) If a law or grant funding requirement prohibits the application of Oneida and Indian Preference in accordance with 300.5-3(a), the Nation shall make staffing decisions in accordance with the Indian Preference requirements of the said law or grant.</p> <p>(c) Oneida and Indian Preference applies only when an applicant meets all the minimum requirements of the position applied for.</p> <p>(d) Oneida-Only Positions. To the extent possible, all top administrative and political appointee positions must be held by tribal members.¹ If a position requires specific skills and/or licensing by the state or federal government and there are no available tribal members who possess the necessary skills or licensing to assume the vacancy, only then may a non-tribal member be selected to fill the vacancy. In the event that a non-Tribal member is hired for a position originally designated as Oneida-only based on this provision, HRD shall hire the employee under contract so that the Nation may consider whether a Tribal member may be available to assume the position upon the expiration of the contract term.</p>	<p>GTC Resolution 5-23-11-A Personnel Policies and Procedures Amendments to Strengthen Indian Preference in Hiring</p>	<p>Change in preference for descendants per BC work meeting 10/8/15 and GTC Resolution.</p> <p>Oneida preference was strengthened by requiring contracts for non-Oneida candidates hired to fill an Oneida only position in the absence of a qualified Oneida candidate.</p>

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Current Policies and Procedures	Proposed Law	Analysis
B. HIRING PROCEDURE		
e. Conflict of Interest and Nepotism	Step relationships added	

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2. Hiring Procedures b. Personnel Commission	Removed	The Personnel Commission will be dissolved with the passage of the Law.
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d(3) Application Deadline	Mailed application removed Electronic submission added	HRD does not receive mailed applications any longer.
d(4) All applications will be acknowledged.	Removed	This is an outdated HRD process that does not fit the current organization.

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Current Policies and Procedures	Proposed Law	Resolutions	Analysis
<p>2. Advertising 2(e)(2) Unless otherwise prohibited by external grant source or federal law, the first posting for a position vacancy shall be limited to enrolled Oneida members and shall be posted for a minimum of seven (7) calendar days.</p>	<p>Handbook IV. 5-3. Posting Vacancies. (a) New Positions. All new positions, excluding those intended to be filled with an At-Will Employee, must simultaneously be posted internally and externally for a minimum of seven (7) days. 5-8. Interviews. (a) (1) If there are two (2) or more qualified and eligible Oneida applicants the hiring representative shall schedule interviews with the Oneida applicants first. In such circumstances, the remaining applicants, if any, may only be scheduled for interviews if an Oneida applicant has not been selected pursuant to Article 5-10. (2) If there are not two (2) or more qualified and eligible Oneida applicants, the hiring representative shall schedule interviews if there are three (3) or more qualified and eligible applicants in total. 5-10. Selection. (b) When all interviews have been conducted, if applicable, the supervisor shall select an applicant for the position based on the following, provided that if there are two (2) or more qualified and eligible Oneida applicants, one (1) of the Oneida applicants must be selected: ...</p>	<p>GTC Resolution 5-23-11-A Personnel Policies and Procedures Amendments to Strengthen Indian Preference in Hiring: “...Initially posting all vacant positions as “Oneida Only” would increase the number of Tribal members who are employed by the Tribe”.</p>	<p>All postings are now completed at one time, which saves time in the hiring process; if two (2) or more qualified Oneida’s apply, they will be interviewed first and a selection made as long as there are at least two (2) eligible Oneida’s after the interview process has been completed.</p> <p>This Law requests GTC to repeal GTC Resolution 5-23-11-A.</p>

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Current Policies and Procedures	Proposed Law	Analysis
<p>2(f)(2) Screening of Applicants The HRD Office shall notify screened out applicants within five (5) working days after the initial screening and reserve these applications in the general recruiting pool.</p>	<p>Removed</p>	<p>This is an outdated HRD process that does not fit the current organization.</p>
<p>2(h)(1) Selection The supervisor shall select one of the top two (2) candidates as ranked through the rating scale.</p>	<p>Handbook 5-10. Selection. All hiring decisions must adhere to the Oneida and Indian preference policy as contained in the Employment Law. (a) When all interviews have been conducted, the supervisor shall select an applicant for the position based on the following, provided that if there are two (2) or more qualified and eligible Oneida applicants, one (1) of the Oneida applicants must be selected: (1) For single vacancies, the supervisor must select one (1) of the top three (3) ranked applicants.</p>	<p>Selection has changed from the top two to the top three ranked applicants, unless only two qualified Oneida’s apply, in which case one of the two will be selected. Oneida and Indian Preference apply.</p>

	(2) For multiple positions, the supervisor shall make a selection from the top three (3) ranked applicants for the first position and the hiring representative shall provide the next ranked applicant for each subsequent position to be filled so that the supervisor is picking from a pool of three (3) applicants for each position.	
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Current Policies and Procedures	Proposed Law	Analysis
<p>C. TRANSFERS AND PROMOTIONS POLICY Procedure a. Internal Posting and Bidding 1) Open positions as determined by a supervisor and his/her Area Manager will be posted internally for five (5) working days. This internal posting will be concurrent with the external (public) posting of positions. 2) Tribal employees may bid for transfers by notifying their immediate supervisor and submitting an Application Form to the HRD Office. a) The HRD Manager will inform all affected Area Managers of each transfer bid. 3) At the end of the five day internal posting period, the HRD Manager will schedule a conference with the open position's supervisor and the Area Manager. a) The conference committee will consist of the supervisor, the Area Manager and the HRD Manager (or designate) acting as this Committee will: i. Establish selection criteria; and ii. Review each bid. b) The Committee may select the best-qualified applicant but is not required to choose an applicant to fill the open position from those employees who have submitted an application for a transfer or promotion. c) If the Committee does not fill the position from the transfer/promotion process, the process will continue through the full advertising, screening and interview steps. c) An employee must have completed one year of service to the Tribe before being eligible for a promotion or transfer (requests for transfers for documented medical conditions will be handled on a case by case basis and only when in the best interests of both the employee and the Tribe); d) The newly transferred or promoted employee shall be require to complete a three (3) month probation period (all conditions of the Tribe's Probation Policy shall apply).</p>	<p>Handbook 5-3(b) Existing Vacant Positions. Existing vacant positions must be posted internally for a minimum of seven (7) days. In addition to posting internally, a supervisor may also direct the hiring representative to post the position externally for a minimum of seven (7) days, during which time the position must remain posted internally. The external posting may occur simultaneously with the internal posting or may be done after the internal posting deadline has closed. If a position is not filled through the initial internal and/or external posting based on the hiring procedures contained in this article, it may be reposted until filled.</p> <p>5-15. Employee Transfers. Employee transfers must be approved by HRD for procedural compliance and by the prospective transfer's employee supervisor and reviewing supervisor. (b) Employees become eligible to transfer within their entity after achieving six (6) months of continuous employment with the Nation and are eligible to transfer organization-wide after achieving one (1) year of continuous employment with the Nation. (c) Transferring employees are not subject to an additional probationary period, but are subject to the evaluation requirements for probationary employees as provided in Article 5-13(d).</p>	<p>The initial five (5) day posting for transfers has been removed. Under the proposed law, the supervisor must post internally for seven days, but also has discretion to open the position up to external applicants.</p> <p>Transfers can be considered at any time in the posting and selection process. Positions can be posted internally first to consider transfers at the supervisor's discretion. Positions may also be posted both internally and externally at the supervisor's discretion.</p> <p>The process to apply for a transfer and the detail regarding transfers being considered prior to all other applicants is not included in the Handbook.</p> <p>The length of employment to be considered for transfer has remained at one year external to the employee's department and changed from one year to six months internally within employee's department.</p> <p>Transfers for medical reasons are not mentioned in the Law or Handbook.</p> <p>The probationary period for transfers has been removed but the evaluation period has remained.</p>

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Current Policies and Procedures	Proposed Law	Analysis
D. Probation		
<p>3. Completion of Probation Period (b) Employees who are terminated during the probation period will receive credit for accrued vacation/personal days in their final paycheck.</p>	<p>Handbook VI 5-13. Probationary Period. (b) Employees accrue paid time off during their probationary period. An employee may not use or, in the event of separation or termination, be paid out for any accrued paid time off until the employee has successfully completed his or her probationary period, except that employees whose probation period is extended may begin using accrued paid time off beginning after the close of the initial ninety (90) probation period.</p>	<p>Employees separated or terminated during probationary period no longer receive credit for accrued personal time.</p> <p>Employees may not use accrued Paid Time Off until after their initial 90 day probationary period .</p>

57 **Current Policies and Procedures Section IV Compensation and Benefits**

- 58 ● Change in notice to supervisor for PTO for unforeseen circumstances.
- 59 ● Change from PTO taken without 24 hour notice limited to 6 occurrences with no
- 60 supervisor discretion in a 12 month period after which a corrective action may be
- 61 initiated.
- 62 ● A 12th floater holiday was added.
- 63 ● Change in personal and vacation time combined into Personal Time Off (PTO) without a
- 64 change in the number of hours. Change from days off to hours off.
- 65 ● Change from meeting attendance to speaker responsibilities with a change in the amount
- 66 of compensation an employee can keep.
- 67 ● Additional funeral leave was added.
- 68 ● Change in leaves of absence to personal leave.
- 69 ● Change in maternity leave to include adoption and both men and women. This leave is
- 70 covered under the family medical leave section of the Handbook.
- 71 ● Change in accruals for military leave.

Current Policies and Procedures	Proposed Law	Analysis
<p>2. Workday b. 2) In case of an unavoidable delay or absence, the supervisor must be notified no later than thirty (30) minutes after the scheduled starting time. Employees are encouraged to notify their supervisor before their scheduled starting time. a) Employees failing to report to their assigned jobs or failing to call in within the thirty (30) minute time allowed will be subject to disciplinary action.</p>	<p>Handbook VII 7-13. Paid Time Off (PTO). (h) In the case of an illness or unforeseen circumstances, an employee must notify his or her employee supervisor that he or she will be absent no less than fifteen (15) minutes prior to the employee’s scheduled starting time. Employees may use PTO based the reduced notice requirements in this Article a maximum of six (6) occurrence’s in twelve (12) month period. (i) Entities may develop their own standard operation procedures that deviate from the requirements contained in sub-articles (g) and (h), provided that, in regards to sub-article (h), Entities may not provide Employees with less than six (6) occurrences to request PTO using the reduced notice requirements and may not require greater than two (2) hours of notice. Such standard operating procedures may include blackout dates deemed critical to business during which no PTO may be taken regardless of whether it is proposed to be taken pursuant to sub-Article (g) or (h) above.</p>	<p>Change from required notice to supervisor 30 minutes after to a minimum of 15 minutes before scheduled work start time.</p> <p>Entities may develop their own standard operating procedure to require increased notice.</p> <p>Employees are entitled to six (6) occurrences of reduced notice PTO with no supervisor discretion in a twelve (12) month period.</p>

Current Policies and Procedures	Proposed Law	Analysis
<p>4. Holidays. a. Tribal holidays consist of the following: 1) One-half day Christmas Eve 2) Christmas Day 3) New Year's Day 4) Memorial Day 5) Veteran's Day 6) Independence Day 7) Labor Day 8) Thanksgiving Day 9) Indian Day (day after Thanksgiving) 10) One-half day Good Friday 11) Code Talkers Day (National Oneida Day) (Friday prior to Memorial Day)</p>	<p>Handbook VII 7-12. Paid Holidays. (a). The Nation observes the following paid holidays: (1) New Year's Day; (2) Good Friday (half day); (3) Oneida Code Talkers Day (observed the Friday prior to Memorial Day); (4) Memorial Day; (5) Independence Day; (6) Labor Day; (7) Veteran's Day; (8) Thanksgiving Day; (9) Indian Day (observed the day after Thanksgiving); (10) Christmas Eve (half day); (11) Christmas Day; and (12) Possibly a floater holiday. (A) Employees of an entity that does not operate under the Nation's standard business day may, if approved by his or her employee supervisor, substitute one (1) of the above holidays for a holiday not listed (i.e. Cinco de Mayo, Hanukah, etc.). (B) Prior to offering employees a floating holiday, the entity shall create a standard operating procedure to govern the approval process for such requests and the standard operating procedure must be submitted to and approved by HRD.</p>	<p>A 12th floater holiday was added to the list of paid holidays.</p>

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Current Policies and Procedures	Proposed Law	Analysis
<p>5. Vacation/Personal Days c. Except as provided for in section g, the accrual of personal days shall be as follows: 1) 0-3 years service - 6 days per year; 2) 4-7 years service - 8 days per year; 3) 8-14 years service - 10 days per year; 4) 15 + years service - 12 days per year; d. Except as provided for in section g, the accrual of vacation days shall be as follows,: 1) 0-3 years service - 12 days per year; 2) 4-7 years service - 15 days per year; 3) 8-14 years service - 20 days per year; 4) 15 + years service - 25 days per year.</p>	<p>Handbook VII 7-13. Paid Time Off (PTO). Employees accrue PTO based on years of continuous service, provided that temporary employees are not eligible to accrue PTO. (a) PTO accrual rates for full-time employees are as follows: (1) 0-3 years of service – 144 hours annually (2) 4-7 years of service – 184 hours annually (3) 8-15 years of service – 240 hours annually (4) 16 + years of service – 296 hours annually</p>	<p>Personal and vacation combined into paid time off. Accruals remain the same. Days have been calculated at 8 hours each.</p>

74

Current Policies and Procedures	Proposed Law	Analysis
<p>1) Employees who have used the Tribally-sponsored loan program will be required to honor the terms of the loan agreement.</p>	<p>Removed</p>	<p>The Nation does not currently offer a loan program.</p>

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Current Policies and Procedures	Proposed Law	Analysis
<p>D. Leaves 1. Meeting Attendance a) Approval for attending any meetings inside normal working hours must be approved in advance by the employee's immediate supervisor. (BC Action, 5-16-89) b) Employees who receive stipends or</p>	<p>Handbook VII 7-9. Speaker and/or Presenter Compensation. An employee whom is offered compensation by a third party for participating in an event as a speaker and/or presenter as related to his or her position's duties must either: (a) Request paid time off to attend the event for which the employee will speak and/or present</p>	<p>Change from meeting attendance to speaker and/or presenter compensation. Compensation received in excess</p>

<p>honoraria in excess of \$50.00 for attending meetings during working hours will forfeit the amount in excess of \$50.00 from their regular paycheck. Stipends for travel or per diem will not be deducted if accompanied by receipts for such expenses.</p> <p>c) Stipends or honoraria for intra-tribal meetings during normal working hours will result in the employee's paycheck being reduced by the full amount of the stipend.</p>	<p>and keep the compensation offered by the third party; or</p> <p>(b) Collect his or her normal compensation from the Nation for the time spent speaking and/or presenting as related to his or position's duties and forward the compensation provided by the third party to the Nation's Accounting Department to be added to the employee's entity's budget as income.</p> <p>(c) Employees receiving compensation, including gifts and gift cards, equal or less than fifty dollars (\$50.00) in value are exempt from this requirement.</p>	<p>of \$50.00 will be forfeited if earned during working hours.</p>
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Current Policies and Procedures	Proposed Law	Analysis
<p>2. Funeral Leave</p> <p>a) All regular employees will be given a three (3) day leave without loss of pay for funeral services for immediate family. Immediate family includes: Husband, Mother, Brother, Wife, Father, Sister, Mother-in-law, Son, Grandparent, Father-in-law, Daughter, Grandchild,</p> <p>b) Three (3) day leave for other persons will be given only if the employee is responsible for making funeral arrangements, subject to prior approval of supervisor.</p> <p>c) All other funeral leave will be limited to no more than one (1) day with pay subject to the notification and approval of the immediate supervisor.</p>	<p>Handbook IX</p> <p>9-5. Funeral/Bereavement Leave.</p> <p>(a) An employee may take up to five (5) days of paid funeral/bereavement leave for the death of an immediate family member, which the employee supervisor may not deny. An employee that is primarily responsible for making funeral arrangements for the death of someone outside of his or her immediate family may also take up to five (5) days of paid funeral/bereavement leave, provided that such leave is at the discretion of his or her employee supervisor.</p> <p>(1) Persons primarily responsible for making funeral arrangements are those responsible for making major decisions including, but not limited to, the place of the service, the date and time of the services, the type of service and/or burial.</p> <p>(2) The five (5) days of paid funeral/bereavement leave is not required to be taken consecutively and may be split into different work weeks to the extent that it is related to funeral services.</p> <p>(b) An employee, excluding at-will employees, may, at the employee supervisor's discretion, take up to twenty-four (24) additional hours of unpaid funeral/bereavement leave if the employee is assisting with funeral arrangements, which may include but are not limited to, being a fire-keeper, coordinating meals, or being a pall-bearer, speaker or singer.</p> <p>(c) An employee may take up to three (3) paid hours of funeral/bereavement leave for the death of someone outside of his or her immediate family, provided that his or her employee supervisor must approve such leave.</p>	<p>Funeral leave has been increased from three (3) to five (5) days for the loss of an immediate family member and this leave is not discretionary. Five (5) days of discretionary leave is available for those who are responsible for funeral arrangements outside of the immediate family.</p> <p>Immediate family has been extended to include step-relationships [see 300.3-1(j)].</p> <p>Twenty-four (24) additional hours of funeral unpaid leave is extended to individuals assisting with funeral arrangements (being a fire-keeper, coordinating meals, or being a pall-bearer, speaker or singer).</p> <p>Three (3) hours are available for employees for the death of someone outside of the immediate family.</p>

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Current Policies and Procedures	Proposed Law	Analysis
<p>3. Leave of Absence 3) No later than fifteen (15) working days prior to the expiration of the leave period the employee must give notice in writing of his/her intent to return to the position. Notice must be presented to the supervisor.</p> <p>i. Failure to provide written notice will be interpreted to mean that the employee does not intend to return following the leave. The position will be posted and filled through the selection process.</p>	<p>Handbook IX 9-2. Personal Leaves. (e) So long as an employee is able to return to work following a personal leave, his or her job must be made available upon return, unless a business need of the Nation has eliminated the position, in which case the employee must be placed within the closest comparable and available position for which the employee is eligible. (f) If an employee is not able to return to work following a personal leave, he or she must be separated.</p>	<p>Leaves of absence have been changed to personal leaves.</p> <p>The 15 day notice to return from a leave does not appear in the Handbook.</p>

81

Current Policies and Procedures	Proposed Law	Analysis
<p>4. Maternity Leave a. Maternity leave will be granted for a period of six (6) weeks without pay.</p> <p>1) An employee may elect to cover any portion of this time by using accumulated sick days.</p> <p>2) Any maternity-related absences for longer than six (6) weeks must be taken as a medical leave of absence.</p>	<p>Handbook XI 9-1. Family Medical Leave. (a) Employees are entitled to up to ninety (90) calendar days of FML in a rolling twelve (12) month period in accordance with the qualifying events recognized by the Family and Medical Leave Act, which includes the birth, adoption, and/or placement for adoption of a child.</p>	<p>Family medical leave is new under this Handbook and applies to both men and women.</p> <p>Adoption was added to this leave.</p>

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Current Policies and Procedures	Proposed Law	Analysis
<p>5. Military Leave Time off for inactive duty training, examinations to determine fitness for duty and funeral honors duty shall be afforded to employees without the accumulation or loss of holiday, vacation or personal time. An employee will receive pay from the Tribe for any hours work that the employee was required to miss due to reservist training.</p>	<p>9-4. Military Leave. (b) Leave for inactive duty training, examinations to determine fitness for duty and funeral honors duty is afforded to employees and during such leave employees will continue to accrue PTO and to be eligible for holiday pay. Further, the Nation shall pay employees for any absences attributed to required reservist training, provided that; the employee shall provide documentation from the military of such training dates.</p>	<p>Personal time off has changed for military leave. Employees on leave for inactive duty will accumulate personal time off and holiday pay.</p>

83 **Current Policies and Procedures Section V Employee Relations**

- 84 ● Employees will no longer be placed on probation for unsatisfactory evaluations.
85 ● The formal complaint process has been eliminated.

Current Policies and Procedures	Proposed Law	Analysis
<p>Evaluations</p> <p>4. Satisfactory evaluations may result in the employee receiving an increase in pay within their grade level provided that the employee has not attained the highest step within the grade.</p> <p>a. Unsatisfactory evaluations will result in probation status for the employee. The supervisor shall provide documentation to the Area Manager and to the employee detailing the deficiency(s). A repeat evaluation will be conducted three (3) months after the unsatisfactory evaluation. This second evaluation will result in the employee:</p> <ol style="list-style-type: none"> 1) Being removed from probation and receiving a salary increase if the second evaluation results in an overall satisfactory rating; or 2) Receiving appropriate disciplinary actions if the second evaluation also results in an unsatisfactory rating. 	<p>Handbook VI</p> <p>6-1. Annual Performance Evaluations.</p> <p>(a) Employee supervisors shall evaluate each of their employees annually in the same month as the employee’s date of hire for his or her current position and shall meet with each employee to discuss the contents of the annual performance evaluation.</p> <p>(e) Employees who disagree with their annual performance evaluation may seek mediation with their employee supervisor at HRD.</p> <p>(f) All employees receiving an overall unsatisfactory score on their annual performance evaluation must be re-evaluated by their employee supervisor within ninety (90) days of their signed annual performance evaluation.</p> <ol style="list-style-type: none"> (1) During the re-evaluation, the employee supervisor shall follow up on and reassess the employee development plan with the employee. (2) Employee’s receiving a re-evaluation based on an initial unsatisfactory evaluation, must receive an annual evaluation score that is an average of the initial evaluation score and the re-evaluation score. <p>7-1. Tribal Compensation Plan.</p> <p>(1) Merit based increases where a merit based increase is an increase in an employee’s compensation based on performance as reflected in the employee’s annual performance evaluation;</p> <p>(2) Entities may also independently initiate merit based increases through their annual budgets. Entities must develop and submit to HRD a standard operation procedure for awarding merit based increases. Prior to implementation, merit based increases must be approved by HRD for procedural compliance with the standard operating procedure.</p>	<p>Employees will now be evaluated on the annual date of hire.</p> <p>Regular status employees will no longer be placed on probation for unsatisfactory evaluations.</p> <p>Merit based increases are included in the Tribal Compensation Plan which must be adopted by the Business Committee annually. Merit based increases may also be initiated by the department in the budget with approval of a standardized SOP.</p>

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Current Policies and Procedures	Proposed Law	Analysis
<p>C. CAREER DEVELOPMENT</p> <p>1. Tribal employees are encouraged to develop their skills and abilities by pursuing education at a local educational institution.</p>	<p>Removed</p>	<p>Employees can no longer take classes during work time and the Nation will no longer fund employee education.</p>

87

Current Policies and Procedures	Proposed Law	Analysis
<p>D. COMPLAINTS, DISCIPLINARY ACTIONS, AND GRIEVANCES</p> <p>1.COMPLAINTS</p> <p>a. Should an employee have a disagreement with another employee, he/she may lodge an informal (verbal) or formal (written) complaint with the employee's supervisor.</p> <p>b. The supervisor will investigate the complaint and attempt to resolve the disagreement.</p> <p>c. If the employee lodging the complaint is dissatisfied with the attempted resolution, he/she may ask the Area Manager to attempt a resolution.</p> <p>d. There is no further appeal of this process.</p> <p>5. Disciplinary Procedure</p> <p>The following procedure shall be adhered to whenever disciplinary action is taken:</p> <p>a. Supervisor becomes aware of unsatisfactory work performance or violation.</p> <p>1) Supervisor investigates through a meeting with the employees and determines whether disciplinary action is warranted.</p> <p>b. If disciplinary action is warranted, within five (5) working days the supervisor will fill out the five (5) part disciplinary action form stating the behavior for which the action is being taken, the time and date of its occurrence, and the specific policy section under which action is being taken.</p> <p>3. Accumulated Disciplinary Actions Warranting Termination</p> <p>a. The accumulation of three (3) upheld warning notices within any twelve (12) month period. (T)</p> <p>b. The accumulation of two (2)</p>	<p>Complaint process removed</p> <p>Handbook XII. Corrective Actions 12-3(b) Within ten (10) business days of the date the employee supervisor learns of prohibited behavior meriting corrective action, the employee supervisor shall:</p> <p>(1) Investigate the alleged prohibited behavior meriting corrective action through a meeting with the employee and, if applicable, witnesses to determine if corrective action is appropriate, provided that, an investigation is not required if the supervisor personally witnessed the prohibited behavior meriting corrective action.</p> <p>Handbook XII 12-6. Progressive Corrective Actions.</p> <p>(c) Termination. A termination is the release of an employee from employment against the employee's will.</p> <p>(1) Termination must be used as the corrective action under the following circumstances:</p>	<p>The formal complaint process has been removed. Employees can still submit written complaints but there is no process or timelines attached.</p> <p>The timeframe for a supervisor to correct behavior warranting a corrective action has changed from five (5) working days to ten (10).</p> <p>The EEO officer through HRD will guide supervisors through the corrective action process to ensure all corrective actions are handled correctly [see Handbook 12-4].</p> <p>The third accumulated corrective action in a twelve (12) month period is now grounds for termination. The current policy is unclear and the practice has been that the fourth written warning is termination. The Handbook</p>

<p>upheld suspensions within any twelve (12) month period.(T) c. The accumulation of three (3) of any combination of upheld warning , notices and/or upheld suspensions within any twelve (12) month period. (T)</p> <p>6. Grievance (a)(2) The Area Manager, for all disciplinary action investigations, will have ten (10) working days from the receipt of the employee's appeal to complete the investigation. One extension of no more than five (5) working days may be requested of and granted by the Oneida Human Resources Manager (or designee) at his or her discretion.</p> <p>b. The employee may appeal the Area Manager's decision to the Oneida Personnel Commission. The appeal must be filed with the Oneida Personnel Commission within ten (10) working days from employee's receipt of the Area Manager's decision. Upon receipt of the appeal the Commission shall, within ten business day, notify the Oneida Human Resources Manager (or designee) that an appeal has been filed by the employee.</p>	<p>(A) The employee accumulates any three (3) corrective actions provided under Article 12-5 within any twelve (12) month period where the termination itself constitutes the third corrective action; or (B) The employee has engaged in a prohibited action that rises to the level of a criminal or otherwise illegal act.</p> <p>(2) At-will employees may be terminated at any time, for any reason. (3) If the employee supervisor determines that the terminated employee is likely to create a potentially hostile and/or dangerous situation, he or she shall contact the Internal Security Director or the Oneida Police Department for assistance.</p> <p>Handbook XIII 13-1. Requesting Reconsideration of a Corrective Action and/or Adverse Employment Action. Prior to initiating a formal appeal of a corrective action and/or adverse employment action, an employee shall request reconsideration of the said action with his or her reviewing supervisor, provided that such requests must be made within ten (10) business days from the date of the employee supervisor's action.</p> <p>Law 300.11 Employee Discipline and Appeals 300.11-2(a) <i>First Level of Review. Internal Review by the Nation – Reconsideration by the Reviewing Supervisor.</i> An employee may request reconsideration of any corrective action or other action which may amount to an adverse employment action taken by his or her employee supervisor to his or her reviewing supervisor. The reviewing supervisor may affirm, modify or overturn the decision of the employee supervisor. (b) <i>First Level of Appeal.</i> Any employee, excluding at-will employees, alleging a wrongful suspension or termination or that a supervisor's actions amount to an adverse employment action may contest the action to the Trial Court using the Rules of Administrative Procedure so long as the employee has</p>	<p>clarifies that the accumulation of any three corrective actions requires termination.</p> <p>The first level of review for grievances is conducted by the Reviewing Supervisor and extensions are no longer available. This level is now called a request for reconsideration rather than a formal appeal. This level of review must be requested in order for any actions taken to be brought before the Trial Court in subsequent corrective actions. The first level of appeal is now heard by the Oneida Trial Court. Appeals to the Trial Court decision are made to the Oneida Appeals Court.</p> <p>The Personnel Commission has been removed and formal appeals moved to the Oneida Judiciary.</p> <p>Appeals of Personnel Commission decisions are currently heard by the Judiciary.</p>
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	<p>requested reconsideration from his or her reviewing supervisor according to 300.11-2(a).</p> <p>(1) An employee supervisor may not initiate a first level appeal in the event that the reviewing supervisor overturns the employee supervisor's action.</p> <p>(2) In considering an appeal of a corrective action, the Trial Court may consider previous corrective actions upon which the suspension or termination was based, provided that, the employee must demonstrate that he or she requested a reviewing supervisor's reconsideration of such prior corrective actions in accordance with Article 13-1. When reviewing prior corrective actions, the Trial Court shall only consider whether the corrective action was justified based on the employee's behavior; procedural compliance may not be considered.</p> <p>(c) <i>Second Level of Appeal.</i> Any party, excluding at-will employees, that is dissatisfied with the Trial Court's decision, may appeal the Trial Court's decision to the Oneida Judiciary's Appellate Court.</p>	
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New to This Law

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Miscellaneous

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A public meeting was held March 31, 2016 and changes are reflected in the current proposed law. Please refer to the fiscal impact statement for any financial impacts. Public comment regarding the Handbook can be directed to bstevens@oneidanation.org or kjohn4@oneidanation.org.

Chapter 300
EMPLOYMENT LAW

300.1. Purpose and Policy	300.7. Compensation and Benefits
300.2. Adoption, Amendment, Repeal	300.8. General
300.3. Definitions	300.9. Employee Responsibilities
300.4. Applicability	300.10. Layoffs and Furloughs
300.5. Human Resources Department	300.11. Employee Discipline and Appeals
300.6. Hiring	300.12. Violations

300.1. Purpose and Policy

300.1-1. It is the purpose of this law to provide a fair, consistent and efficient structure to govern all employment matters and to provide employment preference to Oneida Tribal members and members of other federally recognized tribes.

300.1-2. It is the Nation's policy to provide entities latitude to create human resource practices to fit their individual industry standards, while creating a strong and healthy work environment. In addition, although certain federal and state laws, specifically Title VII, do not apply to the Nation, the Nation's employment policy is to afford applicants and employees equal employment opportunities while recognizing the Nation's Oneida and Indian employment preference. The Nation's hiring philosophy is to recruit, hire, retain and develop individuals who are culturally respectful, professionally competent and familiar with the Oneida community.

300.2. Adoption, Amendment, Repeal

300.2-1. This law was adopted by the Oneida General Tribal Council by resolution _____ and is effective six (6) months from the date of adoption.

300.2-2. This law may be amended or repealed by the Oneida General Tribal Council pursuant to the procedures set out in the Legislative Procedures Act.

300.2-3. Should a provision of this law or the application thereof to any person or circumstances be held as invalid, such invalidity does not affect other provisions of this law which are considered to have legal force without the invalid portions.

300.2-4. In the event of a conflict between a provision of this law and a provision of another law, the provisions of this law control, provided that this law repeals the following:

- (a) The Oneida Tribal Management System and amendments to the Tribal Management System, including the Personnel Policies and Procedures adopted by the Oneida Business Committee on May 7, 1985 and any and all amendments made thereto;
- (b) BC Resolution BC-05-11-11-A entitled Establish Tuberculosis Control Program;
- (c) The Employee Protection Policy adopted by emergency pursuant to BC-4-20-95-B, permanently adopted pursuant to BC-12-6-95-B and subsequently amended pursuant to BC-1-20-99-B and BC-6-30-04-J;
- (d) The GED Policy approved by the Oneida Business Committee on October 21, 1992;
- (e) BC Resolution BC-07-22-09-B entitled Oneida Nation Veterans Affairs Committee, Paid Time Off for Selected Color Guard Members Who Are Employees;
- (f) The Parent Policy Leave adopted pursuant to BC-03-02-94-A;
- (g) BC Resolution 04-05-95-A regarding a paid break for donating blood at a blood drive coordinated by the Nation;
- (h) BC Resolution 05-12-93-J regarding HRD's role in the interpretation, implementation and enforcement of the Personnel, Policies and Procedures; and

39 (i) GTC Resolution 05-23-11-A entitled Personnel Policies and Procedures Amendments
40 to Strengthen Indian Preference in Hiring.

41 300.2-5. This law is adopted under authority of the Constitution of the Oneida Nation.
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43 **300.3. Definitions**

44 300.3-1. This section shall govern the definitions of words and phrases used within this law. All
45 words not defined herein shall be used in their ordinary and everyday sense.

46 (a) “Adverse Employment Action” means a supervisor’s failure to comply with the
47 employment rules that results in a significant change in an employee’s employment status
48 that is more disruptive than a mere inconvenience or an alteration of job responsibilities
49 and may include a deprivation of an equal employment opportunity.

50 (b) “At-Will Employee” means an employee working for the Nation on a short term basis
51 that is not hired through the standard hiring procedures, including, but not limited to,
52 political appointees, part-time, seasonal, and volunteer workers, and new Employees that
53 have not yet completed their probationary period pursuant to the Rules developed by
54 HRD.

55 (c) “Corrective Action” means any initiative taken by an employee supervisor with the
56 goal of correcting an employee’s prohibited behavior as identified in the rules created by
57 HRD.

58 (d) “Cost of Living Adjustments” means wage or salary modifications which allow
59 employees to sustain a certain level of living, including basic expenses such as housing,
60 food, taxes and healthcare.

61 (e) “Employee” means any individual who is hired by the Nation through the normal
62 hiring process, works full-time (30 or more hours per week) or part-time (less than 30
63 hours per week) and is subject to the Nation’s direction and control with respect to the
64 material details of the work performed. “Employee” includes, but is not limited to,
65 individuals employed by any entity and individuals employed through an employment
66 contract as a limited term employee, but does not include elected or appointed officials,
67 at-will employees or individuals employed by a tribally chartered corporation.
68 Throughout this law all references to employee include both employees and at-will
69 employees, unless the term at-will employee is used, in which case only at-will
70 employees are intended.

71 (f) “Employee Supervisor” means the party responsible for directly overseeing the
72 employee and who is responsible for taking corrective actions when employees fail to
73 meet their responsibilities.

74 (g) “Entity” means any of the Nation’s divisions having employees and may include, but
75 is not limited to, divisions, departments, areas, programs, enterprises, board, committees,
76 commissions and the like.

77 (h) “Equal Employment Opportunity” or “EEO” means the Nation’s consideration for
78 hiring selection and position retention and compensation and benefit distribution that is
79 free from discrimination against any person on the basis of race color, religion, sex
80 (including pregnancy), national origin, age, disability, economic status or genetic
81 information. Oneida and Indian Preference are allowable and are not considered a
82 deprivation of an EEO,

83 (i) “HRD” means the Oneida Human Resources Department.

84 (j) “Immediate Family Member” means an individual’s husband, wife, mother, father,
85 step mother, step father, son, daughter, step son, step daughter, brother, sister, step
86 brother, step sister, grandparent, grandchild, mother-in-law, father-in-law, daughter-in-

87 law, son-in-law, brother-in-law or sister-in-law and any of the these relations attained
88 through legal adoption.

89 (k) “Involuntarily Separated” means an employee is removed from employment.

90 (l) “Nation” means the Oneida Nation.

91 (m) “Political Appointee” means an individual appointed as an executive assistant by an
92 individual Oneida Business Committee member or as an assistant by a board, committee
93 or commission.

94 (n) “Reviewing Supervisor” means the party responsible for overseeing the employee
95 supervisor and who may hear an appeal of a corrective action taken by an employee
96 supervisor.

97 (o) “Handbook” means the Oneida Employee Handbook, which contains the set of
98 requirements enacted by HRD in accordance with the Administrative Rulemaking law
99 based on authority delegated in this law in order to implement, interpret and/or enforce
100 this law.

101 (p) “Sexual Harassment” means unwelcome sexual advances, requests for sexual favors
102 and other verbal or physical conduct of a sexual nature where:

103 (1) submission to such conduct is made either explicitly or implicitly a term or
104 condition of an individual’s employment; or

105 (2) submission to or rejection of such conduct by an individual is used as the basis
106 for employment decisions affecting such individual; or

107 (3) such conduct has the purpose or effect of substantially interfering with an
108 individual’s work performance or creating an intimidating, hostile or offensive
109 work environment.

110 (q) “Standard Operating Procedure” means an internal procedure that is created to govern
111 how an Entity operates and performs its designated functions; a standard operating
112 procedure does not affect parties outside of the entity to which the procedure belongs.

113 (r) “Tribal Member” means an individual who is an enrolled member of the Oneida
114 Nation.

115 116 **300.4. Applicability**

117 300.4-1. *Applicability to Elected Officials.* The provisions of Sections 300.6 - 300.8 apply to
118 the Nation’s elected officials that work full-time (30 hours or more per week) and receive
119 salaries for their service, provided that, because other laws govern discipline of the elected
120 officials, the Removal law for example, elected officials may not be subjected to corrective
121 action pursuant to this law or handbook.

122 300.4-2. *Oneida Nation School Board.* To the extent that the provisions of this law and
123 handbook conflict with the provisions of the memorandum of agreement between the Oneida
124 Business Committee and the Oneida Nation School Board and any rules promulgated pursuant to
125 authority delegated under said agreement, the memorandum and corresponding rules govern.

126 300.4-3. *Oneida Police Commission.* To the extent that any provisions of this law and
127 handbook conflict with the provisions of the Law Enforcement Ordinance and the Oneida Police
128 Commission’s rulemaking authority as delegated under that law, the Law Enforcement
129 Ordinance and corresponding rules govern.
130

131 **300.5. Human Resources Department**

132 300.5-1. *General Responsibilities.* The HRD shall:

133 (a) Develop and amend the Handbook as necessary to carry out the intent of this law.

134 (b) Implement, interpret and enforce this law and the associated handbook.

135 (c) Provide all employees with a copy of this law and the handbook and shall further
136 notify employees of how such materials and all other employment related laws and
137 policies may be electronically accessed.

138 (d) Review and approve all entities' employment related standard operating procedures to
139 ensure compliance with this law and the handbook.

140 (e) Keep a record of all employment related decisions made by the employee supervisors,
141 reviewing supervisors and the Oneida Judiciary.

142 (f) Collect and maintain data on human resource related information including, but not
143 limited to, information on hiring, appointments, terminations, separations, transfers,
144 employee development, grievances, policy issues and insurances.

145 (1) HRD shall provide quarterly reports to the Oneida Business Committee, or its
146 designee, in accordance with the schedule provided by the Nation's Secretary's
147 office.

148 (2) The Oneida Business Committee may not have direct access to employee
149 information and/or personnel files, especially information relating to individual
150 compensation or corrective actions; provided that, Oneida Business Committee
151 members that are also employee supervisors may access the employee records of
152 any of his or her direct employees pursuant to 300.5-1(f)(3)(B).

153 (3) HRD shall store these employee records in a manner that maintains the
154 records' private and confidential nature. Information contained in employee
155 records may only be released in the following situations:

156 (A) A current or past employee may have access to his or her own
157 employment record; an employee supervisor may have access to his or her
158 current employees' records; a hiring supervisor may have access to the last
159 twelve months of a current or former employee's work history; and HRD
160 managers may have access to any employee's employment record.

161 (B) If required by law, the Nation shall release the information required to
162 be released to the party the law designates as entitled to receive said
163 information.

164 (C) Should an Employee be alleged to have committed an illegal act in the
165 course of his or her employment with the Nation against the Nation, its
166 customers or its employees, the said employee's record may be released to
167 law enforcement agencies.

168 (D) A third party may access an employee's record if the employee
169 provides written consent to release his or her record to a designated third
170 party.

171 300.5-2. HRD shall uphold the Nation's sovereignty, laws and policies in its hiring and
172 employment practices.

173 300.5-3. *HRD Oversight by the Oneida Business Committee.* HRD shall report to the Oneida
174 Business Committee, or its designee, as directed by the Oneida Business Committee.

175
176 **300.6. Hiring**

177 300.6-1. *Equal Employment Opportunities.* The Nation and HRD shall afford all applicants and
178 employees equal employment opportunities; however, the Nation shall follow the preferences
179 outlined in 300.6-2 and such preferences may not be considered a violation of this law.

180 300.6-2. *Oneida and Indian Preference.* The Nation shall apply Oneida and Indian Preference
181 to all hiring practices.

182 (a) Unless otherwise prohibited by law or grant funding requirements, the Nation shall
183 apply the following order of Oneida and Indian Preference in staffing decisions:

184 (1) Persons who are tribal members.

185 (2) Persons who meet the blood quantum requirements contained in the
186 Membership Ordinance, but are not currently tribal members, and/or persons who
187 are documented first generation descendants of a tribal member.

188 (3) Persons enrolled in any federally recognized tribe other than this Nation.

189 (4) All other non-Indian persons.

190 (b) If a law or grant funding requirement prohibits the application of Oneida and Indian
191 Preference in accordance with 300.6-2(a), the Nation shall make staffing decisions in
192 accordance with the Indian Preference requirements of the said law or grant.

193 (c) Oneida and Indian Preference applies only when an applicant meets all the minimum
194 requirements of the position applied for.

195 (d) Oneida-Only Positions. To the extent possible, all top administrative and political
196 appointee positions must be held by tribal members.¹ If a position requires specific skills
197 and/or licensing by the state or federal government and no Tribal members apply who are
198 qualified and eligible and possess the necessary skills or licensing to assume the vacancy,
199 only then may a non-tribal member be selected to fill the vacancy. In the event that a
200 non-Tribal member is hired for a position originally designated as Oneida-only based on
201 this provision, HRD shall hire the employee under contract so that the Nation may
202 consider whether a Tribal member may be available to assume the position upon the
203 expiration of the contract term.

204 300.6-3. *Education.* Employees shall have or obtain a high school diploma, a high school
205 equivalency diploma or a general equivalency diploma within one (1) year of being hired.
206 Exceptions and/or extensions to this requirement may be included in the handbook developed by
207 HRD pursuant to 300.5-1(a).

208 300.6-4. *Workplace Safety.* The handbook shall contain requirements and procedures as
209 necessary to protect the safety, health and well-being of all employees and other individuals in
210 the workplace.

211 (a) The Employee Health Nursing Department shall establish, maintain, implement,
212 evaluate and periodically update a Tuberculosis Control Program, which applies to all
213 employees as well as the Nation's elected and appointed officials. The Employee Health
214 Nursing Department shall make the approved program available to all persons to which it
215 applies.

216 300.6-5. *Conflicts.* An applicant is ineligible for positions for which he or she has a conflict of
217 interest, as defined by the Conflict of Interest Policy, and/or if he or she would be directly
218 supervised by an immediate family member.

219 300.6-6. *Right to Work.* No person may be required to do any of the following in order to
220 become or remain an employee of the Nation:

221 (a) resign or refrain from being a member of a labor organization;

222 (b) become or remain a member of a labor organization; or

223 (c) pay dues or other charges to a labor organization.

224

¹ January 8, 1990 GTC: Debbie Powless moved that the General Manager's and all top administrative positions be held by enrolled tribal members, motion seconded. ... Main motion carried.

225 **300.7. Compensation and Benefits**

226 300.7-1. *Compensation Plan.* HRD shall develop and institute an Employee Compensation
227 Plan to assure equitable salary and wage levels and shall consider data from the Bureau of Labor
228 Statistics for average earnings in the Green Bay area; the said plan must be approved by the
229 Oneida Business Committee prior to becoming effective.

230 (a) Wage and salary adjustments and benefits available to employees are dependent upon
231 available funding allocations, provided that, the compensation plan must require HRD to
232 make reasonable efforts to regularly implement cost of living adjustments based on the
233 United States Department of Labor – Bureau of Labor Statistics’ Consumer Price Index
234 for the Midwest Region.

235 300.7-2. *Designation of Employees.* The Nation shall use the standards created under the Fair
236 Labor Standards Act to designate its employees as either nonexempt or exempt and to set
237 minimum wage and maximum hour restrictions for employees receiving an hourly wage.

238 300.7-3. *Insurance and Retirement.* Any modification to the insurance and employment
239 benefits offered by the Nation requires approval by Oneida Business Committee resolution.

240 300.7-4. *Time Off.* The Nation shall afford employees accumulated paid time off based on
241 continuous service to the Nation. HRD shall establish rates of accrual and the process for
242 requesting paid time off in the handbook created pursuant to 300.5-1(a).

243 300.7-5. *Leaves.* Employees of the Nation may be allowed leave as provided in the handbook
244 created pursuant to 300.5-1(a) and any other applicable laws and policies of the Nation.

245
246 **300.8. General**

247 300.8-1. *Employee Development.* The Nation encourages the advancement and transfer of
248 Employees in order to make the best possible use of human resources. Employees who wish to
249 advance in the organization may work with the HRD to develop a career ladders plan.

250 300.8-2. *Entities.* Individual entities shall comply with this law and the handbook promulgated
251 under 300.5-1(a) and, if necessary, shall develop internal rules and standard operating procedures
252 for the implementation of this law and its associated handbook.

253 300.8-3. *Safety and Fitness-for-Duty.* In order to create a safe and healthy work environment
254 for employees and to keep the number of job-related illnesses and/or injuries to a minimum, the
255 Nation shall maintain safety standards in accordance with the Nation’s applicable laws and
256 policies. The Nation shall also maintain standards requiring employees to perform their job
257 duties in a safe, secure, productive and effective manner.

258 300.8-4. *Unemployment Insurance.* The Nation shall comply with the State of Wisconsin’s
259 unemployment insurance program; the Nation’s employees may be eligible for unemployment
260 benefits in accordance with the provisions of the laws of the State of Wisconsin.

261
262 **300.9. Employee Responsibilities**

263 300.9-1. *Harassment and Ensuring Equal Employment Opportunities.* All employees are
264 expressly prohibited from committing sexual harassment of another individual or engaging in
265 any conduct that deprives another of an equal employment opportunity.

266 300.9-2. *Anonymous Information.* Employees who receive anonymous information of any type
267 shall maintain the confidentiality of the said information and forward a summary of the
268 information to the Chief of the Oneida Police Department expressly noting that the information
269 was provided anonymously.

270 300.9-3. *Employee Protection.* The Nation may not retaliate against any employee who reports
271 an employee’s, political appointee’s and/or any official of the Nation’s violation(s) of laws,
272 policies or rules of the Nation and shall protect any employees who report such violations from

273 retaliatory actions.

274 (a) HRD shall include procedures in the handbook designed to protect employees
275 reporting others' violations of the Nation's laws, policies or rules from any and all forms
276 of retaliation.

277

278 **300.10. Layoffs and Furloughs**

279 300.10-1. Employees may be laid off and/or furloughed to the extent necessary for the Nation to
280 operate effectively and efficiently in varying conditions pursuant to the Nation's laws, policies
281 and rules.

282 300.10-2. Layoffs and furloughs may not be used for disciplinary reasons and may not under any
283 circumstances be considered adverse employment actions.

284 300.10-3. The Nation's decision to layoff and/or furlough an employee is not subject to appeal.

285

286 **300.11. Employee Discipline and Appeals**

287 300.11-1. Employee supervisors shall use the corrective action procedures in the handbook to
288 address employees' unacceptable work performance and/or behavior.

289 300.11-2. Employees, excluding at-will employees, who disagree with a corrective action or
290 allege that a supervisor's actions amount to an adverse employment action may contest the action
291 using the handbook, and based on the following available levels of review:

292 (a) *Internal Review by the Nation – Reconsideration by the Reviewing Supervisor.* An
293 employee may request reconsideration of any corrective action or other action which may
294 amount to an adverse employment action taken by his or her employee supervisor to his
295 or her reviewing supervisor. The reviewing supervisor may affirm, modify or overturn
296 the decision of the employee supervisor.

297 (b) *First Level of Appeal.* Any employee, excluding at-will employees, alleging a
298 wrongful suspension or termination or that a supervisor's actions amount to an adverse
299 employment action may contest the action to the Trial Court using the Rules of
300 Administrative Procedure so long as the employee has requested reconsideration from his
301 or her reviewing supervisor according to 300.11-2(a).

302 (1) An employee supervisor may not initiate a first level appeal in the event that
303 the reviewing supervisor overturns the employee supervisor's action.

304 (2) In considering an appeal of a corrective action, the Trial Court may consider
305 previous corrective actions upon which the suspension or termination was based,
306 provided that, the employee must demonstrate that he or she requested a
307 reviewing supervisor's reconsideration of such prior corrective actions in
308 accordance with Article 13-1. When reviewing prior corrective actions, the Trial
309 Court shall only consider whether the corrective action was justified based on the
310 employee's behavior; procedural compliance may not be considered.

311 (c) *Second Level of Appeal.* Any party, excluding at-will employees, that is dissatisfied
312 with the Trial Court's decision, may appeal the Trial Court's decision to the Oneida
313 Judiciary's Appellate Court.

314 300.11-3. *Compensatory Damages.* Should the Oneida Judiciary determine that there was an
315 intentional deprivation of an equal employment opportunity, the Oneida Judiciary may award
316 compensatory damages, including, but not limited to, attorney's or advocate's fees and court
317 costs, as against the individual(s) found to have engaged in the intentional deprivation of an
318 equal employment opportunity. Said compensatory damages may not be awarded against the
319 Nation.

320 300.11-4. The Oneida Judiciary may not charge employees appealing employment matters any
321 court filing fees.
322

323 **300.12. Violations**

324 300.12-1. Unless expressly stated otherwise in this law, claims of alleged violations of this law
325 may be filed with the Oneida Judiciary.

326
327 End.

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Legislative Operating Committee

June 1, 2016

Mortgage and Foreclosure Law

Submission Date: October 7, 2015

Public Meeting:
 Emergency Enacted:

LOC Sponsor: David P. Jordan

Summary: *Is a new law that will explain how the Tribe deals with mortgages and foreclosures. This law is being developed because the Land Commission's hearing responsibilities are transferring the Judiciary.*

10/7/15 LOC: Motion by David P. Jordan to add the Real Property Law Amendments, Probate Law, Mortgage Law, Landlord-Tenant Law and Land Commission Bylaws Amendments to the Active Files List with himself as the sponsor; seconded by Jennifer Webster. Motion carried unanimously.

12/16/15 LOC: Motion by David P. Jordan to accept the memorandum update as FYI and to defer the Mortgage Law back to the sponsor and to bring back when ready; seconded by Fawn Billie. Motion carried unanimously.

2/3/16 LOC: Motion by David P. Jordan to forward the Mortgage and Foreclosure Law to the Legislative Reference Office for a legislative analysis and to the Finance Department for a fiscal impact statement; seconded by Tehassi Hill. Motion carried unanimously.

5/18/16 LOC: Motion by David P. Jordan to accept the legislative analysis of the Mortgage and Foreclosure law with revisions (adding section references and noting that the Mortgage and Foreclosure law conflicts with the current Real Property Law, and the Mortgage and Foreclosure law will govern upon adoption) and to defer to the Mortgage and Foreclosure law to the Legislative Reference Office to prepare a public meeting packet for a public meeting to be held on June 16, 2016; seconded by Tehassi Hill. Motion carried unanimously.

Next Steps:

- Approve the public meeting packet for the Mortgage and Foreclosure law and forward to a public meeting to be held on June 30, 2016.

NOTICE OF
PUBLIC MEETING

TO BE HELD
Thursday, June 30th at 12:15 p.m.
 IN THE
OBC CONFERENCE ROOM
(2nd FLOOR—NORBERT HILL CENTER)

In accordance with the Legislative Procedures Act, the Legislative Operating Committee is hosting this Public Meeting to gather feedback from the community regarding a legislative proposal.

TOPIC: Mortgage and Foreclosure

This is a proposal to create a new Mortgage and Foreclosure law which would:

- Contain the minimum framework for the Nation's mortgage programs and foreclosure process;
- Delegate joint rulemaking authority to Division of Land Management and the Land Commission to develop rules that may contain more detailed requirements *[see 64.3-1(r)]*;
- Require that at least one Tribal member must be included on a mortgage application *[see 64.4-2 (b)]*;
- Allow non-tribal member spouses to remain in the mortgaged property in the event of death or divorce of the Tribal member *[see 64.4-5]*;
- Allow mortgagors in default an opportunity to enter into an agreement to cure default prior to foreclosure at the discretion of the Division of Land Management *[see 64.6-1]*;
- Require an order to vacate once a judgment to foreclose has been issued by the Judiciary *[see 64.7-5]*;
- Provide the mortgagor has a 6 month redemption period if the home was occupied prior to the judgment to foreclose, or 5 weeks if the home was abandoned prior to the judgment to foreclose. The mortgagor may redeem the mortgage by paying the full amount of the mortgage and any related fees. If this occurs, the Judiciary will vacate the order to foreclose *[see 64.7-4]*;
- Prohibit the Nation from reselling the foreclosed property until after the redemption period has lapsed and all appeals have been exhausted *[see 64.7-6]*; and
- Transfer hearing body authority regarding foreclosure judgments from the Land Commission to the Judiciary *[see 64.8-2]*.

To obtain copies of the Public Meeting documents for this proposal, or to learn about the LOC public meeting process, please visit www.oneida-nsn.gov/Register/PublicMeetings or contact the Legislative Reference Office.

PUBLIC COMMENT PERIOD OPEN UNTIL July 7, 2016

During the Public Comment Period, all interested persons may submit written comments and/or a transcript of any testimony/spoken comments made during the Public Meeting. These may be submitted to the Tribal Secretary's Office or to the Legislative Reference Office in person (Second floor, Norbert Hill Center) or by U.S. mail, interoffice mail, e-mail or fax.

Legislative Reference Office
PO Box 365 Oneida, WI 54155
LOC@oneidanation.org
Phone: (920) 869-4376 or (800) 236-2214
Fax: (920) 869-4040



Chapter 64
Mortgage and Foreclosure
 Tsi? Thotinúhsote? laotilihwá'ke
that of their houses – their issues

<i>Analysis by the Legislative Reference Office</i>					
Title	Mortgage and Foreclosure (law)				
Requester	Land Commission	Drafter	Krystal L. John	Analyst	Maureen Perkins
Reason for Request	This is a new law that will explain the process used by the Nation to deal with mortgages and foreclosures. This law is being developed at the Land Commission's request to transfer the commission's hearing responsibilities to the Judiciary.				
Purpose	Set the standards and requirements for participation in the Nation's mortgage programs and to prescribe the foreclosure process required to be used in the event of a default of a mortgage.				
Authorized/Affected Entities	Land Commission, Oneida Judiciary, Division of Land Management, Oneida Police Department, Oneida Nation Register of Deeds, Oneida Land Title and Trust Department, Oneida Accounting Department, and Oneida Nation members who wish to participate in mortgage programs offered by the Nation				
Related Legislation	Judiciary law, Rules of Civil Procedure, Rules of Appellate Procedure, Leasing Law, Administrative Rulemaking, Real Property Law				
Enforcement/Due Process	Decisions of the Division of Land Management regarding the issuance of mortgages are final. Foreclosures can be appealed to the Judiciary.				

Overview

This is a new law that details the current process used by the Nation to offer mortgage programs to the Nation's membership and to foreclose on a property purchased through the Nation's mortgage programs. The law contains the minimum framework and requirements related to the mortgage programs and the required foreclosure process for all mortgages issued by the Nation. The Division of Land Management and the Land Commission have been delegated rulemaking authority under this law to develop rules according to the Administrative Rulemaking law which may contain more detailed requirements for each of the various types of mortgages offered by the Nation.

At least one Tribal member must be on the application to qualify for a mortgage issued by the Nation. If married, both spouses must apply for the mortgage jointly. Once a mortgage is issued, if the Tribal member dies, the non-tribal member can remain in the mortgage and the regular default process is applied in the case of a default of a non-tribal member mortgage. In the case of divorce, the ownership of the house will be determined through the divorce proceedings; this law does not prevent non-tribal spouses from remaining in the house absent the Tribal member.

The mortgage default process is detailed within the law. Default notices are mailed to mortgagors for each 30 calendar days of default. The Division of Land Management, at their discretion, may enter into an agreement to cure default for mortgagors who demonstrate the ability to pay the defaulted amount within one year. Once two notices of default have been issued, the Division of Land Management will determine, based on a standard operating procedure, if it is in the best interest of the Nation to pursue a foreclosure. The minimum foreclosure process is detailed and includes the Judiciary as the decision making authority to

25 issue a judgment of foreclosure, rather than the Land Commission under the current process.
26 Once the Division of Land Management decides to pursue a foreclosure, a summons and
27 complaint is filed with the Judiciary and must include a demand judgment for any deficiency that
28 remains due to the Nation. If the parties come to an agreement to cure default or the mortgagor
29 satisfies the mortgage prior to a judgment to foreclose is issued by the Judiciary, the Judiciary
30 will dismiss the foreclosure.

31 When a judgment of foreclosure is issued by the Judiciary, a notice to vacate is issued to the
32 mortgagor. This is contrary to state law which allows mortgagors in foreclosure to remain in the
33 premises until the redemption period expires and the premises is sold. However, the practice as
34 detailed in the law is in the best interest of the Nation because it allows the Nation to secure and
35 refurbish the premises during the redemption period so that it is ready for the next buyer and
36 prevent any waste of the property. Additionally, when a judgment of foreclosure is issued, it
37 means that the mortgagor is already in default and will most likely not make the mortgage
38 payments during the redemption period. The mortgagor has a redemption period of six months if
39 they had occupied the premises upon foreclosure, or 5 weeks if they had abandoned the
40 premises, to pay the full amount of the mortgage and any related costs. If this occurs, the
41 Judiciary will vacate the order to foreclose. The Nation cannot resell the premises until the
42 redemption period has expired. Appeals of a judgment of foreclosure may be filed with the
43 Judiciary.

- 44 ▪ The law contains the minimum framework for the Nation's mortgage programs and
45 foreclosure process.
- 46 ▪ The Division of Land Management and the Land Commission have joint delegated
47 rulemaking authority under this law to develop rules that may contain more detailed
48 requirements *[see 64.3-1(r)]*.
- 49 ▪ At least one Tribal member must be included on a mortgage application *[see 64.4-2(b)]*.
- 50 ▪ There is nothing in the law that prevents non-tribal member spouses from remaining in
51 the mortgaged property in the event of death or divorce of the Tribal member *[see 64.4-*
52 *5]*.
- 53 ▪ Mortgagors in default have an opportunity to enter into an agreement to cure default prior
54 to foreclosure at the discretion of the Division of Land Management *[see 64.6-1]*.
- 55 ▪ Once a judgment to foreclose has been issued by the Judiciary, the mortgagor will receive
56 an order to vacate *[see 64.7-5]*.
- 57 ▪ The mortgagor has a 6 month redemption period if the home was occupied prior to the
58 judgment to foreclose, or 5 weeks if the home was abandoned prior to the judgment to
59 foreclose. The mortgagor may redeem the mortgage by paying the full amount of the
60 mortgage and any related fees. If this occurs, the Judiciary will vacate the order to
61 foreclose *[see 64.7-4]*.
- 62 ▪ The Nation cannot resell the foreclosed property until after the redemption period has
63 lapsed and all appeals have been exhausted *[see 64.7-6]*.
- 64 ▪ The hearing body authority regarding foreclosure judgments has transferred from the
65 Land Commission to the Judiciary *[see 64.8-2]*.

66
67

Considerations

- 68 ▪ The decision to issue an agreement to cure default is at the discretion of the Division of
69 Land Management. The LOC may consider requiring the Division of Land Management
70 to create an SOP or a rule detailing the requirements mortgagors must meet to qualify for

- 71 an agreement to cure a defaulted mortgage.
- 72 ■ This law, the Real Property Law amendments and the Leasing Law are all inter-
- 73 related. The Real Property Law currently in effect contains provisions relating to
- 74 mortgages and foreclosure that conflict with this law [*see 67.14 of current Real Property*
- 75 *Law*]. However, this Mortgage and Foreclosure law will govern upon adoption. The
- 76 current proposed amendments to the Real Property Law pull the detail related to
- 77 mortgages and foreclosures out of the Real Property Law and reference this Mortgage
- 78 and Foreclosure law instead.

79

80

Miscellaneous

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A public meeting has not yet been held. Please refer to the fiscal impact statement for any financial impacts.

Chapter 64
Mortgage and Foreclosure
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that of their houses – their issues

64.1.	Purpose and Policy.	64.5.	Default.
64.2.	Adoption, Amendment, Repeal.	64.6.	Agreement to Cure Default.
64.3.	Definitions.	64.7.	Foreclosure.
64.4.	Mortgage Programs.	64.8.	Appeal Rights.

64.1. Purpose and Policy.

64.1-1. *Purpose.* It is the purpose of this law to set the standards and requirements for participation in the mortgage programs and to prescribe the foreclosure process required to be used in the event of a default of a mortgage.

64.1-2. *Policy.* It is the policy of this law to administer mortgage programs aimed at maintaining and improving the standard of living for Tribal members, while protecting the Nation’s assets and expanding the Tribal land base.

64.2. Adoption, Amendment, Repeal.

64.2-1. This law is adopted by the Oneida Business Committee by Resolution _____.

64.2-2. This law may be amended or repealed by the Oneida Business Committee pursuant to the procedures set out in the Legislative Procedures Act.

64.2-3. Should a provision of this law or the application thereof to any person or circumstances be held as invalid, such invalidity shall not affect other provisions of this law which are considered to have legal force without the invalid portions.

64.2-4. In the event of a conflict between a provision of this law and a provision of another law, the provisions of this law shall control.

64.2-5. This law is adopted under authority of the Constitution of the Oneida Nation.

64.3. Definitions.

64.3-1. This section shall govern the definitions of words and phrases used within this law. All words not defined herein shall be used in their ordinary and everyday sense.

(a) “Abandoned” means the relinquishment of possession or control of a mortgaged premises whether or not the mortgagor or the mortgagor’s assigns have relinquished equity and title to the mortgaged interest.

(b) “Agreement to Cure Default” means a signed contract between a customer of a mortgage program and the Division of Land Management on behalf of the Nation whereby the parties agree upon a temporary payment schedule to allow the mortgagor to cure a default.

(c) “Appraisal” means the valuation of real property by the estimate of an authorized person.

(d) “Business Day” means Monday through Friday from 8:00 a.m. - 4:30 p.m., excluding holidays recognized by the Nation.

(e) “Default” means a failure to comply with the payment terms of a mortgage.

37 (f) “Foreclosure” means a legal proceeding initiated by the Nation to terminate a
38 mortgagor’s interest in real property, by taking possession of the real property as a partial
39 or complete satisfaction of a default.

40 (g) “Home Inspection” means an examination of a property’s condition.

41 (h) “Judiciary” means the judicial system established by General Tribal Council
42 resolution GTC-01-07-13-B to administer the judicial authorities and responsibilities of
43 the Nation.

44 (i) “Mortgage” means a lien, held by the Nation, on a real property interest that is given
45 as security for the payment of a debt and/or the performance of a duty, including the
46 refinancing of an original conveyance, that will become void upon the payment and/or
47 performance according to the stipulated terms.

48 (j) “Mortgagor” means the borrower in a mortgage.

49 (k) “Nation” means the Oneida Nation.

50 (l) “Notice of Default” means a formal and dated notice of default.

51 (m) “Personal Property” means any property that does not fit the definition of real
52 property and is generally movable.

53 (n) “Real Property” means land and anything growing on, attached to, or erected on the
54 land, excluding anything that may be severed without injury to the land.

55 (o) “Redemption Period” means the timeframe during which a defaulting mortgagor
56 may recover a mortgaged interest that is the subject of a judgment of foreclosure by
57 paying the outstanding debt owed.

58 (p) “Refinance” means an exchange of an old debt for a new debt, as by renegotiating a
59 different interest rate, term of the debt, or by repaying the existing loan with money
60 acquired from a new loan.

61 (q) “Reservation” means all the property within the exterior boundaries of the
62 reservation of the Nation, as created pursuant to the 1838 Treaty with the Oneida 7 Stat.
63 566, and any lands added thereto pursuant to federal law.

64 (r) “Rule” means a set of requirements, including citation fees and penalty schedules,
65 enacted by the Division of Land Management in accordance with the Administrative
66 Rulemaking law based on authority delegated in this law in order to implement, interpret
67 and/or enforce this law.

68 (s) “Title” means legal evidence of a person’s ownership rights in real property.

69 (t) “Title Report” means the written analysis of the status of title to real property,
70 including a property description, names of titleholders and how the title is held, tax rate,
71 encumbrances and any real property taxes due.

72 (u) “Tribal Land” means any land held in fee or trust status by the Nation within the
73 reservation.

74 (v) “Tribal Member” means an enrolled member of the Nation.

75 76 **64.4. Mortgage Programs.**

77 64.4-1. *Available Mortgage Purposes.* Consistent with available funds, the Division of Land
78 Management shall provide mortgage programs for the following purposes and shall establish
79 rules naming said programs and providing the specific requirements for each program:

80 (a) Financing the purchase or down payment of existing homes and lands;

81 (b) Construction of new homes;

82 (c) Repairs and improvements to existing homes;

83 (d) Refinancing existing mortgages.

84 64.4-2. *Mortgage Eligibility Requirements.* In order to be eligible for a mortgage, applicants
85 shall meet the following conditions:

86 (a) Be at least eighteen (18) years of age at the time of the application;

87 (b) Be a Tribal member(s);

88 (1) If the application is for joint applicants, at least one (1) applicant shall be a
89 Tribal member.

90 (2) For married joint applicants, both spouses shall be named applicants on the
91 application and joint mortgagors.

92 (c) Not have a discharged bankruptcy within two (2) years from the date of the
93 application;

94 (d) Not be involved in a bankruptcy proceeding that has not yet been discharged at the
95 time of the application; and

96 (e) Not have had a mortgage foreclosed upon within the seven (7) years from the date of
97 the application.

98 64.4-3. *Mortgage Selection.* The Land Commission and the Division of Land Management
99 shall jointly develop rules governing the selection of applicants for the issuance of a mortgage.
100 At a minimum, the Land Commission and the Division of Land Management shall ensure that
101 the mortgage selection rules require that the mortgagor:

102 (a) Have an acceptable credit rating as defined in the rules;

103 (b) Have an acceptable debt to income ratio as defined in the rules;

104 (c) Have all delinquent debts owed to the Nation paid in full prior to signing the
105 mortgage document;

106 (d) Have no more than the allowable amount of accumulated judgments, collections
107 and/or profit and loss write-offs based on the rules, and, if any debts are being paid
108 through a debt collector, the monthly payment must be listed as a monthly debt on the
109 application;

110 (1) In the rules, the Land Commission and the Division of Land Management
111 shall provide the allowable timeframe, in relation to the date of selection, for
112 applicants to bring any judgments, collections and/or profit and loss write-offs
113 within the allowable amount.

114 (2) Applicants failing to bring said debts within the allowable amount based on
115 the timeframe provided become ineligible for the mortgage.

116 64.4-4. *Mortgage Requirements.* The Land Commission and the Division of Land Management
117 shall jointly develop rules governing the requirements of mortgages entered into by the Division
118 of Land Management. At a minimum, the Land Commission and the Division of Land
119 Management shall ensure that the mortgage requirement rules:

120 (a) Require the mortgage document to identify the source of the ownership interest in the
121 real property as attributable either to a deed or a residential lease entered into pursuant to
122 the Leasing law;

123 (b) Require the real property that is the subject of the mortgage be insured under a
124 homeowner's insurance policy paid for by the mortgagor and include enforcement
125 provisions in the event of noncompliance herewith;

126 (c) Require that the mortgage be the first or second secured interest on the real property;

127 (d) Require proof of clear title, as defined by the rules, prior to entering into a mortgage;

128 (e) Establish which administrative fees, if any, that may be assessed in the mortgage;

- 129 (f) Require that the mortgage be for real property located within the reservation;
130 (g) Require the mortgage include interest at a rate provided in the rules.

131 64.4-5. *Non-Tribal Member Spouses.* The following applies when one of the mortgagors is a
132 non-Tribal member:

133 (a) *Death of the Tribal Member Spouse.* So long as the mortgage is not defaulted upon,
134 the death of the Tribal member spouse does not affect a mortgage. If the non-Tribal
135 member spouse defaults on the mortgage, the mortgage is subject to the regular
136 foreclosure proceedings as outlined in this law.

137 (b) *Refinancing due to Death or Divorce.* In the event that a mortgagor seeks refinancing
138 due to the death or divorce of a spouse, the mortgagor shall comply with the refinancing
139 rules established pursuant to Section 64.4-1(d).

140

141 **64.5. Default.**

142 64.5-1. *Notice of Default.* The mortgage officer shall send a notice of default to mortgagors
143 by first class mail for each month for which the mortgagor defaults on the subject mortgage,
144 provided that the mortgage officer shall send the notices of default a minimum of thirty (30)
145 calendar days apart and ensure that the notice contains the following information:

- 146 (a) The notice number;
147 (b) The dates of the default;
148 (c) The amount of the default;
149 (d) The requirement to cure the default, including important dates affecting the
150 mortgagor's rights;
151 (e) The mortgagor's available options to cure a default; and
152 (f) The actions that may be taken by the Nation if the default is not timely cured.

153

154 **64.6. Agreement to Cure Default.**

155 64.6-1. *Entering into an Agreement to Cure Default.* The Division of Land Management may,
156 in its full discretion, work with mortgagors able to pay a mortgage default over time to enter into
157 an agreement to cure default over a reasonable time not to exceed one (1) year.

158 (a) A mortgagor may enter into one (1) agreement to cure default per twelve (12) month
159 period. A mortgagor may request more than one (1) agreement to cure the default in a
160 twelve (12) month period if the mortgagor is able to demonstrate the additional
161 agreement is necessary due to extenuating circumstances faced by the mortgagor,
162 provided that, the director of the Division of Land Management shall approve any such
163 agreements before said agreement may become effective.

164 (b) The Division of Land Management may not permit mortgagors to increase payroll
165 deduction payments to cure a default without first entering into an agreement to cure
166 default.

167 (c) In the event a mortgagor violates the terms of an agreement to cure default, the
168 Division of Land Management shall enforce the remedies afforded the Nation in the
169 agreement to cure default and may not amend the terms of an unsatisfied agreement to
170 cure default without the approval of the director of the Division of Land Management.

171 64.6-2. *Elements of an Agreement to Cure Default.* All agreements to cure default entered
172 into by the Division of Land Management are required to contain the following elements:

- 173 (a) The effective date of the agreement;
174 (b) The parties to the agreement;

- 175 (c) The amount of payments under the mortgage and any agreements to cure default
176 previously entered into;
177 (d) A statement that the mortgage and, if applicable, any previous agreement to cure
178 default are in default;
179 (e) The amount of the increased payments under the agreement;
180 (f) The terms of the agreement, including the remedies available to the Nation in the
181 event that the mortgagor violates the terms of the agreement; and
182 (g) Notice that a failure to follow the terms of the agreement may result in the immediate
183 filing of a foreclosure.
184

185 **64.7. Foreclosure.**

186 64.7-1. *Decision to Foreclose.* Any mortgage that is in default for two (2) consecutive months
187 may be subject to foreclosure, provided that the Nation has complied with the notice of default
188 requirement in section 64.5-1.

189 (a) After the two (2) notices of default have been sent, the Division of Land Management
190 shall determine whether initiating foreclosure proceedings would be in the best interest of
191 the Nation, provided that the Division of Land Management shall abide by the
192 foreclosure determination standard operating procedure approved by both the director of
193 the Division of Land Management and the Land Commission.

194 (1) Should the Division of Land Management determine that initiating a
195 foreclosure is in the best interest of the Nation, the Division of Land Management
196 shall submit a complaint to the Judiciary in compliance with the Nation's laws
197 and the Judiciary's requirements. The complaint may not be submitted until after
198 thirty (30) calendar days from the date of the second notice of default.

199 (2) The Division of Land Management shall include in all complaints a demand
200 judgement for any deficiency that may remain due to the Nation after the Nation's
201 reclamation of title against every party who is personally liable for the debt
202 secured by the mortgage that is the subject of the foreclosure.

203 64.7-2. *Mortgage Satisfaction or Agreement to Cure Default Prior to Judgment of*
204 *Foreclosure.* If the mortgagor satisfies the mortgage that is the subject of a foreclosure
205 complaint or the parties reach an agreement to cure default prior to the Judiciary's entering of a
206 judgment of foreclosure, the Judiciary shall dismiss the foreclosure complaint.

207 (a) *Mortgage Satisfaction.* A mortgagor named in a foreclosure complaint may satisfy
208 the subject mortgage at any time prior to the Judiciary's entering of a judgment of
209 foreclosure. Under such circumstances, the mortgagor shall submit to the Judiciary proof
210 of payment in full of the mortgage principal, any interest owed and any court costs
211 incurred by the Nation. Upon receipt of verified proof of satisfaction, the Judiciary shall
212 dismiss the foreclosure complaint based on satisfaction of the mortgage.

213 (b) *Agreement to Cure Default.* Should the Nation and the mortgagor reach an agreement
214 to cure default in accordance with section 64.6 after foreclosure proceedings have been
215 initiated, which may include provisions requiring the mortgagor to reimburse the Nation
216 for any court costs incurred, the mortgagor shall submit to the Judiciary a copy of the
217 executed agreement to cure default. Upon receipt of an executed agreement to cure
218 default, the Judiciary shall dismiss the foreclosure complaint without prejudice based on
219 the agreement to cure default.

220 64.7-3. *Judgment of Foreclosure.* If the Judiciary finds in favor of the Nation, it shall issue a
221 judgement of foreclosure. At a minimum, the Judiciary shall include the following in each
222 judgment of foreclosure:

- 223 (a) A description of the mortgaged premises;
- 224 (b) The amount of the mortgage debt due;
- 225 (c) The mortgagor's redemption period;
- 226 (d) An order to vacate the mortgaged premises within thirty (30) calendar days of the
227 judgment;
- 228 (e) An order transferring title of the mortgaged premises to the Nation as partial or full
229 payment of the amount of mortgage debt then due;
- 230 (f) So long as the Nation's complaint reserves the right to demand a judgment of
231 deficiency for costs that may remain due after the transfer of title to the Nation pursuant
232 to foreclosure, an order recognizing the Nation's reserved right, which may include sums
233 advanced by the Nation for insurance, necessary repairs, inspection costs, appraisal fees
234 and other costs; and
- 235 (g) An order that within seven (7) months of receipt of a judgment of foreclosure, the
236 Nation submit either a motion demanding a judgment of deficiency or a motion to
237 enforce the judgment of foreclosure, each of which are required to include a final
238 accounting and a confirmation of appraisal.

239 64.7-4. *Redemption Period.* The Judiciary shall afford all mortgagors subject to a judgment
240 of foreclosure a redemption period. To redeem a real property interest, the mortgagor shall pay
241 the full amount of the mortgage debt due and any costs incurred by the Nation for insurance,
242 necessary repairs, inspection costs, appraisal fees and other costs.

243 (a) *Occupied Premises.* The required redemption period for occupied premises is six (6)
244 months. Absent an affirmative finding of abandonment, the Judiciary shall presume that
245 premises are occupied premises.

246 (b) *Abandoned Premises.* The required redemption period for abandoned premises is, at
247 a minimum, five (5) weeks. A redemption period based on abandoned premises requires
248 an affirmative finding of abandonment by the Judiciary based on evidence submitted by
249 the Division of Land Management on behalf of the Nation.

250 (1) In determining whether the mortgaged premises have been abandoned, the
251 Judiciary shall consider the totality of the circumstances, including the following:

- 252 (A) Boarded, closed or damaged windows or doors to the premises;
- 253 (B) Missing, unhinged or continuously unlocked doors to the premises;
- 254 (C) Terminated utility accounts for the premises;
- 255 (D) Accumulation of trash or debris on the premises;
- 256 (E) At least two (2) reports to law enforcement officials of trespassing,
257 vandalism, or other illegal acts being committed on the premises when the
258 mortgagor is not present; and
- 259 (F) Conditions that make the premises unsafe or unsanitary or that make
260 the premises in imminent danger of becoming unsafe or unsanitary.

261 (2) The Division of Land Management may include testimony from a
262 representative of the city, town, village or county where the mortgaged premises
263 is located as part of its evidence of abandonment.

264 (c) *Redeemed Premises.* Should the mortgagor successfully redeem the mortgaged
265 interest that is the subject of a judgment of foreclosure, the Nation shall issue the

266 mortgage a certificate of redemption. Upon receipt of a certificate of redemption, the
267 mortgage shall file a motion to vacate the judgment of foreclosure with the Judiciary.
268 Upon receipt from the Judiciary, the mortgage shall duly record the order to vacate the
269 judgment of foreclosure with the Oneida Nation Register of Deeds.

270 64.7-5. *Mortgage Holder's Responsibilities upon Receipt of a Judgment of Foreclosure.*
271 Upon receipt of a judgment of foreclosure, the Division of Land Management, on behalf of the
272 Nation as the mortgage holder, shall:

273 (a) Secure and take possession of the real property once the timeframe in the order to
274 vacate has expired.

275 (1) The Division of Land Management shall provide the mortgage notice of
276 when the property's locks are scheduled to be changed, which, at a minimum,
277 includes the following:

- 278 (A) The property address;
279 (B) The date and time the locks are scheduled to be changed;
280 (C) Notice to mortgage that an Oneida Police Officer will be present
281 while the locks are being changed;
282 (D) Information on how the disposition of personal property will be
283 managed based on section 64.7-5(a)(3);
284 (E) The contact information for Division of Land Management staff whom
285 the mortgage may contact in regards to the property; and
286 (F) A copy of the judgment of foreclosure.

287 (2) The Division of Land Management shall contact the Oneida Police
288 Department to request that an Oneida police officer be on the scene while the
289 locks are being changed.

290 (3) In the event the mortgage has left personal property in the home, he or she
291 may retrieve said personal property by contacting the Division of Land
292 Management staff listed on the work order. The Division of Land Management
293 shall hold personal property for a minimum of five (5) business days.

294 (A) The Division of Land Management shall keep a written log of the date
295 and the work time the Nation's staff expends storing and/or removing
296 personal property and/or removing/disposing of debris left at the property
297 after the expiration of the timeframe provided in the order to vacate.

298 (B) The Division of Land Management and the Land Commission shall
299 jointly create rules further governing the disposition of personal property.

300 (b) Order a title report from the Land Title and Trust Department with specific
301 instructions to contact the Accounting Department to verify whether the mortgage owes
302 any outstanding debts to the Nation and based on the title report shall:

303 (1) Seek payment of outstanding water bills and/or other liens or charges
304 appearing on the tax rolls from the mortgage. In the event of a failure to pay, the
305 Nation shall make payment and include such costs in the Nation's final
306 accounting required by the judgment of foreclosure and as explained in section
307 64.7-5(e);

308 (2) Request proof of payment of any judgments noted on the title report which
309 can be attached to the real property;

310 (3) Request proof of satisfaction of any mortgage liens issued by an outside
311 financial institution other than the Nation, provided that, said mortgage liens may

312 not be satisfied by the Nation until the redemption period has either expired or
313 been terminated by the Judiciary.

314 (c) Order an appraisal of the real property to be completed;

315 (d) Order a home inspection, including a well and septic inspection, of the real property
316 to be completed and based on the findings of the home inspection shall coordinate which
317 repairs will be completed.

318 (1) In order for repair costs to be included in a judgment of deficiency 64.7-3(f),
319 the Nation shall include the following in its demand for the said judgment:

320 (A) A record of all receipts for materials and invoices for services related
321 to the said repairs;

322 (B) A record of all hours expended by the Nation's staff related to the said
323 repairs; and

324 (C) Photographic evidence demonstrating the condition of the real
325 property both before and after the repairs were made.

326 (2) If, based on the home inspection, the Division of Land Management
327 determines it to be in the best interest of the Nation to raze a foreclosed upon
328 property, it may do so in accordance with the rules which the Division of Land
329 Management and the Land Commission shall jointly develop. Any costs related
330 to the razing of a property may be included in the Nation's demand for a
331 judgment of deficiency.

332 (e) Wrap up the foreclosure by filing with the Judiciary either a motion demanding a
333 judgment of deficiency or a motion for enforcement of the judgment of foreclosure.

334 (1) *Demand for a Judgment of Deficiency.* The Nation shall file a demand for a
335 judgment of deficiency if the total of the amount of the mortgage debt due in the
336 judgment of foreclosure and the sums advanced by the Nation for insurance,
337 necessary repairs, inspection costs, appraisal fees and other costs exceeds the
338 value of the real property based on the appraisal. A demand for a judgment of
339 deficiency is required to include a confirmation of appraisal and an accounting of
340 all sums advanced by the Nation.

341 (2) *Motion for Enforcement of the Judgment of Foreclosure.* The Nation shall file
342 a motion for enforcement of the judgment of foreclosure if the total of the amount
343 of the mortgage debt due in the judgment of foreclosure and the sums advanced
344 by the Nation for insurance, necessary repairs, inspection costs, appraisal fees and
345 other costs are less than or equal to the value of the real property based on the
346 appraisal. If the total of the amount of the mortgage debt due in the judgment of
347 foreclosure and the sums advanced by the Nation for insurance, necessary repairs,
348 inspection costs, appraisal fees and other costs are less than the value of the real
349 property based on the appraisal, the Division of Land Management shall include
350 in the motion to enforce a copy of the signed apron issued to the mortgagor
351 providing the refunded amount.

352 64.7-6. *Resale Following Foreclosure.* The Division of Land Management may begin
353 advertising a foreclosed upon property for re-sale immediately following its receipt of an order to
354 enforce the judgment of foreclosure, provided that it may not complete a sale of said property
355 until the mortgagor's appeal rights have expired.

356

357 **64.8. Appeal Rights.**

358 64.8-1. *Decisions of the Division of Land Management are Final.* All decisions made by the
359 Division of Land Management in regards to the mortgage programs provided under this law are
360 final decisions and are not subject to appeal.

361 64.8-2. *Appeal of a Foreclosure.* A mortgagor whose real property has been foreclosed upon
362 may appeal a determination made by the Judiciary in accordance with the Judiciary law and the
363 Rules of Appellate Procedure.

364 _____
365 Adopted BC-



Legislative Operating Committee

June 1, 2016

Per Capita Law Amendments

Submission Date: 7/10/2015

Public Meeting:
 Emergency Enacted:
 Expires:

LOC Sponsor: David P. Jordan

Summary: *This request from the Trust Enrollment Department was submitted to clarify several provisions of the law, modify the frequency of form requirements and in elder distributions, and incorporate fees for stop payments and closed bank accounts.*

7/15/15 LOC: Motion by Jennifer Webster to add the Per Capita Law Amendments to the active files list with David P. Jordan as the sponsor; seconded by Fawn Billie. Motion carried unanimously.

9/16/15 LOC: Motion by David P. Jordan to accept the update as FYI and defer the Per Capita Law Amendments to the Legislative Reference Office and to bring back in 30 days for an update; seconded by Fawn Billie. Motion carried unanimously.

10/21/15 LOC: Motion by David P. Jordan to accept the memorandum as FYI and to defer the Per Capita Law Amendments to the sponsor to continue to work with the Trust Enrollment Committee and to bring a draft back on November 4, 2015; seconded by Fawn Billie. Motion carried unanimously.

10/23/15: Work meeting held, attendees include: Cheryl Skolaski, David P. Jordan, Caroyl Long, Douglass McIntyre, Bonnie Pigman, Leyne Orosco, Lisa Kelly Skenandore, Candice Skenandore.

10/26/15: Work meeting held, attendees include: Caroyl Long, Bonnie Pigman, Misty Cannon, Leyne Orosco, Lisa Kelly Skenandore, Candice Skenandore, Susan White, Krystal John.

11/4/15 LOC: Motion by Jennifer Webster to defer to Legislative Reference Office for legislative analysis and fiscal impact; seconded by Fawn Billie. Motion carried unanimously.

2/3/16 LOC: Motion by Tehassi Hill to defer the Per Capita Law Amendments to a work meeting with the Trust Enrollment Department, the Finance Department, Law Office and the sponsor and bring back to the LOC within the next 30 days; seconded by David P. Jordan. Motion carried unanimously.

3/2/16 LOC: Motion by Jennifer Webster to accept the Per Capita Law Amendments status update memorandum and defer to the sponsor to bring back an updated draft with an updated legislative analysis; seconded by Tehassi Hill. Motion carried unanimously.

4/6/16 LOC: Motion by Jennifer Webster to prepare the Per Capita Law Amendments for a public meeting to be held on May 19, 2016; seconded by David P. Jordan. Motion carried unanimously.

- **Next Steps:** Accept the results of the e-poll conducted on May 19, 2016 which approved the public meeting packet for an additional public meeting to be held for the Per Capita Law Amendments on June 16, 2016 at 12:15 p.m.

From: Krystal John

Sent: Monday, May 23, 2016 12:25 PM

To: David P. Jordan; Jennifer A. Webster; Brandon L. Yellowbird-Stevens; Ronald W. Hill; Fawn J. Billie 45 of 130

Cc: Danelle A. Wilson; Leyne C. Orosco; Rhiannon R. Metoxen

Subject: FW: E-Poll: Approve Additional Public Meeting for Per Capita Law for 6/16/2016

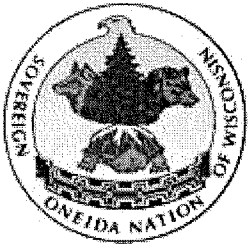
Good afternoon,

Somehow it does not seem that the E-poll sent last Thursday reached the LOC members. Please review the below message and respond approving or denying.

Thank you.

Krystal L. John, Staff Attorney
Legislative Reference Office
Oneida Tribe of Indians of Wisconsin
(920) 869-4375

The information contained in this e-mail is confidential and privileged. If you are not the intended recipient, please be advised that any use, copying, or dissemination of this information is prohibited. Please destroy this e-mail and immediately notify us of the erroneous transmission.



From: Krystal John

Sent: Thursday, May 19, 2016 1:22 PM

To: LOC; Danelle A. Wilson; Leyne C. Orosco; Rhiannon R. Metoxen

Cc: Maureen S. Perkins

Subject: E-Poll: Approve Additional Public Meeting for Per Capita Law for 6/16/2016

Good afternoon, LOC,

At the public meeting held today regarding the Per Capita law, after receiving complaints from attendees regarding whether the LOC satisfied its notice requirements because there was a typo on the Per Capita law public meeting notice, the sponsor agreed to hold an additional public meeting for the Per Capita and re-notice after fixing the typo. The

1

Krystal John

From: David P. Jordan
Sent: Monday, May 23, 2016 1:43 PM
To: Krystal John; Jennifer A. Webster; Brandon L. Yellowbird-Stevens; Ronald W. Hill; Fawn J. Billie
Cc: Danelle A. Wilson; Leyne C. Orosco; Rhiannon R. Metoxen
Subject: RE: E-Poll: Approve Additional Public Meeting for Per Capita Law for 6/16/2016

Support

Krystal John

From: Brandon L. Yellowbird-Stevens
Sent: Monday, May 23, 2016 2:05 PM
To: Krystal John; David P. Jordan; Jennifer A. Webster; Ronald W. Hill; Fawn J. Billie
Cc: Danelle A. Wilson; Leyne C. Orosco; Rhiannon R. Metoxen
Subject: RE: E-Poll: Approve Additional Public Meeting for Per Capita Law for 6/16/2016

support

Krystal John

From: Ronald W. Hill
Sent: Monday, May 23, 2016 2:01 PM
To: Krystal John
Cc: David P. Jordan; Jennifer A. Webster; Brandon L. Yellowbird-Stevens; Fawn J. Billie; Danelle A. Wilson; Leyne C. Orosco; Rhiannon R. Metoxen
Subject: Re: E-Poll: Approve Additional Public Meeting for Per Capita Law for 6/16/2016

Approve

Krystal John

From: Fawn J. Billie
Sent: Monday, May 23, 2016 12:30 PM
To: Krystal John; David P. Jordan; Jennifer A. Webster; Brandon L. Yellowbird-Stevens; Ronald W. Hill
Cc: Danelle A. Wilson; Leyne C. Orosco; Rhiannon R. Metoxen
Subject: RE: E-Poll: Approve Additional Public Meeting for Per Capita Law for 6/16/2016

Support for additional hearing.

Krystal John

From: Jennifer A. Webster
Sent: Monday, May 23, 2016 12:25 PM
To: Krystal John; David P. Jordan; Brandon L. Yellowbird-Stevens; Ronald W. Hill; Fawn J. Billie
Cc: Danelle A. Wilson; Leyne C. Orosco; Rhiannon R. Metoxen
Subject: RE: E-Poll: Approve Additional Public Meeting for Per Capita Law for 6/16/2016

Support.
 Jenny



Legislative Operating Committee

June 1, 2016

Research Protection Act

Submission Date: 10/7/15

Public Meeting:
 Emergency Enacted:

LOC Sponsor: Fawn Billie

Summary: *This is a new law that is intended to assist Oneida with consultation and research from Tribal members. The goal is to use intellectual brain power of Oneida college graduates who are willing to serve as a Tribal resource, ensuring future Tribal growth/prosperity. The Tribe has invested scholarship dollars and should expect a ROI. Alumni will be able to give back without moving back.*

10/7/15 LOC: Motion by David P. Jordan to defer the Research Protection Act to the next Legislative Operating Committee meeting in order for the requestor to answer questions; seconded by Jennifer Webster. Motion carried unanimously.

10/21/15 LOC: Motion by David P. Jordan to add the Research Protection Act to the Active Files List with Fawn Billie as the sponsor; seconded by Fawn Billie. Motion carried unanimously.

12/16/15 LOC: Motion by Jennifer Webster to accept the status update as FYI and defer the Research Protection Act back to the sponsor to bring back when ready; seconded by David P. Jordan. Motion carried unanimously.

Next Steps:

- Accept the draft and defer the item to the Legislative Reference Office for an legislative analysis.

1 **Chapter 215**
2 **Research Protection Law**
3

4	215.1. Purpose and Policy	10	215.7. Review of Research Proposals
5	215.2. Adoption, Amendment, Repeal	11	215.8. Research Agreements.
6	215.3. Definitions	12	215.9. Permits
7	215.4. Scope	13	215.10. Modification of an Approved Project
8	215.5. Research Review Board	14	215.11. Termination and Penalties
9	215.6. Research Proposal Requirements	15	

16
17
18 **215.1. Purpose and Policy**

19 215.1-1. *Purpose.* The purpose of this law is to establish a research review mechanism to
20 prevent the continued abuses, and to protect the people’s traditional knowledge and properties,
21 and thereby to ensure our rights to continue to practice traditional lifeway’s for our long term
22 survival. The established research review process is developed as a mechanism to improve
23 relations between the Nation and scientists/researchers, and to promote collaboration within the
24 framework of mutual respect, equity, and empowerment, and maximize the benefits and reduce
25 any risks to the Nation.

26 215.1-2. *Policy.* It is the policy of the Nation to:

- 27 (a) protect the people, culture, and natural resources of the Nation and the Nation’s
28 future generations from unauthorized scientific research; and,
- 29 (b) to reduce any adverse effects of human subject research and related activities on the
30 Nation and its People; and,
- 31 (c) to ensure that researchers recognize the Nation’s control of research activities
32 and ownership of all data and information generated or produced by such research;
33 and,
- 34 (d) to establish and provide a statutory basis for a process to review and govern
35 any research, collection, database, or publication undertaken on the Reservation.
36

37 **215.2. Adoption, Amendment, Repeal**

38 215.2-1. This law was adopted by the Oneida Business Committee by resolution _____.

39 215.2-2. This law may be amended or repealed by the Oneida Business Committee pursuant to
40 the procedures set out in the Legislative Procedures law.

41 215.2-3. Should a provision of this law or the application thereof to any person or circumstances
42 be held as invalid, such invalidity shall not affect other provisions of this law which are
43 considered to have legal force without the invalid portions.

44 215.2-4. In the event of a conflict between a provision of this law and a provision of another
45 Policy, the provisions of this law shall control.

46 215.2-5. This law is adopted under authority of the Constitution of the Oneida Nation.
47

48 **215.3. Definitions**

49 215.3-1. This section shall govern the definitions of words or phrases as used within this Policy.
50 All words not defined herein shall be used in their ordinary and everyday sense.

- 51 (a) “Academic Research” means research carried out to obtain educational qualifications,
52 to further an academic career at an institution of higher learning, or for scientific
53 advancement.

- 54 (b) “Biodiversity” means the total variety of life in all its forms including levels that
55 range from alleles to the biosphere and shall include alleles, genes, populations, species,
56 ecosystems, landscapes, and the ecological processes of which they are a part.
- 57 (c) “Biogenetic Resources” means biological and genetic resources, including plan
58 material, animals, microorganisms, cells, and genes.
- 59 (d) “Biological Samples” means, but is not limited to, bacteria and other
60 microorganisms, plant, animal, or any human biological materials, genetic samples, any
61 copies of the original genetic samples, any cell lines containing copies of the original
62 genetic samples, and data derived from these samples.
- 63 (e) “Commercial Purposes” means to sell, purchase, barter, trade, delay compensation
64 for profit, exchange, transport, or offer to sell, purchase, barter, trade, delay
65 compensation for profit, exchange, or transport.
- 66 (f) “Cultural Research” means any endeavor, by means of critical investigation and study
67 of a subject, to discover new or collate old facts or hypotheses on a cultural subject, the
68 latter being defined as any ethnographic or anthropological study, including basic data
69 collection, studies of or incorporating traditional knowledge or classification systems
70 (e.g. studies of medicinal properties of plants), documentary films, archaeology,
71 linguistics and ethno-historical accounts.
- 72 (g) “Indigenous” means native, originating or growing naturally in a specific landscape
73 and also refers to people descending from the original inhabitants of the Western
74 Hemisphere who have maintained distinct languages, culture, or religion from time
75 immemorial.
- 76 (h) “Judiciary” means the judicial system that was established by Oneida General Tribal
77 Council resolution GTC-01-07-13-B to administer the judicial authorities and
78 responsibilities of the Nation.
- 79 (i) “Nation” means the Oneida Nation.
- 80 (j) “Research” includes identification, description, classification, collection, database,
81 recordation, analysis, and publication in fields including, but not limited to, agronomy,
82 archaeology, astronomy, biology, ethnobotany, ecology, environment, natural resources,
83 health, ethnography, history, linguistics, paleontology, medicine, photography,
84 psychology, remote sensing, sociology, theology, videography, and other investigative
85 disciplines or approaches as identified by the Nation.
- 86 (k) “Reservation” means all the lands and waters within the exterior boundaries of the
87 Reservation of the Oneida Nation, as created pursuant to the 1838 Treaty with the Oneida
88 7 Stat. 566, and any lands added thereto pursuant to federal law.
- 89 (l) “Traditional Indigenous Intellectual Property” means the indigenous cultural
90 information, knowledge, uses, and practices unique to the Nation’s ways of life
91 maintained and established over tribal homelands and aboriginal areas. This knowledge is
92 based upon millennia of observation, habitation, and experience, and is a communal right
93 held by the Nation, and in some instances by individuals. This property includes, but is
94 not limited to, the following:
- 95 (1) knowledge of remembered histories and traditions;
 - 96 (2) details of cultural landscapes and particularly sites of cultural significance;
 - 97 (3) records of contemporary events of historical and cultural significance;
 - 98 (4) sacred property (images, objects, sounds, knowledge, material, culture or
99 anything that is deemed sacred by the community;

- 100 (5) knowledge of current use, previous use, and/or potential use of plant and
101 animal species, soils, minerals, objects;
102 (6) knowledge of preparation, processing, or storage of useful species;
103 (7) knowledge of formulations involving more than one ingredient;
104 (8) knowledge of individual species (planting methods, care for, selection
105 criteria);
106 (9) knowledge of ecosystem conservation (methods of protecting or preserving a
107 resource);
108 (10) biogenetic resources that originate (or originated) on indigenous lands and
109 territories;
110 (11) tissues, cells, biogenetic molecules including DNA, RNA, and proteins, and
111 all other substances originating in the bodies of Tribal members, in addition to
112 genetic and other information derived therefrom;
113 (12) cultural property (images, sounds, crafts, art, symbols, motifs, names,
114 performances); and;
115 (13) knowledge of systems of taxonomy of plants, animals, and insects.
116 (m) "Tribal" means the Oneida Nation.
117

118 **215.4. Scope**

119 215.4-1. All persons wishing to conduct research governed by this law within the boundaries of
120 the reservation shall first obtain the approval of the Research Review Board. Provided that,
121 exceptions for the following shall exist:

- 122 (a) Tribal members conducting research for their own use; provided that this law shall
123 apply if a Tribal member is conducting research for, or is affiliated with, an outside
124 institution; and
125 (b) Departments of the Nation performing self-research or internal research.

126 215.4-2. This law shall govern the following types of research:

- 127 (a) academic research;
128 (b) cultural research;
129 (b) visitation, inventory, collection, research, or filming related to any:
130 (1) biodiversity related resources;
131 (2) biogenetic resources; or
132 (3) traditional indigenous intellectual property.

133 215.4-3. No individual person, tribal official, or tribal employee is authorized to waive any part
134 of this law.
135

136 **215.5. Research Review Board**

137 215.5-1. There is hereby established a standing committee of the Oneida Business Committee
138 which shall be known as the Research Review Board.

139 215.5-2. The Research Review Board shall be comprised of five (5) Tribal members who shall
140 be appointed to serve on this Board by the Oneida Business Committee.

141 215.5-3. No stipend will be given for serving on the Research Review Board.

142 215.5-4. The Research Review Board shall have the following duties and responsibilities:

- 143 (a) to examine and comment on all proposals within the scope of this law, and to monitor
144 and regulate such research upon approval by the Nation;

- 145 (b) to promulgate rules under which the RRB shall operate subject to the laws of the
146 Nation;
- 147 (c) to coordinate and insure that the interests of affected Tribal programs, departments,
148 and members are protected;
- 149 (d) to submit recommendations regarding proposals to the Oneida Business Committee
150 for final approval;
- 151 (e) to coordinate and interact with the researcher(s) in order to ensure the Nation's
152 control of the research process and the Nation's ownership of data and information
153 generated by such research; and
- 154 (f) to negotiate the terms and conditions of a research agreement, and submit such
155 agreement to the Oneida Business Committee for authorization and execution.
156

157 **215.6. Research Proposal Requirements**

158 215.6-1. *Time Frame.* Researchers are advised to allow sufficient time for the Research Review
159 Board to thoroughly review and understand all aspects of the research and to ask questions and
160 resolve differences. All proposals shall be submitted at least three (3) months prior to the
161 anticipated project start date.

162 215.6-2. *Synopsis.* A short synopsis of the research proposal shall be submitted to the Research
163 Review Board. The synopsis must contain sufficient information to allow the Research Review
164 Board to make an informed decision. The following information must be included in any request
165 for approval of a research project:

166 (a) *Statement of the Issue/Problem/Research Question.* The applicant shall briefly
167 describe the issue or problem the applicant is addressing by the proposed research. If the
168 applicant has a specific hypothesis, the applicant shall briefly set forth such hypotheses.

169 (b) *Intent/Benefit to the Nation.* The applicant must clearly outline and discuss the intent
170 of the research project and any benefit(s) that the project, research, or activity will have
171 to the Nation.

172 (c) *Method.* The applicant shall briefly describe the procedure for the collection of all
173 data to be used in the proposed study. A description of subjects, settings, proposed
174 procedures and the nature of the data to be collected shall be included.

175 (d) *Confidentiality.* The applicant shall provide a description shall be given on how
176 individual participants will be informed of the degree of confidentiality that will be
177 maintained throughout the study. The applicant must state in their application summary
178 whether the community will be identified in any data released to the general public. The
179 applicant shall also disclose whether, even without identifying information, the proposed
180 research will have, or may likely have, any adverse impact on the Nation or the human
181 research subjects.

182 (e) *Disposition of Data and Samples:* The applicant shall describe how individual
183 participants will be informed of how data and samples will be used. A description of the
184 plans to provide individual participants with their own personal results must be provided.
185 A description of the frequency and manner by which the aggregate data and progress
186 reports will be shared with the Research Review Board must be set forth. Furthermore,
187 communication strategies to present aggregate data to the Nation, at large, shall be
188 described.

189 (f) *Risks:* The applicant must describe any potential legal, financial, social, physical, or
190 psychological risks that are anticipated in the research. Any risks of harmful impact on

191 the cultural, social, economic or political well-being of the Nation or on Tribal members
192 shall be assessed. The assessment of risk will also address the steps that will be taken to
193 minimize, ameliorate or repair any actual harm caused to the Nation by the proposed
194 research. An explanation shall also be provided on how potential risks will be explained
195 to participants and how the risks are justified by the potential benefits of the research.

196 (g) *Funding/Budget*: If the study is funded by any public or private sources, the
197 applicant shall provide a full reference of this funding source and explanation of any
198 limits on the confidentiality of research results. If the researcher is currently seeking
199 funding, the researcher shall list all funding agencies for which proposals are being
200 sought. Researchers shall budget funding to cover cultural sensitivity training, and to
201 provide adequate resources to cover community education and outreach efforts as part of
202 the research, and finally, to rectify any harm to, or exploitation of, the Nation's assets or
203 Tribal members resulting from the research.

204 (h) *Cultural Sensitivity Training*: All principal investigators, researchers, graduate
205 students and any other people involved in the research will be required to undergo
206 cultural sensitivity training to be provided at the researcher's expense. Costs will be
207 determined based on the scope of the project. The training shall be provided by the
208 Nation or provided at the direction of the Nation.

209 (i) *Equity*. The proposal must demonstrate how the participants and the Nation will be
210 given a fair and appropriate return for cooperation in the research. Just compensation or
211 fair return includes, but is not limited to: obtaining copies of the research findings,
212 authorship, co-authorship or acknowledgment, royalties, fair monetary compensation,
213 copyright, patent, trademark, compensation for expenses incurred in reviewing/advising
214 researchers, coverage of training/education or outreach expenses, or other forms of
215 compensation.

216 (j) *Consent*. The proposal must address mechanisms for informed consent, which may
217 be required from individual participants, families, clans or the Nation. The applicant shall
218 list all the agencies, professionals, government representatives, and individuals within the
219 Nation with which the applicant has previously discussed the proposed research and
220 whether or not these individuals have given their informed consent, or other support, to
221 the research.

222 (k) *Intellectual Property Rights*. The application shall address the plans (pre, during and
223 post-project) for publication or commercialization of the research findings. If such
224 publication or commercialization is contemplated, the applicant shall address how the
225 Nation will share in the authorship of publications or commercialization of the research
226 findings. The Nation also needs to know how the Nation will have access to the project,
227 research data or findings for the Nation's own use. Researchers must inform the Research
228 Review Board of journals, publishing houses, or conferences that they plan to print or
229 present the results of their studies before papers are submitted or presented. The proposal
230 must demonstrate a process whereby the Research Review Board and the Nation will
231 have an opportunity to review, critique, and approve the results of all studies before any
232 publication, presentation, news conferences or release of data to the general public
233 occurs. Researchers shall be responsible for addressing, correcting, and satisfying the
234 concerns of the Nation in drafts and final reports, papers, or data summaries before they
235 are released to the general public.

236 (l) *Data Ownership/Archive*. The Nation reserves the right to require the deposit of raw
237 materials or data, working papers or product in a repository designated by the Nation,
238 with specific safeguards to preserve confidentiality. Duplicates of data or split samples
239 may be required to be stored in a local archive.

240 215.6-3. A research proposal application shall include an application fee or a request for a fee
241 waiver.

242 215.6-4. The Research Review Board shall have the authority to promulgate rules as to an
243 application fee schedule, requirements for a fee waiver and more specific requirements for
244 research proposals.

245

246 **215.7. Review of Research Proposals**

247 215.7-1. A research proposal must be completed under the requirements of this law and any
248 promulgated rules before the proposal will be reviewed by the Research Review Board.

249 215.7-2. Any research summaries and support documents requested by the Research Review
250 Board pursuant to the proposal process should be sent to the Higher Education Department to be
251 forwarded to the Research Review Board.

252 215.7-3. The Research Review Board shall review the application materials that are submitted
253 and either:

254 (a) Return the proposal to the researcher with requests for additional information or with
255 suggestions for clarification or change; or

256 (b) Forward the proposal and request to the Oneida Business Committee with a
257 recommendation for approval or disapproval; or

258 (c) Consult with other Tribal members, Tribal elders, professionals, technical experts, or
259 specialists for a second evaluation before sending recommendations to the Oneida
260 Business Committee.

261

262 **215.8. Research Agreements.**

263 215.8-1. If the research proposal is approved by the Research Review Board, the applicant shall
264 enter into a binding research agreement which shall contain the obligations and responsibilities
265 of the parties.

266 215.8-2. The research agreement shall be specific to the research and shall be developed so that
267 the research proceeds in a manner that is both culturally sensitive and relevant to the participants
268 and the Nation. However, all research agreements shall contain the following requirements:

269 (a) only aggregate data, not individual data, shall be published or released to the general
270 public without specific permission given by the individual or the individual's legal
271 representative.

272 (b) individual identifiers such as names, addresses and phone numbers shall be kept
273 confidential and no sale or transfer of databases outside the specific research project shall
274 be allowed.

275 (b) all publications, manuscripts and reports resulting from research must receive prior
276 approval from the Research Review Board and the Oneida Business Committee.

277 215.8-3. *Academic Research*. A sworn, notarized declaration of noncommercial use of research
278 products is required in conjunction with an academic research agreement. This declaration may
279 be included in the body of the research agreement.

280 215.8-4. *Commercial Purposes*. Where any of the products of the research are to be used for
281 commercial purposes, a separate agreement will be made specifying the basis on which sales are

282 to be made and the proceeds of sales are to be distributed. Where research is engaged in for
283 commercial purposes, it is the responsibility of the researcher to make all informants and
284 suppliers of information aware of this fact, and to come to an agreement with them on the
285 amount of compensation to be paid. There must be a limit on samples that the researcher may
286 obtain and take off the reservation, and the approved list and amount of samples to be taken must
287 be followed strictly.

288 215.8-5. The Research Review Board may specify a compliance fee in an amount appropriate to
289 ensure the researcher's compliance with the conditions of the research. Upon completion of the
290 research, the compliance deposit may be refundable.

291 215.8-6. If a research project receives approval by the Nation, the approval remains in effect for
292 the period of time specified in the research agreement unless substantial changes are made to the
293 research protocol. At the end of the specified time period, the researcher shall submit a written
294 letter which summarizes the status of the project (complete, incomplete, discontinued), any
295 unanticipated problems that occurred during the data collection phase of the project, and a time
296 schedule for completion of all work, including community education/outreach related to the
297 project. If the project is incomplete, the researcher may request, in writing, an additional period
298 for the data collection, analysis and report phase of the project.

300 **215.9. Permits**

301 215.9-1. The Research Review Board shall develop standard application forms for researcher
302 permit applicants and may promulgate rules that set forth the type of information that must be
303 submitted. This, at a minimum, shall include the name(s) of the researcher(s), name and/or brief
304 description of the study approved, location(s) of research to be conducted, and effective start and
305 ending dates of the permit.

306 215.9-2. Upon execution of a research agreement, all persons conducting research on the
307 reservation shall obtain, a research permit in accordance with the terms of this section.

308 215.9-3. An application form for a research permit may be obtained from the Research Review
309 Board or through the Oneida Business Committee.

310 215.9-4. All persons covered by a research permit shall have such permit in their possession at
311 all times while conducting research. The research permit must be produced for inspection upon
312 demand by authorized officials of the Nation.

313 215.9-5. A research permit issued under this section may be suspended or revoked at any time
314 by the Research Review Board if a permit holder is engaged in activities not allowed by the
315 permit, fails to abide by a permit term or condition, has committed fraud or misrepresentation or
316 provided incorrect statements in the application or permitting process, or is engaged in or has
317 engaged in activities prohibited by this law or any other Tribal law or resolution.

318 215.9-6. The revocation or suspension of a permit issued pursuant to this section may be
319 appealed to the Judiciary. The burden will be on the researcher to show that the suspension or
320 revocation was invalid.

321

322 **215.10. Modification of an Approved Project**

323 215.10-1. If the researcher wishes to make changes in his or her research project after receiving
324 approval from the Research Review Board, he or she must submit a summary of the proposed
325 modifications to the Research Review Board.

326 215.10-2. Modifications to the research project shall not be implemented until the researcher and
327 the Research Review Board have amended the research agreement and permits, and the
328 researcher receives written approval from the Research Review Board.

329 215.10-3. Modifications in the data collection procedures must be reviewed by the Research
330 Review Board and approved by the Oneida Business Committee.

331

332 **215.11. Termination and Penalties**

333 215.11-1. Any person who violates this law, or any permit issued under this law, may lose the
334 privilege of doing business or conducting research on the Reservation.

335 215.11-2. The Nation reserves the right to:

336 (a) Withdraw consent to use or release information and/or prevent the publication of data
337 which is unauthorized, misrepresents or stereotypes the Nation or its members or will
338 harm the health, safety or welfare of the Nation, its members, or the environment.

339 (b) Deny researchers the opportunity to conduct research within the Nation's
340 jurisdiction. In addition, other researchers or scientists from the same research institution
341 may be denied any future access to the Reservation.

342 (c) Withdraw approval for projects. Should this occur, the Nation will explain the
343 rationale for withdrawing approval and explain why this project or the release of data is
344 deemed to be harmful to individuals or the Nation at large. In the case of withdrawal of
345 approval by the Nation, all information and copies of data must be returned to the Nation.

346 (d) Exclude individuals from the Reservation.

347 (e) Seek injunctive relief, including an order restraining a person from continuing to
348 enter the Reservation.

349 215.11-3. The Research Review Board shall promulgate rules establishing a fine schedule for
350 violation of this law or the rules established under this law.

351 (a) Each violation may be considered a separate offense.

352 (b) No civil penalty shall be assessed unless such person is given notice and an
353 opportunity to contest alleged violations before the Judiciary. The Nation shall have the
354 burden of proving the alleged violation occurred beyond a reasonable doubt.

355 215.11-4. *Assessment of Damages*. The Judiciary may find any of the following:

356 (a) Cost of restoration and repair; and

357 (b) Enforcement costs associated with the enforcement of this law; and

358 (c) Costs associated with the culturally appropriate disposition of resources, including
359 conservation, curation, and/or reburial.

360 (d) *Assessment of Treble Damages*. In addition to actual damages, the Court, in its
361 discretion, may assess damages of up to three times the amount of actual damages.

362

363

364 *End.*

365

366

367



Legislative Operating Committee AGENDA REFERRAL FORM



1) Today's Date: 5 / 23 / 2016 Date of Referral Action: 5 / 11 / 2016

2) Entity that referred this item to LOC: Oneida Business Committee

3) Individuals or Entities to contact regarding this item: Lisa Summers, Tribal Secretary

4) Item referred: Petition-Debraska Per Capita Distribution

5) **Background information, including applicable actions and dates:** The following motion was made at the 5/11/2016 OBC Meeting: Motion by Motion by David Jordan to accept the verified petition from Michael Debraska regarding per capita distribution; to send the verified petition to the Law, Finance, Legislative Reference, and Direct Report Offices for the legal, financial, legislative, and administrative analyses to be completed; to direct the Law, Finance, and Legislative Reference Offices to submit the analyses to the Tribal Secretary's Office within (60) days, and that a progress report be submitted in forty-five (45) days; and to direct the Direct Report Offices to submit the appropriate administrative analyses to the Tribal Secretary's Office within thirty (30) days, seconded by Lisa Summers. Motion carried unanimously.

6) Due date: Update due 7/13/2016; Analysis due 7/27/16

Please send this form and all supporting materials to:

LOC@oneidanation.org

or

Legislative Operating Committee (LOC)

P.O. Box 365

Oneida, WI 54155

Phone 920-869-4376

ONEIDA NATION
Office of the Tribal Secretary

Location:
N7210 Seminary Road
Oneida, WI 54155

Phone: (920)869-2214



Mailing Address:
P.O. Box 365
Oneida, WI 54155-0365

Fax: (920)869-4040

To: Business Committee Direct Reports
From: Lisa Summers, Tribal Secretary *L.S.*
Date: May 12, 2016
Re: Michael Debraska Petition – Per capita \$3,000 / \$5,000

The Business Committee took action on May 11, 2016 to direct our Direct Report offices to submit appropriate administrative analyses to the Tribal Secretary's office within 30 days for the attached petition requesting General Tribal Council to approve per capita payments for \$3,000 for 61 and under and \$5,000 for 62 and over.

We would appreciate an initial review and if there is no impact, an email response of no impact or yes there is an impact is appreciated within 5 days. For those areas that are impacted, the full analyses are due within 30 days which is June 10, 2016. Please note, the legal, financial and legislative analyses are due within 60 days.

Please submit all responses to the TribalSecretary@oneidation.org email address.

Thank you.

c: JoAnne House Chief Counsel
Larry Barton, Chief Financial Officer
Legislative Reference Office
GTC Petitions File

Oneida Business Committee Agenda Request

1. Meeting Date Requested: 05 / 11 / 16

2. General Information:

Session: Open Executive - See instructions for the applicable laws, then choose one:

Agenda Header:

Accept as Information only

Action - please describe:

1) To acknowledge receipt of the petition submitted by Michael Debraska **2)** Send the verified petition to the Law, Finance, Legislative Reference and Direct Report Offices for legal, financial, legislative and administrative analyses to be completed **3)** Direct the Law, Finance and Legislative Offices to submit the analyses to the Tribal Secretary within 60 days and that a progress report is submitted in 45 days **4)** Direct the Direct Report Offices to submit the appropriate analyses to the Tribal Secretary within 30 days.

3. Supporting Materials

Report Resolution Contract

Other:

1.

3.

2.

4.

Business Committee signature required

4. Budget Information

Budgeted - Tribal Contribution Budgeted - Grant Funded Unbudgeted

5. Submission

Authorized Sponsor / Liaison:

Primary Requestor/Submitter:
Your Name, Title / Dept. or Tribal Member

Additional Requestor: _____
Name, Title / Dept.

Additional Requestor: _____
Name, Title / Dept.

Oneida Business Committee Agenda Request

6. Cover Memo:

Describe the purpose, background/history, and action requested:

On April 27, 2016, the Tribal Secretary's office received a petition which requests General Tribal Council to direct the Business Committee to add this petition to the same agenda as Yvonne Metivier's per capita petition which is scheduled to be held within sixty (60) days (presumably June of 2016) of receipt of this petition to discuss the following:

1) A per capita distribution of \$3,000 to all enrolled Oneida members under the age of 61 2) A per capita distribution of \$5,000 to all enrolled Oneida members over the age of 62 3) The distribution of this \$3,000/\$5,000 per capita payment take place on a date to be determined by General Tribal Council 4) If there is to be any layoffs(terminates, furloughs or the like), restructuring, programs or department(s) reduced or eliminated, General Tribal Council will make the determination as to whom is laid-off (terminated, furloughed or the like), which areas or department(s) are restructured or programs that are or will be reduced or eliminated 5) Since the previous \$3,000/\$5,000 petition submitted by Dr. John Powless was withdrawn by him in an email to Lisa Liggins and seeing as how both the fiscal (financial) and legal analysis were already completed for Dr. Powless' petition, it should only take minor modifications for both the fiscal (financial) and legal analysis and then this petition can be brought forward for GTC's consideration in June 2016 and placed with Yvonne Metivier's per capita petition on the same agenda and heard the same day as hers since previous Business Committee action was to place like petitions with like petitions as previously stated by Secretary Lisa Summers and Chief Counsel.

The petition was submitted to the Enrollment Department for verification, Article III, Section 4 of Oneida's Constitution requirement for requesting a Special General Tribal Council (GTC) meeting were met. The Enrollment Department completed and submitted the required verification.

The next step is for the OBC to acknowledge receipt of the verified petition and then send the petition to the Law, Finance, Legislative Reference and Direct Report Offices for all appropriate analyses to be completed.

Once the analyses are complete, they will be submitted to the OBC agenda for acceptance. The final step will be for the OBC to determine an available GTC meeting date where the identified petition issues can be addressed.

Requested OBC Action:

1. Accept the verified petition submitted by Michael Debraska.
2. Send the verified petition to the Law, Finance, Legislative Reference and Direct Report Offices for the legal, financial, legislative and administrative analyses to be completed.
3. Direct the Law, Finance and Legislative Reference Offices to submit the analyses to the Tribal Secretary's office within 60 days, and that a progress report be submitted in 45 days.
4. Direct the Direct Report Offices to submit the appropriate administrative analyses to the Tribal Secretary's office within 30 days.

1) Save a copy of this form for your records.

2) Print this form as a *.pdf *OR* print and scan this form in as *.pdf.

3) E-mail this form and all supporting materials in a **SINGLE** *.pdf file to: BC_Agenda_Requests@oneidanation.org



Oneida Nation
 Enrollment Department
Lati'shanalo·loks
 (They Gather the Names)

P.O. BOX 365, ONEIDA, WI 54155-0365

PHONE: (920) 869-6200 * 1-800-571-9902 FAX: (920) 869-2995

www.oneidanation.org/enrollment



TO: Oneida Tribal Secretary

FROM: Cheryl Skolaski, Enrollment Director

DATE: April 27, 2016

SUBJECT: GTC Petition Verification Results

On 4/27/2016 the Oneida Enrollment Department received a petition authored by Michael DeBraska regarding the a Per Capita Payment of \$3,000/\$5,000.

Results:

68 Number of Printed Names on petition
 68 Number of Printed Names verified as Enrolled Tribal Members
 0 Number of Tribal Members that did not meet the age criteria for voting in accordance with the Oneida Constitution.
 0 Number of Printed Names that could not be verified
 0 Number of Printed Names that were submitted more than once
 0 Number of Tribal Members invalidated due to Incompetency
 (See Attached Legal Opinion dated 9/4/2014)

Verified by:

Cheryl Skolaski Enrollment Director 4/27/2016
 Signature and Title Date

If there are any questions please contact the Enrollment Department.

①

68/68 Signatures Verified Cheryl Shalash #27/2016

RECEIVED

APR 27 2016

Oneida Enrollment Dept.

RECEIVED BY THE OFFICE OF TRIBAL SECRETARY ONEIDA BUSINESS COMMITTEE

APR 27 2016

ONEIDA TRIBE OF INDIANS OF WISCONSIN

INITIALS

PETITION

Petitioner's Name: Michael Debraska

Date Submitted:

We, the undersigned of fifty (50) or more qualified voters, do hereby request the Chairwoman of the Oneida Tribe of Indians of Wisconsin, to add this petition to the same agenda as Yvonne Metivier's per capita petition which is scheduled to be held within sixty (60) days (presumably June of 2016) of receipt of this petition to discuss the following:

1. A per capita distribution of \$3,000 to all enrolled Oneida members under the age of 61; and
2. A per capita distribution of \$5,000 to all enrolled Oneida members over the age of 62; and
3. The distribution of this \$3/5K per capita payment take place on a date to be determined by General Tribal Council; and
4. If there is to be any lay-offs (terminations, furloughs or the like), restructuring, programs or department(s) reduced or eliminated, General Tribal Council will make the determination as to whom is laid-off (terminated, furloughed or the like), which areas or department(s) are restructured or programs that are or will be reduced or eliminated; and
5. Since the previous \$3/5K petition submitted by Dr. John Powless was withdrawn by him in an e-mail to Lisa Liggins and seeing as how both the fiscal (financial) and legal analysis' were already completed for Dr. Powless' petition, it should only take minor modifications for both the fiscal (financial) and legal analysis' and then this petition can be brought forward for GTC's consideration in June 2016 and placed with Yvonne Metivier's per capita petition on the same agenda and heard the same day as hers since previous Business Committee action was to place like petitions with like petitions, as previously stated by Secretary Lisa Summers and Chief Counsel.

Printed Name: Address: DOB: Roll #: Signature:

② Verified

2

ONIDA BUSINESS COMMITTEE
SECRETARY
BY THE OFFICE

Printed Name:	Address:	DOB:	Roll #:	Signature:
[REDACTED]	[REDACTED]	[REDACTED]	620 ✓	[REDACTED]
[REDACTED]	[REDACTED]	[REDACTED]	2630 ✓	[REDACTED]
[REDACTED]	[REDACTED]	[REDACTED]	2627 ✓	[REDACTED]
[REDACTED]	[REDACTED]	[REDACTED]	2936 ✓	[REDACTED]
[REDACTED]	[REDACTED]	[REDACTED]	541 ✓	[REDACTED]
[REDACTED]	[REDACTED]	[REDACTED]	0977 ✓	[REDACTED]
[REDACTED]	[REDACTED]	[REDACTED]	Roll 2938 ✓	[REDACTED]
[REDACTED]	[REDACTED]	[REDACTED]	7124 ✓	[REDACTED]
[REDACTED]	[REDACTED]	[REDACTED]	-1249 ✓	[REDACTED]
[REDACTED]	[REDACTED]	[REDACTED]	11344 ✓	[REDACTED]
[REDACTED]	[REDACTED]	[REDACTED]	16192 ✓	[REDACTED]
[REDACTED]	[REDACTED]	[REDACTED]	724 ✓	[REDACTED]
[REDACTED]	[REDACTED]	[REDACTED]	6408 ✓	[REDACTED]
[REDACTED]	[REDACTED]	[REDACTED]	2852 ✓	[REDACTED]
[REDACTED]	[REDACTED]	[REDACTED]	6136 ✓	[REDACTED]

14 Verified
cjs

RECEIVED
APR 27 2016
Oneida Enrollment Dept.

3

PETITION

RECEIVED BY THE OFFICE
OF TRIBAL SECRETARY
ONEIDA BUSINESS COMMITTEE

APR 27 2016

ONEIDA TRIBE OF
INDIANS OF WISCONSIN

INITIALS *DM*

Petitioner's Name: Michael Debraska

Date Submitted: _____

We, the undersigned of fifty (50) or more qualified voters, do hereby request the Chairwoman of the Oneida Tribe of Indians of Wisconsin, to add this petition to the same agenda as Yvonne Metivier's per capita petition which is scheduled to be held within sixty (60) days (presumably June of 2016) of receipt of this petition to discuss the following:

RECEIVED

APR 27 2016

Oneida Enrollment Dept.

1. A per capita distribution of \$3,000 to all enrolled Oneida members under the age of 61; and
2. A per capita distribution of \$5,000 to all enrolled Oneida members over the age of 62; and
3. The distribution of this \$3/5K per capita payment take place on a date to be determined by General Tribal Council; and
4. If there is to be any lay-offs (terminations, furloughs or the like), restructuring, programs or department(s) reduced or eliminated, General Tribal Council will make the determination as to whom is laid-off (terminated, furloughed or the like), which areas or department(s) are restructured or programs that are or will be reduced or eliminated; and
5. Since the previous \$3/5K petition submitted by Dr. John Powless was withdrawn by him in an e-mail to Lisa Liggins and seeing as how both the fiscal (financial) and legal analysis' were already completed for Dr. Powless' petition, it should only take minor modifications for both the fiscal (financial) and legal analysis' and then this petition can be brought forward for GTC's consideration in June 2016 and placed with Yvonne Metivier's per capita petition on the same agenda and heard the same day as hers since previous Business Committee action was to place like petitions with like petitions, as previously stated by Secretary Lisa Summers and Chief Counsel.

Printed Name: _____ Address: _____ DOB: _____ Roll #: _____ Signature: _____

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*(2) Verified
of*

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STATE OF NEW YORK
DEPARTMENT OF TAXATION AND FINANCE

RECEIVED

APR 27 2016

Oneida Enrollment Dept.

Printed Name: Address: DOB: Roll #: Signature:

[Redacted Name and Address]

[Redacted]	0651 ✓	[Redacted]
[Redacted]	#160	[Redacted]
[Redacted]	1915 ✓	[Redacted]
[Redacted]	3911 ✓	[Redacted]
[Redacted]	7745 ✓	[Redacted]
[Redacted]	13542 ✓	[Redacted]
[Redacted]	6154 ✓	[Redacted]
[Redacted]	12597 ✓	[Redacted]
[Redacted]	6526 ✓	[Redacted]
[Redacted]	3898 ✓	[Redacted]
[Redacted]	3105 ✓	[Redacted]
[Redacted]	3936 ✓	[Redacted]
[Redacted]	7258 ✓	[Redacted]

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RECEIVED BY THE OFFICE OF TRIBAL SECRETARY ONEIDA BUSINESS COMMITTEE
APR 27 2016
ONEIDA TRIBE OF INDIANS OF WISCONSIN
INITIALS *[Signature]*

PETITION

Petitioner's Name: Michael Debraska

Date Submitted: _____

We, the undersigned of fifty (50) or more qualified voters, do hereby request the Chairwoman of the Oneida Tribe of Indians of Wisconsin, to add this petition to the same agenda as Yvonne Metivier's per capita petition which is scheduled to be held within sixty (60) days (presumably June of 2016) of receipt of this petition to discuss the following:

RECEIVED
APR 27 2016
Oneida Enrollment Dept.

1. A per capita distribution of \$3,000 to all enrolled Oneida members under the age of 61; and
2. A per capita distribution of \$5,000 to all enrolled Oneida members over the age of 62; and
3. The distribution of this \$3/5K per capita payment take place on a date to be determined by General Tribal Council; and
4. If there is to be any lay-offs (terminations, furloughs or the like), restructuring, programs or department(s) reduced or eliminated, General Tribal Council will make the determination as to whom is laid-off (terminated, furloughed or the like), which areas or department(s) are restructured or programs that are or will be reduced or eliminated; and
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Printed Name: _____ Address: _____ DOB: _____ Roll #: _____ Signature: _____

[Redacted Name and Address]

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[Redacted Signature]

2 Verification of

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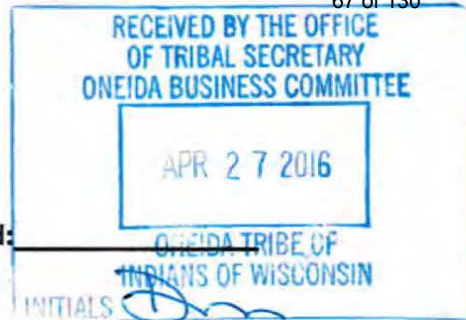
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RECEIVED
 APR 27 2016
 Oneida Enrolment Dept.

(H) Verified
 [Signature]

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PETITION



Petitioner's Name: Michael Debraska

Date Submitted: _____

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Printed Name: _____ Address: _____ DOB: _____ Roll #: _____ Signature: _____

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	7000 ✓	

② Verified CP

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Printed Name:	Address:	DOB:	Roll #:	Signature:
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 2735 ✓
 2745 ✓
 1914 ✓
 1910 ✓

[Redacted Signature]

[Redacted Name and Address]

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 8024 ✓

[Redacted Name and Address]

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 4838 ✓

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69 of 130
RECEIVED BY THE OFFICE
OF TRIBAL SECRETARY
ONEIDA BUSINESS COMMITTEE
APR 27 2016
ONEIDA TRIBE OF
INDIANS OF WISCONSIN
INITIALS *[Signature]*

PETITION

Petitioner's Name: Michael Debraska

Date Submitted: _____

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APR 27 2016
Council, Enrollment Dept.

Printed Name: _____ Address: _____ DOB: _____ Roll #: _____ Signature: _____

[Redacted]	1797 ✓	[Redacted]
[Redacted]	0852 ✓	[Redacted]

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APR 27 2016

Oneida Enrollment Dept.

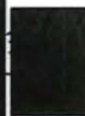
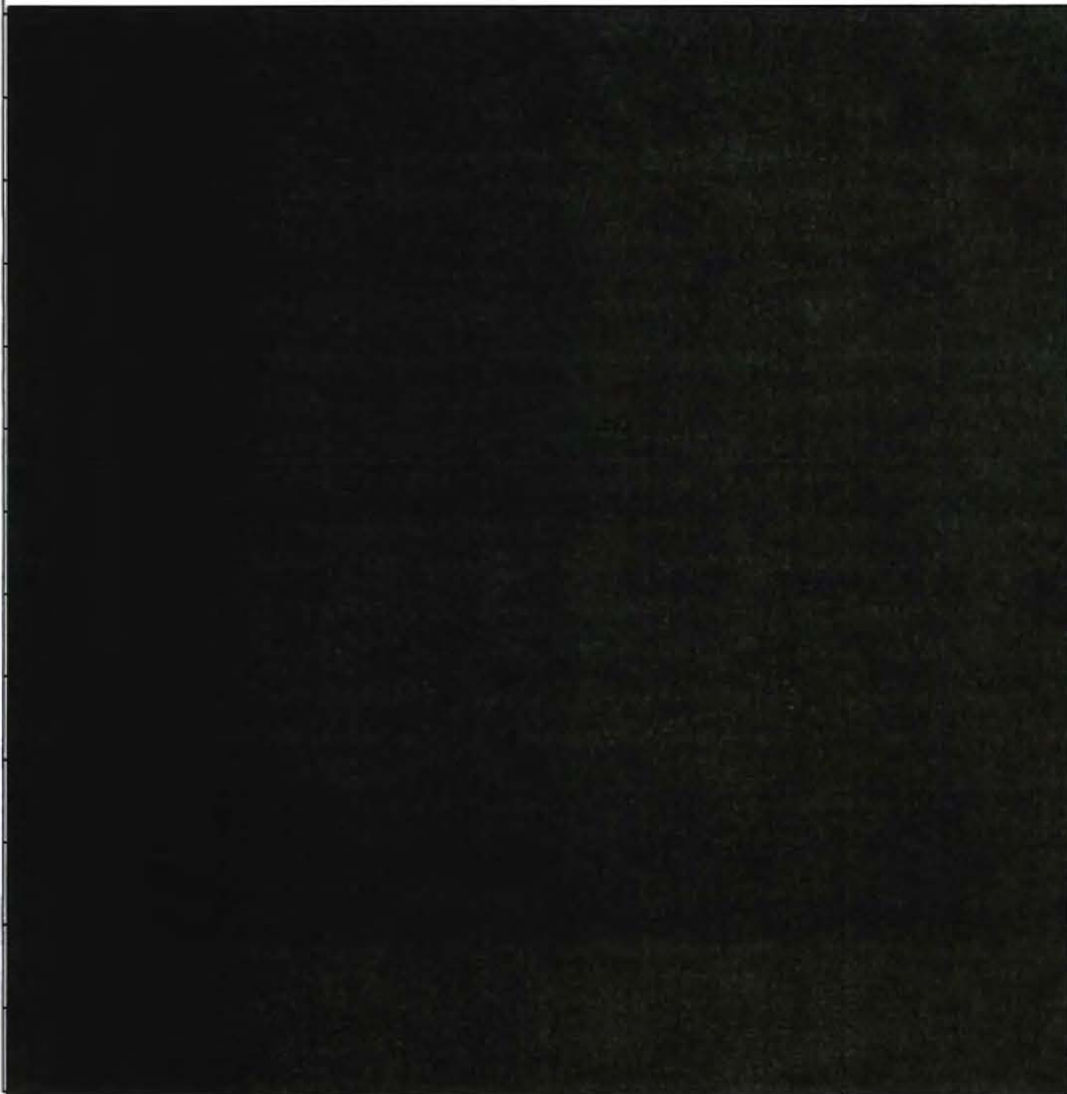
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Address:

DOB:

Roll #:

Signature:



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Legislative Operating Committee



Agenda Request Form

- 1) Request Date: 05-19-16
- 2) Contact Person(s): Melinda J. Danforth, Vice Chairwoman Dept: BC
Phone Number: 920-869-4461 Email: mdanforj@oneidanation.org
- 3) Agenda Title: Oneida Seal & Flag Law
- 4) Detailed description of the item and the reason/justification it is being brought before the Committee
See attached memorandum

List any supporting materials included and submitted with the Agenda Request Form

- 1) Draft Law
- 2) _____
- 3) _____
- 4) _____

- 5) Please List any laws, ordinances or resolution that might be affected:
None known
- 6) Please List all other departments or person(s) you have brought your concern to:
Intergovernmental Affairs & Communications, Law Office
- 7) Do you consider this request urgent? Yes No
If yes, please indicate why: _____

I, the undersigned, have reviewed the attached materials and understand that they are subject to action by the Legislative Operating Committee

Signature of Requester: _____

5-23-16

Please send this form and all supporting materials to:

LOC@oneidanation.org
or
Legislative Operating Committee (LOC)
 P.O. Box 365
 Oneida, WI 54155
 Phone 920-869-4376

Oneida Nation

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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.

MEMORANDUM

TO: LOC

FROM: Melinda J. Danforth, Vice Chairwoman *MJ*

DATE: May 23, 2016

SUBJECT: Oneida Seal & Flag Law

The Oneida Business Committee assigned the Constitutional Implementation Team to implement the constitutional changes as voted upon by the Oneida Community. While doing so, the discussion arose as to the tribal seal and who has the authority to make any changes. The team requested Chief Counsel to prepare the attached legal opinion.

Chief Counsel's response to the question raises significant concern for the group, and it was decided by the team to forward the draft Oneida Seal & Flag Law to the LOC for consideration.

During our discussion, the Office of Intergovernmental Affairs & Communications participated and indicated that they would be interested in being a stakeholder in this law as they have already identified several areas in the law that conflict with the current Branding initiative that the Nation is undergoing. So please keep that office informed of the progress being made on this law.

If there are any questions, please contact me at (920) 562-0290 or by email at mdanforj@oneidanation.org

Yaw^ko

Chapter 204
Oneida Flag ~~Policy~~ Law
On<vote>a-k@- Kak^hote> Kayanl^hsla>
People of the standing stone – cloth standing up – laws/~~policies~~

204.1. Purpose and Policy
204.2. Adoption, Amendment, Repeal
204.3. Definitions
204.4. General
204.5. Display of the Oneida Flag
204.6. Respect for Flag

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204.2. Adoption, Amendment, Repeal
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204.6. Respect for Flag

204.1. Purpose and Policy

204.1-1. Purpose. The purpose of this law is for the Oneida Nation to exercise the fundamental right of self-determination and set forth the proper rules, display and customs of the flag of the Oneida TribeNation, the flag of the United State of America and of other sovereigns displayed by the Tribe'sNation's entities ~~and employees~~.

204.1-2. Policy. It is the policy of the TribeNation to proudly display the rich cultural heritage of the TribeNation as a sovereign nation and to provide the respect and dignity owed to the flags of the TribeNation, the United States of America and other flags.

Article II 204.2. Adoption, Amendment, Repeal

204.2-1. This Policy is law was adopted by the Oneida Business Committee by resolution _____.

2-204.2-2. This Policylaw may be amended or repealed by the Oneida Business Committee and/or the Oneida General Tribal Council pursuant to the procedures set forthout in the Legislative Procedures Act.

204.2-3. Should a provision of this Policylaw or the application thereof to any person or circumstances be held as invalid, such invalidity shall not affect other provisions of this Policylaw which are considered to have legal force without the invalid portion(s)-portions.

204.2-4. In the event of a conflict between a provision of this Policylaw and a provision of another policylaw, the provisions of this Policylaw shall control.

204.2-5 This Policylaw is adopted under authority of the Constitution of the Oneida Tribe of Indians of WisconsinNation.

Article III 204.3. Definitions

204.3-1. This articlesection shall govern the definitions of words or phrases as used hereinwithin this law. All words not defined herein shall be used in their ordinary and everyday sense.

(a) “Half-staff” means the position of the flag when it is one-half (1/2) the distance between the top and bottom of the staff.

(b) “Nation” means a foreign country, including the United States or a separate Native American Tribe.the Oneida Nation.

(c) “Oneida Flag” means the flag of the Oneida Tribe of Indians of Wisconsin.

(d) “Oneida-owned building” means a building owned by the Nation within the boundaries of the reservation, but excludes Oneida enterprises.

(ed) “Proper illumination” means a light specifically placed to illuminate the

38 flag or having a light source sufficient to illuminate the flag so it is
39 recognizable by the casual observer.

40 ~~(e) “Oneida-owned building” means a building owned by the Tribe within the~~
41 ~~boundaries of the Reservation, but excludes Oneida enterprises.~~

42 (f) “Reservation” means all the land within the exterior boundaries of the
43 Reservation of the Oneida Tribe Nation, as created pursuant to the 1838 Treaty
44 with the Oneida, 7 Stat. 566, and any lands added thereto pursuant to federal
45 law.

46 ~~(g) “Tribe” or “Tribal” means the Oneida Tribe of Indians of Wisconsin.~~

47 48 49 Article IV

50 **204.4. General**

51 204.4-1. Where the Policy law is ambiguous or does not address a situation, the Federal
52 Flag Code may be used as a guide.

53 204.4-2. All ~~Tribal entities and~~ Oneida-owned buildings within the reservation that
54 currently possess flagpoles, stationary flagstaffs or other means to display a flag and
55 those entities and Oneida-owned buildings that later establish the means to display a flag
56 shall adhere to this Policy law.

57 58 ~~Article V. Procedures~~

59 ~~5-1~~204.4-3. The building manager or their equivalent of each Oneida owned building
60 described in Section 204.4-2 shall appoint a designee to perform the duties set within this
61 Policy law.

62 ~~5-2~~204.4-4. Employees found violating this Policy law may be subject to discipline in
63 accordance with the ~~Tribe’s personnel procedures~~ Nation’s laws, rules and policies
64 governing employment.

65 66 ~~Article VI~~204.5. Display of the Oneida Flag

67 ~~6~~204.5-1. *Location, time and occasions for display.* As the Oneida Flag represents the
68 Nation’s sovereignty, it should be displayed according to the following requirements:

69 (a) The Oneida Flag ~~must~~may be displayed on all days.

70 (b) The Oneida Flag ~~must~~may only be displayed from sunrise to sunset on
71 buildings and on stationary flagstaffs in the open. However, when a patriotic
72 effect is desired, the flag may be displayed twenty-four (24) hours a day if the
73 Oneida Flag is an all-weather flag and is properly illuminated during the hours of
74 darkness.

75 (d) The Oneida Flag shall be displayed during school days near every
76 schoolhouse and inside each classroom.

77 (e) The Oneida Flag shall be displayed in and near every polling place within the
78 Reservation on election days.

79 (f) The Oneida Flag may be mandated to be displayed through resolution of the
80 Oneida Business Committee.

81 ~~6~~204.5-2. *Conduct during hoisting, lowering or passing of the Flag.* The Oneida Flag
82 shall be hoisted briskly and lowered ceremoniously.

83 | 6204.5-3. Position of the Flag. The position of a flag is an important symbol of
84 | prominence and sovereignty, therefore the following ~~requirements must~~requirements
85 | shall be adhered to:

86 | (a) When flags of two or more Nations countries or Indian Tribes are displayed,
87 | ~~they~~the flags are to be flown from separate flag staffs or flag poles that are
88 | displayed at the same height and shall be approximately of equal size.

89 | (b) The Oneida Flag shall be displayed to the furthest right ~~to show~~in the position
90 | of superior prominence.

91 | (c) When other flags are flown from adjacent staffs, the Oneida Flag shall be
92 | hoisted first and lowered last.

93 | (d) When flags of other states, localities or pennants of societies are flown on the
94 | same halyard with the Oneida Flag, the Oneida Flag shall always be at the top.

95 | 6204.5-4. Manner of Display. The Oneida Flag ~~must~~shall be displayed as follows:

96 | (a) When carried in a procession with another flag or flags, the Oneida Flag shall
97 | be either on the marching right; that is, the Flag's own right, or, if there is a line of
98 | other flags, in front of the center of that line.

99 | (b) When the Oneida Flag is displayed with another flag against a wall from
100 | crossed staffs, the Oneida Flag shall be on the right, the Flag's own right, and its
101 | staff shall be in front of the staff of the other flag.

102 | (c) The Oneida Flag shall only be displayed horizontally against a wall, the
103 | Oneida Flag shall be placed in the upright position. When displayed in a window,
104 | the flag shall be displayed in the upright position facing the appropriate way to an
105 | observer outside the building.

106 | (d) When the Oneida Flag is displayed over the middle of the street, the Oneida
107 | Flag shall be suspended horizontally and ~~must~~shall be placed in the upright
108 | position.

109 | (e) When used on a speaker's platform, the flag, if displayed flat, shall be
110 | displayed above and behind the speaker. When displayed from a staff in a church
111 | or public auditorium, the Oneida Flag ~~must~~shall hold the position of superior
112 | prominence, in advance of the audience, and in the position of honor at the
113 | clergy's or speaker's right as he or she faces the audience. Any other flag so
114 | displayed shall be placed on the left of the clergyman or speaker or to the right of
115 | the audience.

116 | (f) When the Oneida Flag is suspended across a corridor or lobby, it shall be
117 | suspended in the upright position facing the main entrance.

118 | (g) The Oneida Flag shall form a distinctive feature of the ceremony of unveiling
119 | a statue or monument, but it shall never be used as the covering for the statue or
120 | monument.

121 | 6204.5-5. Display of Respect. At certain times, the Oneida Flag shall be lowered to
122 | ~~H~~half-staff as a sign of respect. In doing so, the Flag shall be first hoisted to the peak for
123 | an instant and then lowered to the ~~H~~half-staff position. The Oneida Flag shall be again
124 | raised to the peak before it is lowered for the day.

125 | (a) On the following days, the Oneida Flag shall be lowered to ~~H~~half-staff:

126 | (i) Oneida Code Talker Day

127 | (ii) Memorial Day ~~but only until noon at which time it shall be raised to~~
128 | ~~top of the staff.~~

- 129 (iii) Flag Day
130 (iv) Veteran's Day
131 (b) As a sign of respect, when the United States flag is lowered to ~~H~~half-staff, the
132 Oneida Flag shall also be lowered.
133 (c) By a directive of the Chairperson, or his or her designee if the Chairperson is
134 not available, the Oneida Flag shall be flown at ~~H~~half-staff upon the death of a
135 Tribal Member and remain at ~~H~~half-staff until after the funeral.
136 (d) The Oneida Flag may be lowered to ~~H~~half-staff by directive of the
137 Chairperson for other reasons he or she deems ~~appropriate~~appropriate.
138 204.5-6. Display Off Resevation. When outside of the boundaries of the Rreservation,
139 the proper display protocol of the jurisdiction shall be followed.
140

141 **Article VII**

142 **204.6. Respect for Flag**

- 143 ~~7204.6~~-1. No disrespect shall be shown to the flag of the ~~Tribe~~Nation, the United States
144 flag or the flags of any other ~~Nation~~country, Indian ~~Nation~~Tribe, state or locality.
145 (a) During the ceremony of hoisting or lowering the flag or when the flag is passing
146 in a parade or in review, all persons present shall face the flag and stand at attention.
147 (b) The Oneida Flag and United States flag shall not be dipped to any person or
148 thing. Regimental colors, state flags, and organization or institutional flags shall be
149 dipped as a mark of honor.
150 (c) The Oneida Flag shall never be displayed upside down.
151 (d) The Oneida Flag shall never touch anything beneath it, such as the ground, the
152 floor, or water.
153 (e) The Oneida Flag shall never be carried flat or horizontally, but always aloft and
154 free.
155 (f) The Oneida Flag shall never be draped, drawn back, tied up, folded, but always
156 allowed to fall free.
157 (g) The Oneida Flag shall never be fastened, displayed, used, or stored in such a
158 manner as to permit it to be easily torn, soiled, or damaged in any way.
159 (h) The Oneida Flag shall never be used as a covering for a ceiling.
160 (i) The Oneida Flag shall never have placed upon it, nor on any part of it, nor
161 attached to it any mark, insignia, letter, word, figure, design, picture, or drawing of
162 any nature besides the Oneida Flag's design.
163 (j) The Oneida Flag shall never be used as a receptacle for receiving, holding,
164 carrying, or delivering anything.
165 ~~(k) No part of the Oneida Flag shall ever be used as a costume or athletic uniform.~~
166 ~~However, an Oneida Flag patch may be affixed to the uniform of military personnel,~~
167 ~~firefighter, police officer, and members of patriotic organizations. The lapel flag pin~~
168 ~~being a replica, shall be worn on the left lapel near the heart.~~
169 ~~(k)~~ (k) The Oneida Flag, when it is in such condition that it is no longer a fitting
170 emblem for display, shall be destroyed in a dignified way, preferably by burning.
171

172 **Article VIII. Display of the Oneida Flag off Reservation**

- 173 ~~8-1. When outside of the boundaries of the Reservation, the proper display protocol of~~
174 ~~the jurisdiction shall be followed.~~

175
176
177
178

End.

JO ANNE HOUSE, PHD
 CHIEF COUNSEL
 JAMES R. BITTORF
 DEPUTY CHIEF COUNSEL
 REBECCA M. WEBSTER, PHD
 SENIOR STAFF ATTORNEY

ONEIDA LAW OFFICE

N7210 SEMINARY ROAD
 P.O. BOX 109
 ONEIDA, WISCONSIN 54155

PATRICIA M. STEVENS GARVEY
 KELLY M. MCANDREWS
 MICHELLE L. MAYS
 ROBERT W. ORCUTT

(920) 869-4327

FAX (920) 869-4065

MEMORANDUM

TO: Melinda J. Danforth, Vice-Chairwoman

FROM: Jo Anne House, Chief Counsel

DATE: May 12, 2016

SUBJECT: Opinion – Tribal Seal

You have requested a legal opinion regarding the tribal seal or tribal logo. This legal opinion will utilize the term tribal seal as a representation of the formal seal of the Oneida Nation; and, tribal logo as an informal graphic representing the Oneida Nation in an informal, commercial, or non-governmental manner.

Background

A governmental seal example can be found at 4 U.S.C. 41, adopted in 1947. The law simply states that, “the seal heretofore used by the United States in Congress is declared to be the seal of the United States.” It is the responsibility of the Secretary of State to have “custody and charge” of the seal which shall be used at the direction of the President. 4 U.S.C. 42. *See Executive Order 10347 as an example of a Presidential authorization.*

The State of Wisconsin has also identified a state seal called a coat of arms. *Wis. Stat. 1.07*. The state law describes each element of the coat of arms and its meaning. The Secretary of State of the State of Wisconsin is responsible for custody and care of the coat of arms.

I have requested a research report from the Records Management Office regarding tribal seals, logos, and other representations of the tribe. In general, it appears there were three versions of the tribal seal used over the history of the Tribe.

1930s Corporate Seal. In the 1930s, the seal approved by the Executive Committee was a shock of wheat or a shock of corn. However, during this time period, all references to the Tribe were in regards to the corporate entity, not a governmental entity.

1980s Tribal Seal. The seal used during this time period referred to the tribe in general, not the incorporated entity. It first appeared on letterhead dated in August of 1980. This seal contained an eagle flying through a sun, on top of a pine tree sitting on top of a turtle flanked by a wolf and a bear. The tree had a piece pipe centered within in, and hammer and a pipe on either side of the number “1822” were set below the turtle. The elements were surrounded by the words “Sovereign Nation of the Oneida.” The design is consistent over the years, although there may be variations of the graphics and words.

1990s Tribal Seal. The seal was brought before the Oneida Business Committee in 1994. This seal contained pine tree sitting on top of a turtle flanked by a wolf and a bear. This was surrounded by an eagle silhouette connected to a wampum belt. This in turn, was surrounded by the words “Sovereign Oneida Nation of Wisconsin.” The Oneida Business Committee approved this seal on January 5, 1994. In 1995, there were concerns raised by members regarding the use of the 1990s seal and the Oneida Business Committee committed to bringing this matter before the General Tribal Council for approval. At the May 1994 Special General Tribal Council meeting, the General Tribal Council adopted a motion approving the 1980s Seal, but an amendment to that motion directed that the final version be brought back for approval. This subsequent action never occurred.

Letterhead. It is important to differentiate the seal from the various letterheads utilized by the Tribe. These have consisted of –

- “Resolution of the Governing Body of the Oneida Tribe of Indians of Wisconsin, an Indian Chartered Corporation,” circa 1948.
- “The Oneida Indians of Wisconsin, Inc.” over a graphic of a American Indian with a feathered headdress, circa 1951.
- “Oneida Tribe of Indians of Wisconsin,, Federal Chartered Corporation,” circa 1953.
- “Oneida Tribe of Indians of Wisconsin, Inc.” over a turtle, wolf and bear graphic flanked by the graphics of Oneidas bringing corn and an Oneida Chief, undated.
- “Oneida Tribe of Indians of Wisconsin” over the 1980s tribal seal flanked by the graphics of Oneidas bringing corn and an Oneida Chief, circa 1980.¹
- “Oneida Tribe of Indians of Wisconsin” over the 1990s tribal seal flanked by the graphics of Oneidas bringing corn and an Oneida Chief, circa 1994.
- “Oneida Tribe of Indians of Wisconsin” over the 1980s tribal seal flanked by the graphics of Oneidas bringing corn and an Oneida Chief, circa 2009. The graphic regarding the Oneidas bringing the corn has been slightly altered.

Branding. The Tribe has also gone through a series of branding and marketing initiatives at the Tribal level. This does not include those marketing activities by various business or program units. Prior branding included “Proud and Progressive” with catch phrases in commercials such as “Get to know the Oneidas.” However, these are not governmental seals, they are recognition tools similar to the State of Wisconsin’s “Dairy State” or the State of Michigan’s “Pure Michigan.”

Conclusion

I have researched available documents and reviewed the research report developed by the Records Management Office. The research report is thorough and likely represents a clear picture of the actions of the Tribe. As a result, it is my opinion that there is no “official” seal of the Oneida Nation.

¹ A 1986 letterhead shows the same set-up, however the font changes and the graphics have been slightly changed or the typeset ‘clarified.’

I have attached a draft law regarding adoption of an official Oneida Nation seal and flag. I would recommend review and forwarding to the Legislative Operating Committee for action.

If you have further questions, please contact me.

Oneida Nation Seal and Flag

1. *Purpose; Policy*

1-1. *Purpose.* The purpose of this Act is to set forth the official governmental seal and flag for the Oneida Nation, its meaning, use and who shall be responsible for safekeeping and authorizing its use.

1-2. *Policy.* It is the policy of the Oneida Nation that the seal shall be placed on official government correspondence and the flag shall represent the Oneida Nation when flown.

2. *Definitions.*

2-1. "Flag" means the paper, fabric, or other material representation of the flag of the Oneida Nation and shall be manufactured in the specifications set forth in this Act.

2-2. "Seal" means the governmental seal of the Oneida Nation used to authenticate governmental documents or actions.

3. *Oneida Nation Seal*

3-1. The Oneida Nation seal shall consist of the following elements with the following meanings.

[Items taken from May 16, 1994 GTC meeting minutes.]

1. Pine tree – Tree of Peace among the Six Nations.
2. Eagle -
3. Peace pipe -
4. Three Clans -
 - a. Wolf
 - b. Bear
 - c. Turtle
5. Wampum – represents the Six Nations in unity
6. Arrows -
7. War Club -
8. 1822 – Date the Oneida's moved to this area and the Treaty with the Menominees.
9. "Sovereign Oneida Nation"

3-2. The Oneida Nation Seal shall be as set forth in the following graphic.

[The graphic should be updated to reflect the correct name of the Oneida Nation.]



3-3. *Placement.* When used as a graphic on a document the Seal shall be placed at the top right hand or center of any document. When used as an imprint the Seal shall be placed in the bottom right hand corner and the following words shall accompany its use.

I, [insert name], being authorized by the Oneida Business Committee to utilize the Seal to confirm the authenticity of a document, do hereby place my name and the date above the imprint of the Seal in confirmation that this is an (original or true and correct copy, choose one) of the above document consisting of ___ pages.

3-4. *Maintenance of Seal and Authorized Users.*

1. The Tribal Secretary shall be responsible to maintain the Seal in a safe and secure location.
2. The Tribal Secretary shall maintain a list of persons authorized to utilize the Seal to authenticate government documents.
3. The Tribal Secretary shall be authorized to use the Seal to authenticate government documents.
4. The Seal shall appear –
 - a. At the top of all minutes and resolutions of the Oneida Business Committee and General Tribal Council.
 - b. On the official website of the Oneida Nation.
 - c. On all publications authorized by the Oneida Nation.

4. *Oneida Nation Flag*

4-1. The Oneida Nation flag shall consist of the Seal placed in the center of a field of white.

[The following is taken from 4 U.S.C. 4, et seq. and modified for the Oneida Nation. Further review and discussion of these sections should be conducted,]

4-2. The flag measurements shall be in a proportion of a width of 1.0 to a length of 1.9. The following chart shall identify common width and length of flags.

Seal	Hoist/Width of Flag in feet	Fly/Length of Flag in feet
At all times, the size of seal shall be embroidered or screen printed such that the seal is placed centered in the flag and is two-thirds the hoist/width of the flag in diameter.	1.32	2.50
	2.37	4.50
	3.00	5.70
	5.00	9.50
	7.00	11.00
	8.95	17.00
	10.00	19.00

4-3. *Display And Use Of Flag By Civilians.* The following codification of existing rules and customs pertaining to the display and use of the flag of the Oneida Nation is established for the use of such civilians or civilian groups or organizations as may not be required to conform with regulations promulgated by one or more executive departments of the Government of the Oneida Nation.

4-4. *Time And Occasions For Display.*

1. It is the universal custom to display the flag only from sunrise to sunset on buildings and on stationary flagstaffs in the open. However, when a patriotic effect is desired, the flag may be displayed 24 hours a day if properly illuminated during the hours of darkness.

2. The flag should be hoisted briskly and lowered ceremoniously.
 3. The flag should not be displayed on days when the weather is inclement, except when an all-weather flag is displayed.
 4. The flag should be displayed on all days, especially on New Year's Day, January 1; Inauguration Day, January 20; Martin Luther King Jr.'s birthday, third Monday in January; Lincoln's Birthday, February 12; Washington's Birthday, third Monday in February; Easter Sunday (variable); Mother's Day, second Sunday in May; Armed Forces Day, third Saturday in May; Memorial Day (half-staff until noon), the last Monday in May; Flag Day, June 14; Father's Day, third Sunday in June; Independence Day, July 4; National Korean War Veterans Armistice Day, July 27; Labor Day, first Monday in September; Constitution Day, September 17; Columbus Day, second Monday in October; Navy Day, October 27; Veterans Day, November 11; Thanksgiving Day, fourth Thursday in November; Oneida Nation Day, day after Thanksgiving Day; Christmas Day, December 25; and such other days as may be proclaimed by the President of the United States; the birthdays of States (date of admission).
 5. The flag should be displayed daily on or near the main administration building of every public institution.
 6. The flag should be displayed in or near every polling place on election days.
 7. The flag should be displayed during school days in or near every schoolhouse.
- 4-5. *Position and Manner of Display.* The flag, when carried in a procession with another flag or flags, should be either on the marching right; that is, the flag's own right, or, if there is a line of other flags, in front of the center of that line.
1. The flag should not be displayed on a float in a parade except from a staff, or as provided in subsection (9) of this section.
 2. The flag should not be draped over the hood, top, sides, or back of a vehicle or of a railroad train or a boat. When the flag is displayed on a motorcar, the staff shall be fixed firmly to the chassis or clamped to the right fender.
 3. No other flag or pennant should be placed above or, if on the same level, to the right of the flag of the Oneida Nation. No person shall display the flag of the United Nations or any other national or international flag equal, above, or in a position of superior prominence or honor to, or in place of, the flag of the Oneida Nation at any place within the Reservation.
 4. The flag of the Oneida Nation, when it is displayed with another flag against a wall from crossed staffs, should be on the right, the flag's own right, and its staff should be in front of the staff of the other flag, except where the other flag is the flag of the United States of America.
 5. The flag of the Oneida Nation should be at the center and at the highest point of the group when a number of flags of States or localities or pennants of societies are grouped and displayed from staffs, except where the other flag is the flag of the United States of America.
 6. When flags of States, cities, or localities, or pennants of societies are flown on the same halyard with the flag of the Oneida Nation, the latter should always be at the peak, except where the other flag is the flag of the United States of America. When the flags are flown from adjacent staffs, the flag of the Oneida Nation should be hoisted first and lowered last, except where the other flag is the flag of the United States of America. No such flag

- or pennant may be placed above the flag of the Oneida Nation or to the Oneida Nation flag's right, except where the other flag is the flag of the United States of America.
7. When flags of two or more nations are displayed, they are to be flown from separate staffs of the same height. The flags should be of approximately equal size. International usage forbids the display of the flag of one nation above that of another nation in time of peace.
 8. When the flag of the Oneida Nation is displayed from a staff projecting horizontally or at an angle from the window sill, balcony, or front of a building, the top of the Seal should be placed at the peak of the staff unless the flag is at half-staff. When the flag is suspended over a sidewalk from a rope extending from a house to a pole at the edge of the sidewalk, the flag should be hoisted out, the top of the Seal first, from the building.
 9. When displayed either horizontally or vertically against a wall, or a window, the Seal should be displayed so as to be read by the viewer.
 10. When the flag is displayed over the middle of the street, it should be suspended vertically with the Seal to the top of the flag.
 11. When used on a speaker's platform, the flag, if displayed flat, should be displayed above and behind the speaker. When displayed from a staff in a church or public auditorium, the flag of the Oneida Nation should hold the position of superior prominence, in advance of the audience, and in the position of honor at the clergyman's or speaker's right as he faces the audience. Any other flag so displayed should be placed on the left of the clergyman or speaker or to the right of the audience, except where the other flag is the flag of the United States of America.
 12. The flag should form a distinctive feature of the ceremony of unveiling a statue or monument, but it should never be used as the covering for the statue or monument.
 13. The flag, when flown at half-staff, should be first hoisted to the peak for an instant and then lowered to the half-staff position. The flag should be again raised to the peak before it is lowered for the day. On Memorial Day the flag should be displayed at half-staff until noon only, then raised to the top of the staff. The flag shall be flown at half-staff upon the death of principal figures of the United States Government and the Governor of a State, territory, or possession, as a mark of respect to their memory. In the event of the death of other officials or foreign dignitaries, the flag is to be displayed at half-staff according to Oneida Business Committee instructions or orders, or in accordance with recognized customs or practices not inconsistent with law. The flag shall be flown at half-staff 30 days from the death of the President or a former President; 10 days from the day of death of the Vice President, the Chief Justice or a retired Chief Justice of the United States, or the Speaker of the House of Representatives; from the day of death until interment of an Associate Justice of the Supreme Court, a Secretary of an executive or military department, a former Vice President, or the Governor of a State, territory, or possession; and on the day of death and the following day for a Member of Congress. The flag shall be flown at half-staff on Peace Officers Memorial Day, unless that day is also Armed Forces Day. As used in this subsection—
 - a. the term "half-staff" means the position of the flag when it is one-half the distance between the top and bottom of the staff;
 - b. the term "executive or military department" means any agency listed under sections 101 and 102 of title 5, United States Code; and

c. the term "Member of Congress" means a Senator, a Representative, a Delegate, or the Resident Commissioner from Puerto Rico.

14. When the flag is used to cover a casket, it should be so placed that the Seal is centered on the casket. The flag should not be lowered into the grave or allowed to touch the ground.

15. When the flag is suspended across a corridor or lobby in a building with only one main entrance, it should be suspended vertically with the Seal to the top of the flag. If the building has more than one main entrance, the flag should be suspended vertically near the center of the corridor or lobby with the Seal to the north, when entrances are to the east and west or to the east when entrances are to the north and south. If there are entrances in more than two directions, the Seal should be to the east.

4-6. *Respect for Flag.* No disrespect should be shown to the flag of the United States of America; the flag should not be dipped to any person or thing. Regimental colors, State flags, and organization or institutional flags are to be dipped as a mark of honor.

1. The flag should never be displayed with the Seal down, except as a signal of dire distress in instances of extreme danger to life or property.

2. The flag should never touch anything beneath it, such as the ground, the floor, water, or merchandise.

3. The flag should never be carried flat or horizontally, but always aloft and free.

4. The flag should never be used as wearing apparel, bedding, or drapery. It should never be festooned, drawn back, nor up, in folds, but always allowed to fall free.

5. The flag should never be fastened, displayed, used, or stored in such a manner as to permit it to be easily torn, soiled, or damaged in any way.

6. The flag should never be used as a covering for a ceiling.

7. The flag should never have placed upon it, nor on any part of it, nor attached to it any mark, insignia, letter, word, figure, design, picture, or drawing of any nature.

8. The flag should never be used as a receptacle for receiving, holding, carrying, or delivering anything.

9. The flag should never be used for advertising purposes in any manner whatsoever. It should not be embroidered on such articles as cushions or handkerchiefs and the like, printed or otherwise impressed on paper napkins or boxes or anything that is designed for temporary use and discard. Advertising signs should not be fastened to a staff or halyard from which the flag is flown.

10. No part of the flag should ever be used as a costume or athletic uniform. However, a flag patch may be affixed to the uniform of military personnel, firemen, policemen, and members of patriotic organizations. The flag represents a living country and is itself considered a living thing. Therefore, the lapel flag pin being a replica, should be worn on the left lapel near the heart.

11. The flag, when it is in such condition that it is no longer a fitting emblem for display, should be destroyed in a dignified way, preferably by burning.

4-7. *Conduct During Hoisting, Lowering Or Passing Of Flag.* During the ceremony of hoisting or lowering the flag or when the flag is passing in a parade or in review, all persons present in uniform should render the military salute. Members of the Armed Forces and veterans who are present but not in uniform may render the military salute. All other persons present should face the flag and stand at attention with their right hand over the heart, or if applicable, remove their headdress with their right hand and hold it at the left shoulder, the hand being over the heart.

Citizens of other countries present should stand at attention. All such conduct toward the flag in a moving column should be rendered at the moment the flag passes.

MEMORANDUM

Page Two

DATE: May 6, 2016**TO:** JoAnne House, Chief Counsel**FROM:** Janice DeCorah, Vital Records Project Coordinator**SUBJECT:** Tribal Seal/Logo

You have asked for a chronology on the Tribal Seal/Logo. Research has utilized the words, "medallion," "seal," "logo," "letterhead," "stationary," "1822," "clans: Turtle, Wolf, Bear," "tree," "sun," "eagle," "Wampum" and "design" to generate a chronology. Research conducted utilized the current Business Committee G drive, binder and boxed documents, if any, that might yield information, i.e., tribal seal, letterhead, inked or embossed documentation for years 1937-current.

Gathered research pieced together information from the "Executive Committee," "General Tribal Council," and "Business Committee" meeting minutes regarding Oneida's official corporate seal. In most cases, it did not discover official documentation/approval for all graphic designs of letterhead and seals.

A separate section is placed at the end of this chronology to show how letterhead changed through the years with latter year's official seal being a duplicate of letterhead utilized.

Chronology of the Oneida Seal**Decades 1930 - 1940:**

The year 1937 adopted an official corporate seal. Year 1938 alludes to a notarial seal but no documentation was found by this researcher to verify if an actual seal existed in inked or embossed form. With the adoption of the seal, the Executive Committee ordered stationary in the early 1940's. No official tribal stationary could be found by this researcher until year 1950. This stationary stay consistent during the 1950's and part of the 1960's with the adopted 1937 wording "Oneida Indians Incorporated."

Executive Committee Meeting **Date: 4-08-37**

Shock of corn agreed upon to be used for background and worded with "Oneida Indians Incorporated" on seal.

General Tribal Council Meeting **Date: 4-30-37**

Corporate seal explained to General Tribal Council and accepted.

Executive Committee Meeting **Date: 5-10-37**

The adoption of the corn stalk as the seal proved costly at \$13.50. A wheat design proved cheaper at a cost of \$4.75 and was adopted by the Executive Committee one month after the General Tribal Council meeting adopted the corn stock. There is no indication that notification was provided by the Executive Committee to General Tribal Council regarding this design change.

Executive Committee Meeting **Date: 2-21-38**

"Exhibit H, I and J, pertaining to signatures, notarial seal and agreement" ...

Decade 1950's:

Letterhead during the 1950's went from "The Oneida Indians of Wisconsin, Inc." then stayed consistent with "Oneida Tribe of Indians of Wisconsin, Federal Chartered Corporation" January - February 1969. Late 1957, letterhead discussion took place at the Executive Committee level with the authorization of the tribal secretary to "have this done." No detailed information was available in regard to that discussion. The letterhead from the late 1950's remained the same through 1969 utilizing "Oneida Tribe of Indians of Wisconsin, Federal Chartered Corporation." No inked or embossed seal documentation could be found by this researcher.

Executive Committee Meeting **Date: 11-19-51**

Ordering of Tribal Stationary to be paid out of tribal funds by Treasurer.

Executive Committee Meeting **Date: 2-05-57**

Discussion on letterheads. Authorize the secretary "to have this done."

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Executive Committee Meeting **Date: 10-07-57**

Authorize the treasurer to write a check for stationary when its ready.

Decade 1970's:

The seventies authorized the Corporate Seal to be placed on more items such as brochures and commercial leasing promotions items. Random searches for years 1972-1974 did not reveal any inked or embossed seal documentation.

The library requested funds to complete the Oneida Tribal medallion in 1978. It is assumed by this researcher that the medallion was finalized somewhere between 1979 and early 1980 and approved by the Business Committee as the official tribal seal April 7, 1980. This medallion is somewhat consistent with the General Tribal Council wording "Oneida Indians Incorporated" adopted in 1937. This is the first time this researcher has found the wheat stock and wording since its adoption in medallion form. No inked or embossed seal documentation was found for latter years 1970's.

Business Committee Meeting **Date: 2-02-70**

Authorize drawing of Corporate Seal to be on brochure promotion commercial leasing on the Oneida Industrial Park

Business Committee Meeting **Date: 6-27-72**

"Chairman Purcell Powless and Deputy Secretary Irene Moore then signed all necessary documents and sealed them with the tribal seal.

Business Committee Meeting **Date: 10-02-78**

Library requested approval to purchase lockets and to complete the Oneida Tribal Medallion, etc.

Decade 1980's:

The mid-1980's reached out to tribal members via the Kalliwisaks for the community to submit letterhead ideas. No action was taken on submissions. Consideration/discussion of using one standard tribal letterhead for all programs took place. Two letterhead designs where utilized the 1980's and are provided at end of this chronology. Late 1980's the

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tribal secretary was named custodian of records and the corporate seal. As with previous decades, use of affixing the tribal seal is mentioned. This researcher could find no inked or embossed seal documentation during this time period.

Business Committee Meeting **Date: 4-07-80**

Approval of the Oneida Nation medallion as the tribal seal.

Business Committee Meeting **Date: 6-02-80**

Purchase of new tribal seal

Business Committee Meeting **Date: 10-20-81**

Distributed letterhead for the tribe to be considered. Suggested to put this in the Kalliwisaks for community to submit ideas.

Business Committee Meeting **Date: 12-30-81**

Letterhead logo contest results. No action taken.

Business Committee Meeting **Date: 10-26-83**

Consider standard tribal letterhead for all programs.

Business Committee Meeting **Date: 12-18-84**

Tribal Logo for tribal enterprises recommended tribe recognize only one symbol which is the symbol used on the letterhead and on the flag.

Business Committee Meeting **Date: 4-02-85**

General Manager asked Business Committee for direction on tribal stationery/letterhead. Motion to use same letterhead with exception to the Commission on Aging which uses their Corporate Seal.

Business Committee Meeting **Date: 8-07-87**

Tribal Secretary custodian of records and corporate seal

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Business Committee Meeting **Date: 9-28-87**

Discussion on redesign universal letterhead for tribal stationary

Business Committee Meeting **Date: 5-20-88**

Miss Oneida request to use tribal Seal on T-shirt and Miss Oneida Shawls.

Business Committee Meeting **Date: 5-16-89**

Resolution 5-16-89-A regarding Underwood, Neuhaus & Co., Incorporated "the brokers" authorizes certain designated Business Committee officers are "fully authorized "to affix the tribal seal to any documents or agreements"

Decade 1990's:

The tribal logo was given an overhaul during the 1990's with General Tribal Council adopting a tribal logo in 1994. Two amendments took place that added additional information, graphics to be brought back. This was never placed back on any General Tribal Council agendas. The adopted logo/seal minus additional recommendations has been utilized on letterhead, seals and signage from 1994-2009.

It wasn't until 1999 that this researcher found official documentation of Business Committee meeting minutes and approved resolutions embossed with the tribal seal graphic presented in 1994.

Business Committee Meeting **Date: 7-09-90**

Cornel University request for copy of Tribal Seal with 1822 date that was noticed May 12, 1989 Kalihwasaks Issue.

Business Committee Meeting **Date: 8-01-91**

Outside request for use of logo.

Business Committee Meeting **Date: 2-03-93**

Communication Department develop letterhead with Oneida Nation in it and develop similar letterhead and business cards and signage

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Business Committee Meeting **Date: 2-10-93**

All orders be that would use tribal seal/logo be halted until presentation package is completed and approved by Business Committee

Business Committee Meeting **Date: 11-17-93**

Business Committee and Communication to meet on implementing a logo by Jan. 1994

Business Committee Meeting **Date: 11-24-93**

Approve draft seal

Business Committee Meeting **Date: 1-05-94**

Approve logo as presented

Business Committee Meeting **Date: 3-23-94**

Vets want to use old tribal log. Advised new logo is for official tribal correspondence. Vets can use any logo they want. Put use of new log on hold until approved by GTC. Sandra Ninham directed to do the presentation to General Tribal Council.

Business Committee Meeting **Date: 3-30-94**

Reorganization/revitalization and tribal logo issue GTC date set for May 16, 1994

General Tribal Council Meeting **Date: 5-16-94**

Tribal Council adopted tribal logo #1 on left side of sheet mailed to membership. 1st amendment to include standing stone, date 1822, long house in shell and name change of Oneida to On'yoie-aka; 2nd amendment to bring back various designs to July 1994 GTC for approval at that time.

Decade 2000's:

The 2000's produced a 2004 legal opinion providing a brief history of the seal and statement that the currently used seal was not adopted by General Tribal Council. The seal matter was sent to then General Manager and Chief Counsel to provide a joint recommendation. Joint General Manager's minutes of 5-05-05 conclusion is there is no

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seal because "nobody could agree." Tribal Secretary was directed to provide a report at General Tribal Council's July semi-annual meeting. This report was never provided. The elected Tribal Secretary during two time periods 1994 and 2005, failed to bring back or provide an update report regarding the tribal seal. Mid 2000's, a copyright release form for O.S. Mint Oneida Code Talker coin was approved.

This researcher requested the Business Committee officer manager to contact past Secretary Hoeft for clarification on change of tribal seal, stationary during her term. The email transmitted states, "I do recall any official action to change it. Any changes occurred at the administrative level, incremental ones where, for example, the logo or seal would be interchanged. I started using the seal design on official BC and GTC correspondence to represent the government character of that work. The log, from a public relations/enterprise/marketing aspect, was used on the non-government items."

Business Committee Meeting **Date: 10-06-04**

Attorney Brief: Legal opinion marked confidential by Senior Staff Attorney Jennifer L. Carleton states "seal in currently in use (2004) was not adopted by GTC ..."

General Manager and Attorney Artman directed to provide joint recommendation.

Business Committee Meeting **Date: 12-29-04**

Seal referred to Joint General Managers and deleted from agenda.

Business Committee Meeting **Date: 6-01-05**

Joint General Manager's minutes of 5-05-05 discussion stated "current seal was never approved, the reason there is no seal right now is because nobody could agree." Tribal Secretary to provide report on current Seal for approval by GTC at the July 2005 semi-annual.

Business Committee Meeting **Date: 5-12-10**

5-12-10-R Proclamation of Appreciation for Senator Hanson..... change the logo to a seal

Business Committee Meeting **Date: 3-09-11**

Copyright release form for O.S. Mint Oneida Code Talker coin

Page Eight**Tribal Letterhead 1940's to 2016:**

1940's: A typewritten 1948 resolution titled "Oneida Tribe of Indians of Wisconsin An Indian Chartered Corporation" was found by this researcher. Most correspondence and meeting minutes during this time period were handwritten or typed.

1950's: Tribal letterhead read "Oneida Tribe of Indians of Wisconsin Federal Chartered Corporation" and "The Oneida Indians of Wisconsin, Inc. Oneida, Wisconsin with a Chief graphic could be found for year 1951 only. This wording was utilized interchangeably until 1969.

1969-July 1980: Tribal letterhead read "Oneida Tribe of Indians of Wisconsin, Inc.," with graphics: Turtle, Wolf and Bear clans; Oneida Chief and Oneidas bringing corn to Washington's starving troops. This letterhead was utilized part way through 1980's.

1980-85: Tribal letterhead read "Oneida Tribe of Indians of Wisconsin" utilizing same graphics of the Oneida Chief and Oneidas bringing corn to Washington's starving troops. Change in center graphic included a pine tree on top of the turtle and eagle at the top of the tree surrounded by the sun, wampum belt, year 1822, etc.

1986: Tribal letterhead utilized partly through remainder of 1980 then through 1985 was given a face lift using same graphic design with changes being made to the pine tree, sun, eagle, wolf, bear and wampum belt. This letterhead was utilized from February 1986-March of 1994.

1994: Tribal letterhead switched during the month of March 1994 with the elimination of the year 1822, the sun, arrows, etc. The eagle, tree, turtle, wampum belt design changed and was worded "Sovereign Oneida Nation of Wisconsin" and presented to General Tribal Council 5-16-94 for adoption. This logo was adopted with two additional amendment changes made. The letterhead utilized from March 1994 continued despite General Tribal Council's additional amendments and served as letterhead/seal from March 1994- October 2009. This researcher found embossed documents starting in 1999.

2009: Tribal letterhead went back to utilizing old letterhead of 1986 with one noticeable difference in design. The eagle of 1986 appears to be flying away toward the sun. The letterhead of 2009 shows the eagle facing forward, away from the sun. This letterhead was utilized late 2009 through March 2016. Embossment design did not replace the 1999

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embossment used until July 2011. Official Pardons are still embossed with the 1994 seal. In effect, two "official" seals are being utilized to current year 2016.

2016: Tribal letterhead went back to utilizing the old 1994-2009 design partially adopted by General Tribal Council with the exception of the wording "Sovereign Oneida Nation of Wisconsin" to "Oneida Nation." The Oneida Tribal Constitution amendments of 2015 approved this name change. Tribal letterhead utilizing this symbol began March 2016.

-END-

Oneida Tribe of Indians of Wisconsin.

Minute of the Board of Directors held at the House of Julius Doughty Oneida Reservation at 9:30 o'clock PM

April 8, 1987,

Have call to order by the Chairman Mario Whelock.

The purpose of this meeting is to plan how to use the money we expect. Being about \$1,000 or less from the Government, Reservoir.

Finally agreed that we speak with the Government, to give some papers and even renters this aid because, to help trust land owners, would be help for year to give as we are going would be helping, to learn, Right clients of this were put to Motion & recorded and byes candidates one Mrs. Chairman's report; Election for the Tribal charter,

May 1, 1987 and that we have a Tribal Meeting April 8, 1987, Paul Fander with us,

A report, that when we have our money, any amount from \$1,000 and less, we can handle ourselves and over that, we have to report it to Washington D.C for approval,

Paul Fander just returned from Washington D.C. reported successful trip for us.

Motion and recorded that we have a check for our 400 acre ground and would with on Oneida Indians Incorporated on our seal.

Motion that Mr. Cluskey with the Department, recorded

handle George Pitzer's case concerning rental contract with the Government. And we will release the Bondman.

Tabled Election Board for later date.

David Spenard + Josephine Spenard were accepted into our Corporation.

Chauncey Prouse, deceased, son of Abram Prouse, and, said, Abram Prouse has been paying taxes without deed.

Look up Philip Spenard's 1st, 2d acres. Mentioned to Ogden - 10:55 - 11:00 P.M.

Kate Cornelia
Secretary of Council

The City of Hill
Ojibwa Tribe of Indians of Wisconsin
Wash Depot Wis. May 15, 1937,
Aupt. Frank Chiverty
Tomasz Wis.

TOMAH INDIAN SCHOOL
MAY 18 1937
RECEIVED

Dear Mr. Chiverty,
Herewith I enclose Minutes of our Tribal Meeting of April 30. Just coming before election of the notification of the Federal Charter.
Resp

Kate Cornelia
Secretary of Council

1987-1988
 Omaha Tribe of Indians of Wisconsin.

Minute of the Tribal Meeting held at Spawth Hall
 Omaha Reservation April 31, 1987.

Hence called to order by Chairman Momo Whelock.
 Purpose of this meeting is to begin election is to
 review our Federal Charter; Coporate deal was ex-
 plained. Eastman Cornelius mentioned & recorded
 that we accept the corporate deal as explained to us.
 Ayes carried and none more.

Chairman put before the house, for questioning
 on the charter or any thing concerning the New Deal
 and Paw Tumber will answer them.

Ams. If this election fails, we will have a
 election over again.

Ams. Harrison Smith treasurer, Bond set at
 \$1000. until July. With American Security Bond W. P.

Ams. Ask the State about the laws on the river;
 Harrison Smith suggest, we have a set time
 to meet with the people for all kinds of business.

Honoring program 1st: 20 over on before road
 2nd: 20, Dec 12, 1983, N.R. 19 E. Burns Louis Summers.

Aug 16 1/2 x 20 ft and 1 1/2 story high for larger families
 18 x 22 ft and 1 1/2 story high. Material will be purchased
 when Mr Collins comes back and where it is. Chaparral
 either Cornelius and Elata King ask for horse
 repair and dig well.

We will dig well for them and wait to repair their
 house after Rumbering loan fund is in progress.
 We contact, Charles Green, for well digging he
 charges \$1.40 a ft but for us \$1.60 a ft and have
 water tested. We will dig no farther if some must do
 that.

Still laborers \$67.00 a month Commoner \$45.00
 a month. 160 hrs and over time 20% on hrs.

Good contact with men, that who we buy from
 will also hand it for us. Jim Morse will charge
 us 70¢ a yard.

Ams. by Paw Tumber. Tax payers and venture
 can borrow from repaying loan fund.

Paw Wensberg gave us a great speech.
 Motion to Adjourn 10:45 - 10:46 P.M.

Walter Cornelius
 Secretary of Council.

Oneida Tribe of Indians of this cousin.
Minutes of the Tribal meeting held at the Epworth Hall Oneida
Reservation.

May 10, 1937.

Meeting was called to order at 8 o'clock p.m. by the chairman Morris
Wheelock.

Speaking of ratification of the Federal charter 349. Vote for it
and no one against it. Now the next step will be to plan what we
need and the amount of money to borrow from the revolving fund. App-
lication blanks are expected and after we fill them out we must ask the
amount the tribe needs to borrow and we have to add the itemized
implements, stock etc., so it will be purchased for us in big lots
or big her s.

Implements stocketc. belong to the tribe until individual have paid
for them. There will be 3 % overhead interest and if you pay up as
your contract reads you will get back 3%. You will pay as it suits
you monthly, 3 mo. 6 mo. or yearly.

Interpreted. Oscar Archiquette.

Trust patent land owners, tax payers and renters can all borrow.
Optioned lands are not paid for yet, by the Government. We have one
80 acre farm now held by the Oneida tribe, and under trust patent
that a banker optioned with us.

A party we assigned there is only there for 1 year. but subject
to getting it assigned to him for good.

We only expect garden seed for grant, we have no money available
to borrow for grain, sud or potatoes. The \$8,000 is for building houses
repairing houses, and digging wells. Solomon Wheelock can have a small
lot and house as people will vote on it for him.

Last Friday when Peru Faver was here we adopted a seal for
resolution we placed it on order; now we have a letter here as a
notice that the corn stalk will cost us \$13.50 but if we take wheat
design in the center of our seal it will only cost \$4.75. People
are asked to vote which they will have. A motion for wheat design
seconded ayes carried and no's none.

April 23 we wrote a letter to John Hollier protesting Rev. J. E.
Whitebull who had no jurisdiction over Oneida's to come and hold mass
meeting here and discourage our people to vote for our Federal charter.
Rev. Wenberg again gave few words of encouragement.

Our next meeting will be two weeks from tonight unless we get the
blanks in a few days we will meet a week from now.

Lillian Skenandore motioned leave Chauncey Baird's party to Board
of Directors.

16. Exhibit H, I and J, pertaining to signatures, notarial seal
and agreement.
Motioned was made by Harrison Smith and seconded by Philip
summers that Exhibit H, I and J, be accepted. Motion carr-
ied.

17. Amendment 18, Liens, mortgages and other securing instruments
shall be filed, registered or recorded in keeping with the
local statutes. All transactions shall be and must be in
writing.

The order of business was transacted in the numerical order as
set forth in the preceding paragraph.

The meeting was adjourned at 12:20 A.M. subject to the call of
the chair.

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Lydia W. Powless - Sec.

November 19, 1951

The Oneida Tribe of Indians of Wisconsin held on Executive Council meeting November 19, 1951 at the home of Chester Smith. This was a regular Monthly Meeting. A quorum was present, no government official was present.

Mrs. Smith our secretary reported that Evelyn Danforth wants to sell her personal property on her former REHAB. ASSIGNMENT of land. The Executive council advised at the present time there is not enough money in the Rehab. Funds to pay the price she is asking (\$1200.00). We can pay her two payments if she will accept this arrangement.

Two Birth certificates were accepted for the ONEIDA TRIBAL ENROLLMENT.

L.

2.

Simeon Adams moved that the Chairman of the Executive Council be given authority to order Tribal stationery. The expense of the stationery to be paid out of the Tribal funds by the Treasurer, seconded by Mamie Smith. Motion Carried.

Simeon Adams moved that the Treasurer of the Oneida Indians Inc. pay the telephone bill of Mamie Smith and check to be made payable to the Oneida Telephone Company. Seconded by Mamie Smith. Motion Carried.

Mamie Smith moved that the Treasurer pay the following out of the Tribal Treasury, seconded by Simeon Adams. Motion Carried.

To reimburse the secretary, Mamie Smith, for office supplies purchased.

To pay Tribal officers attending Regular meeting. 11-19-51. To pay Charles A. Hill, the treasurer \$3.00 for stamps etc., also \$5.00 for monthly expense.

A motion was made by Mamie Smith to adjourn. Motion Carried.

Name of Tribe: Oneida Indians Inc.

Minutes of meeting held by: Cecil Skerandore (Secretary)

Date of Meeting: February 5, 1957 7:30 P. M.

Place of meeting: Home of the vice-chairman

Regular or special: Regular

Was a quorum present: Yes

Visiting officials present: None

Others: Julius Danforth chairman, Mrs. Irene Moore Vice-chairman, Mrs. Althea Schuyler treasurer, Cecil Skerandore secretary. James Schuyler, Pete Danforth members of the land and credit committee.

The meeting was called to order by the chairman and the minutes of the last meeting were read by the secretary. There then was a motion by the vice-chairman to accept the report as given seconded by the treasurer. Motion carried.

The treasurer then gave her report.

1. Tribe balance \$524.51

2. Rehab balance \$1868.78 less loans There then was a motion by the vice-chairman to accept the report seconded by the secretary. Motion carried.

The assignment of Lester Schuyler was then brought up. It was decided that Mr. Riley be contacted stating that in 1951 the assignment for 40 acres was supposed to have been made out but evidently wasn't. All the executive board has now is the application. Lester Schuyler would like the 40 acres and the 27 acres combined in on assignment. There is a partial map attached to the application.

Three birth certificates were turned in by the treasurer. Two were processed and O. K.

The other will wait for further information.

There was a discussion on letter heads and Mrs. Moore made a motion to authorize the secretary to have this done seconded by Mrs. Schuyler. Motion carried.

There was a discussion on the electrical work that had to be done in the C. C. C. building and it was decided that the tribe pay the chairmand \$2.00 and the secretary \$3.00 for their labor. Mrs. Moore made a motion to authorize the treasurer to write these two check. seconded by Mrs. Schuyler motion carried.

Name of Tribe: Oneida Indians Inc.

Minutes of meeting held by: Executive board (Cecll Skenandore) Secretary

Date of Meeting: Oct. 7, 1957

Place of meeting: C. C. C. Building

Regular or special: Regular

Was a quorum present: Yes

Visiting officials present: None

Others: Julius Danforth Chairman, Mrs. Irene Moore Vice-chairman, Mrs. Althea Schuyler Treasurer, Cecll Skenandore Secretary. James Schuyler and Anthony Skenandore members of the land committee.

Meeting was called to order by the chairman and the minutes of the last meeting were read. A Motion was then made by Mrs. Moore seconded by Mrs. Schuyler to accept the minutes as read. Motion carried.

The treasurer then read her report as follows.

Rebalt. balance \$2026.02 less loans of \$800.00 approved but not yet paid out.

Tribal balance \$330.68

A motion was then made by Mrs. Moore seconded by Cecll Skenandore to accept the report as read. Motion carried.

There was a land application turned in by the land committee for Abraham Webster. Motion by Cecll Skenandore seconded by Mrs. Moore to approve of the application. Motion carried.

Mrs. Moore then made a motion to authorize the secretary to write to the attorneys in Chicago and ask if there is any thing encouraging to hear about the claims pending yet. Seconded by the treasurer. Motion carried.

The letter from Mr. Riley concerning the executive board members getting money from the tribe and not applying it to their accounts was read. According to the treasurers records the members of the executive board that do owe money to the tribe are up to date.

The application that was discussed at a recent meeting concerning a loan of \$600.00 to Zachariah Skenandore Jr. was discussed again. It was decided that as long as the money is available he be granted the loan. Motion by Mrs. Moore to approve of his application. Seconded by Cecll Skenandore. Motion carried. James Schuyler a land committee member asked if it wasn't customary to look over the property to be held as security before making the loan. Mrs. Moore said the land alone is worth the money to be lent. The secretary said as far as he knew the house was in good condition but if it was necessary it should be looked over.

Mrs. Moore said it wouldn't be, and that it would be only a wast of money to send some one to look at the house because she knew the place is worth more than the money being lent. The money to be paid by the treasurer when the necessary papers are made out.

The secretary and the Chairman were authorized to look over some building for the tribe and they ~~****~~ asked for the money for the time and the trip. Mrs. Moore made a motion to authorize the treasurer to pay these bills. Seconded by Cecll Skenandore. Motion carried.

Mrs. Moore then made a motion to authorize the treasurer to write herself a check for stamps and a receipt book. Motion seconded by Cecll Skenandore. Motion carried.

The secretary was asked to lookd for Pete danfort's land application. Also to write to people that have land applications to come in and pay for them. Also some of them aren't as yet signed.

There was a motion by Cecll Skenandore to authorize the treasurer to write a check for stationery when its ready. seconded by Mrs. Moore. Motion carried.

Neighborhood Youth Facilities returned.

Amelia Cornelius made a motion to reaffirm our position in the enrollment of Edith Cornelius Jones Robinson and Margaret Powless Mossman Wiley. Second by Irene Moore, motion carried.

Irene Moore made a motion to request the BIA to send the new Tribal roll to Oneida. Seconded by Ira Cornelius. Motion carried.

Norbert Hill made a motion to refer the application for the Neighborhood Facilities and letter to Mr. Hinkfuss. Second by Joycelyn Ninham. Motion carried.

Joycelyn Ninham made a motion to purchase doors and locks for the basement so the Youth equipment can be moved into the larger room and the Newsletter in the smaller room. Seconded by Irene Moore, motion carried.

Read minutes of Headstart PAC mtg.

Stone and Webster will be in LacDuFlambeau to interview for EDA job.

Irene Moore made a motion to authorize the drawing of the Corporate Seal to be on a brochure promotion commercial leasing on the Oneida Industrial Park to be prepared by the BIA. Seconded by Joycelyn Ninham. motion carried.

GLITC report
Voting to move CAP office from from Bowler - 6 no 4 - yes.
Request resignation of Angelo LaMere 1 yes 8 no 1 pass
Miss J. Whiteagle has been dismissed from Headstart Director

Joycelyn Ninham made a motion to appoint Ira Cornelius to the Commissioner Board of Appeals in the Lee McLeister matter. Seconded by Irene Moore, motion carried.

Carl Smith of the Ways and Means Committee has planned a card party at Rose Schuyler's and would like each member to bring 2 pies.

Irene Moor made a motion to place \$28,000 in Treasury Bills at approx.. 7 3/4% interest. Seconded by Joycelyn Ninham. Motion carried.

Convocation on March 23-26 at Princeton University.

Bulk rate mailing 3rd class rate cost \$45. Yearly \$30.

Motion to adjourn, second and carried.
Reproduced January 23, 2013 by Janice DeCorath
Original in Records Management

ONEIDA TRIBAL BUSINESS COMMITTEE - SPECIAL MEETING

Date: June 27, 1972

Time: 7:30 P.M.

Place: Oneida Tribal Headquarters

Present: Chairman, Purcell Powless; Vice Chairman, Irene Moore; Treasurer, Alma Webster; Council members, Joycelyn Ninham, Gordon Mc Lester, Julie Barton, Norbert Hill

Absent: Secretary, Amelia Cornelius and Council member, Ira Cornelius

Special Guest: Betty Thompson, Community Representative from H.U.D. Milwaukee, Wis.

Others Present: Carlton Smith, Mr. Bolin, John Powless, Jr., Harriet Alicea, Lorraine Cornelius, Marge Stevens, Jack Campisi

Business Conducted:

Joycelyn Ninham made a motion to have Chairman Purcell Powless appoint Irene Moore as Deputy Secretary in the absence of Amelia Cornelius.

Motion seconded by Julie Barton. All members voted in favor. Motion carried.

Norbert Hill made a motion to adopt resolution pertaining to Neighborhood Facilities grant. Seconded by Gordon Mc Lester. All members voted in favor. Motion carried.

Chairman Purcell Powless and Deputy Secretary Irene Moore then signed all necessary documents and sealed them with the tribal seal.

Joycelyn Ninham made a motion that the Oneida Business Committee would be the sponsor of the Remedial Reading Program presented by Vista Lorraine Cornelius. Seconded by Irene Moore. All members voted in favor of motion. Motion carried.

Gordon Mc Lester introduced Jack Campisi, who has been doing a study on Oneida history. He is presently working with UWGB and the Seymour school district. They are preparing an Oneida Indian culture class to be taught in the Seymour schools. A special education committee meeting was set for June 28 to appoint someone to work with Mr. Campisi and the

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Motion by Norbert to retain J. J. Rouman Associates as architect/engineer. Pat seconded. Vote was 4 for and 2 opposed. Motion carried.

NUTRITION: It was stated that the Green Bay people are "gobbling" up our food under this program instead of going to our own people as it was designed to do. Per Anna, the only guidelines of the program are that we serve the elderly so we can't really deny anyone service. The people who are coming from Green Bay can continue to come to our feeding until we go over our budget, at which time we would have to ask them to go back to their own areas. Suggested that we ask the Lake Michigan Agency on Aging for more money if we are to continue to meet expenses. Motion by Pat to approve the Nutrition report. Seconded by Norbert. Motion carried unanimously.

CARL CORNELIUS LETTER: Letter requested a Certificate of Membership suitable for framing and signed by appropriate Tribal officials. Chester moved that such a certificate be designed. Edwin seconded. Motion carried unanimously.

EDUCATION: Oneida Arts Enrichment Program - Robert Hill requested resolution on the acceptance of her position. Question raised about posting the position because it is new. Original approval occurred with the previous Council on June 5, 1978. Motion by Norbert to approve Robert Hill as the Arts Coordinator of the Oneida Arts Enrichment Program. Seconded by Pat. Suggested that the matter be referred to the Personnel Selection Committee. It was indicated that the funding was obtained only because of the exception of the normal hiring procedures of the Tribe and also that the funding could be lost if the Tribe decides now to follow those procedures. Vote was 3 for, 2 opposed and 1 abstained. Motion carried.

The Library report included a request to approve the purchase of nineteen lockets at \$4 each to complete the Oneida Tribal Medallion and Book sets. Sales are better with the lockets. Norbert moved to approve the request. Pat seconded. Motion carried unanimously.

Request to approve the job postings for 2 Counselors, 1 Counselor-Paraprofessional, 1 Instructional Coordinator (part-time), and a Secretary for the Educational Opportunity Center. Pat moved to approve. Margaret seconded. Motion carried unanimously.

Request to approve the ABE-GED and Early Childhood Project reports. Chester moved to approve. Norbert seconded. Motion carried unanimously.

Mark made a motion to approve the Headstart report for September which included their proposal for the new fiscal year. Norbert seconded. Motion carried unanimously.

Motion by Pat to approve the Handicap Specialist's report for September. Seconded by Chester. Motion carried unanimously.

Pat made a motion to approve the Language Report for September. Margaret seconded. Motion carried unanimously.

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CHASE OF TRIBAL SEAL:

Loretta made a motion we use the Oneida Nation medallion as the seal. Margaret seconded. Vote was 6 for with 1 abstention. Motion carried.
Norbert has information as to where a seal can be obtained at a lower cost

REPORTS THAT WERE TABLED EARLIER:

KaliWisaks Report:

Mark suggested Paul meet with his advisory committee and set up policies. Edwin stated he is in charge of the Kali wisaks and he has until 4/30/80 to get these written. Mark made a motion to approve the report. Loretta seconded. Motion carried unanimously.

EOC REPORT:

Mark made a motion to approve the report. Loretta seconded. Motion carried unanimously.

Loretta made a motion that the following Oneida Tribal programs apply for the respective listed projects and/or grants and that Loretta Webster lend technical assistance in writing.

1. Child Welfare Research Grants - Priscilla Manders
2. Community and Food Nutrition Program - Nori Damrow
3. WIC Demenstration and Evalutation projects - Health Dept.
4. Consumer Education grant - ANA
5. Development of Educational Materials - Ed. Board
6. Community Energy Conservation Activities/Energy Audits of Public Buildings - ANA & Planning
7. Community Education - Museum if eligible
8. Delinquincy Prevention through Alternative Education - Boys Club/Recreation/Tribal School

Mark seconded the motion. Motion carried unanimously.

IN'S REQUEST:

Request form Edwin for a leave of absence without pay from April 14-25, 1980. Wendell made a motion to approve the request. Norbert seconded. Vote was 5 for with 2 abstentions. (Mark and Edwin) Motion carried.

Norbert request to attend legal affairs meeting on April 1980. Margaret made a motion to approve the request. Loretta seconded. Motion carried unanimously.

Loretta request travel to Minneapolis for NCAI Tribal Consultation Contract on April 23 & 24, and April 28 & 29.

Norbert made a motion to approve the request. Margaret seconded. Vote was 5 for with 2 opposing. Motion carried.

JERRY HILL:

Jerry stated he needs to set a wage scale for the Teachers at the Tribal School. Chrmm. Powless stated Jerry should meet with the Personnel Manager and come up with something and present to the Business Committee.

LLOYD POWLESS:

Lloyd introduced himself. Business Committee will be meeting with Lloyd and Jerry Fischer on 4/9/80.

Wendell made a motion to adjourn at 9:50 p.m. Mark seconded. Motion carried.

Respectfully submitted,
Wanda Webster
Wanda Webster, Secretary
Oneida Business Committee



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June 2, 1980
Page 2

lease for Joe and Dawn Torrez, at 1/4 fair rental. Wendell seconded. Motion carried unanimously.

Motion was made by Mark to approve the recommendation of the proposed agriculture lease for Elmer Vanden Bloomer. Wendell seconded. Vote was 5 for with 1 abstention. Motion carried.

Discussion on increasing fees on leases. Edwin stated we need a more realistic figure. Motion was made by Norbert to table the resolution to increase fee for 50 year leases to \$1.00 per year, total of \$50.00 for 50 years, and refer this back to the Land Committee for a realistic figure. Seconded by Edwin. Vote was 5 for with 1 opposing. Motion carried.

Motion was made by Mark to deny the request of the Land Committee which was to offer Lot 22 on Rolling Hills to the next applicant on the Land Office list, and to support the Housing Authority's request for Lot 22 for a HUD home. Seconded by Norbert. Motion carried unanimously.

Motion was made by Mark to approve the recommendation to modify Sarah Skenandore's assignment to 3.82 acres and stipulate that she be allowed to have the firewood near the park area. Wendell seconded. Motion carried unanimously.

Motion was made by Norbert to approve the recommendation that a portion as outlined by the Planning Dept. be reserved for recreation in Sand Hills. Wendell seconded. No one opposed motion carried.

Motion was made by Wendell to approve the recommendation as requested by the Bruce Schaepe, that he be given the authority to plan a trail for mini bikes, so that they stay out of subdivision area. Norbert seconded. Vote was 3 for and 3 opposing. Chairman voted in favor of the motion. Motion carried.

Motion was made by Norbert to approve the increase in rent for the Land Office as of July 1, 1980. Rent will go up from \$115 to \$150. Wendell seconded. Vote was 5 for with 1 opposing. Motion carried.

Motion was made by Edwin to approve the Title Searcher and Land Office Coordinator's reports. Wendell seconded. No one opposed, motion carried.

GRANTS ADMINISTRATOR REPORT FOR MAY:

Loretta explained the proposal she presented, it is to the Wisconsin Energy Conservation Corporation. Motion was made by Myron to approve the proposal. Edwin seconded. Motion carried unanimously.

Motion was made by Wendell to approve the travel request for Loretta to Madison on May 15, 1980 to attend the WECC meeting. Norbert seconded. No one opposed, motion carried.

Motion was made by Wendell to approve the travel request for Loretta to Rhinelander on June 11, 1980 for the Wisconsin Woodland Indian Project. Seconded by Myron. Motion carried unanimously.

Motion was made by Wendell to approve the report. Edwin seconded. Motion carried unanimously.

BOYS CLUB REQUEST:

Request from the Boys Club to be included in the Tribal Insurance plan. This would include three people from the Boys Club.

Motion was made by Mark to adopt the resolution. Norbert seconded. Vote was 5 for with 1 opposing (Myron.) Motion carried.

PURCHASE OF TRIBAL SEAL:

Memo from Tribal Secretary requesting the purchasing of a new Tribal seal.

Motion was made by Wendell to approve the request at the lower price quoted. Mark seconded. Vote was 5 for with 1 abstention (Wanda.) Motion carried.

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Page 2

Motion was made by Mark that Dick get this information to the Attorneys so they can get it to the appropriate parties. Norbert seconded. Vote was 6 for with 1 opposing (Wendell). Wendell stated we should not give out financial information to the State. Motion carried.

Jerry requested a special meeting with the Business Committee on November 3, 1981 at such time he will present a draft of codes. Meeting will be at the Tribal building at 9:00 A.M.

PERSONNEL RECOMMENDATIONS:

Joe presented a recommendation from the personnel selection committee for the position of Legal Secretary, the top three were ranked as: 1. Mary Lemieux 2. Marianne Close 3. Regina Funk.

Motion was made by Norbert to approve Mary Lemieux for the position of Legal Secretary. Howard seconded. Motion carried unanimously.

Joe requested to re-post the position of EOC Assistant.

Motion was made by Mark to repost the position. Joy seconded. Vote was 4 for with 1 abstention (Wendell) and 1 opposing (Wanda). Motion carried.

John distributed a letterhead for the Tribe to consider, it was suggested to put this in the Kalihiw'Saks for people from the community to submit ideas.

The Chairman requested travel for himself and the Tribal Manager to travel to Washington D.C. to attend a National Tribal Chairman's Association meeting on October 21 & 22. Motion was made by Norbert to approve the travel request. Howard seconded. Vote was 5 for with 1 abstention (Mark). Motion carried.

Mark and Joy requested to travel to Wausau to attend the GLITC meeting on 10-30-81. Motion was made by Norbert to approve the travel request. Wanda seconded. Vote was 4 for with 2 abstentions (Mark and Joy) Motion carried.

John stated he would like to attend a HUD conference in Chicago on October 27 & 28 with Carl Rasmussen. John would be looking into the possibility of funding for a water/sewer treatment facility.

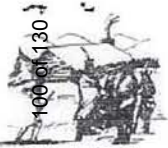
Motion was made by Norbert to approve the travel request and that Howard also attend. Joy seconded. Vote was 4 for with 1 abstention (Mark) and 1 opposing (Wendell). Motion carried.

Bruce King requested authorization to work with Francis Skenandore on a Written Agreement with the city of Green Bay for services for the Industrial Park. Motion was made by Mark to approve the request. Wendell seconded. Motion carried unanimously.

Bruce requested that his items that were tabled on 10-19-81 be placed on the agenda when the Tribal General Manager presents the re-organizational chart.

Motion was made by Wendell to recess at 11:10 A.M. Norbert seconded. Motion carried.

Respectfully submitted,
Wanda Webster
Wanda Webster, Secretary



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: 869-2752



De Pere, WI 54115



UUYA DEROLUH TAZERE
Because of the help of his Oneida Chief in cementing a friendship between the six nations and the Colony of Pennsylvania, a new nation, the United States was made possible.

Approved
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SPECIAL CONTINUATION MEETING December 30, 1981

Meeting opened at 1:40 by Chairman Metoxen.

Roll Call: Present were Gary Metoxen, Chairman; Norbert Hill, Vice Chairman; Howard Cannon, Acting Secretary; Council Members, Frank Cornelius, Mark Powless, Joy Ninham and Tony Benson. Excused: Wendell McLester

BUDGETS: John Powless requested funds for 1. Vacuum Cleaner for Tribal Bldg. Cost: \$410.00
2. World Book Encyclopedia for Library at a cost of \$358.58

Norbert moved to approve vacuum cleaner purchase, seconded by Tony. Under discussion the 3rd bid policy was questioned. Rose was called and she verified that the better of 3 bids was taken. Motion carried unanimously.

Mark moved to approve book purchases, seconded by Joy. Under discussion it was explained that the figure quoted was a reduced price. The question posed was whether or not this represented a completed set including the usual updating addendums. Question was not answered. Motion was carried by five for and two against (Howard and Frank).

For information only a memo was received regarding a security system for the museum.

Headstart requested to give the \$744.37 balance of their special account to the Parent Committee to use to generate more emergency funds.

Mark moved to approve, seconded by Joy, motion carried unanimously.

Cannery budget was presented for information only.

Tribal Letterhead Logo Contest results was passed around for review, no action.

John and Joe had been sharing the secretarial services of Pam Webster, John's work being in addition to her duties as Joe's assistant. Request was to her duties as Joe's assistant. Request was made for extra compensatory wages promised her for the additional work load. It was explained that Wendell was to bring back to the BC for action by the Budget and Finance Committee to take care of this.

Early Periodic Screening, Diagnosis and Treatment (EPSDT) contract for reimbursement from State for services provided for by the Tribe, was referred to the Attorneys.

Oneida Tribe of Indians of Wisconsin
Special Meeting - October 26, 1983
Page 3

Iroquois Construction Discussion (Continued) - Executive Session

Carl Rasmussen is to provide the plans of operation for each of these construction companies. Kathy seconded. Motion carried.

The Business Committee came out of Executive Session

TRIBAL LETTERHEAD STATIONARY - Loretta V. Metoxen

Loretta asked if the Business Committee is considering a standard tribal letterhead for all programs. Loretta as asked to come back with a some recommendations for consideration.

110-ECONOMIC DEVELOPMENT - Bruce King

Bruce gave a report with recommendation concerning his area of Economic Development. One of the recommendations is to change the strategy from promotion of the Industrial Park for outside interest to developing the Park for tribally owned operated enterprises. Bruce felt the following time table was needed:

1. One month to gather more information on small business development centers, and business brokers.
2. Two (2) months to identify resource people and make a determination of the information needed to conduct feasibility studies.
3. Three (3) months to formulate policies and criteria for investing in tribal members projects.

Lloyd made a motion to approve the time table for development of the Industrial Park. Rick seconded. Gordon abstained. Tony opposed. Motion carried.

Another recommendation is to have separate corporations or a development authority to develop enterprises. Bruce requested that his position be changed from reporting to the Tribal Administrator to reporting directly to the Business Committee. These recommendations would make it possible for the Tribe to develop a wide base of businesses and provide a more acceptable system to conduct business.

The Business Manager position was discussed with Bruce to see how this position would fit into the tribal system. Discussion followed on various ways the Business Manager would work with the Economic Developer and the Administration.

Mark made a motion to have Bruce develop a draft job description for the Business Manager and that the Business Manager would work under the Economic Developer and that the enterprises come under the authority of the Business Manager. Gordon seconded. After more discussion, Mark withdrew his motion and moved to have Bruce develop a draft job description for the Business Manager and also a flow chart and present this to the Business Committee on

Oneida Tribe of Indians of Wisconsin
 Special Meeting - December 18, 1984
 Page 2

TRIBAL LOGO - Kathy Hughes

Kathy reviewed the past discussion on a Tribal Logo for the Tribal Enterprises, and she recommended that the Tribe recognize only one (1) symbol, which is the symbol used on the letterhead and on the flag.

Gordon moved to approve the recommendation. Dave seconded. Rick and Mark opposed. Motion carried.

PERSONNEL RECOMMENDATIONS - Dale Wheelock

- Recommendation: Merit increase for Marlin Mousseau. Marlin is recommended for a 3 step increase.

After discussion, Kathy moved to deny the request. Lois seconded. Rick and Dave opposed. Motion carried.

Creation of new Part-Time Secretary Position -- 10 hours per week

This Secretarial function will be directly related to the Community Service Block Grant and the activities of the Human Services Support Group..

Tony moved to approve with the correction of the typing error under Training & Experience. Dave seconded. Mark and Gordon abstained. Motion carried.

- Hiring Information: Nurse Assistant/Nurse Aide - Grade 4: Walter Rathsack

CONSULTANT AGREEMENT BETWEEN MCKEE ASSOCIATES AND THE ONEIDA HEALTH CENTER

The Consultant will develop priorities of the strengths and weaknesses in the area of management of the Health Center, and gather information to help design and implement programs to meet the health needs of the Community.

The study will be completed in 2½ months and a total cost of \$4,500.00

The agreement has been reviewed by the Law Office and is in appropriate legal form to execute.

Gordon moved to approve the agreement. Dave seconded. Mark, Lois, and Kathy abstained. Motion carried.

LAND COMMITTEE MINUTES OF DECEMBER 10, 1984

1. The Land Committee recommended that the Law Office and the Land Coordinator meet, review and update the Oneida Tribal Land Policy as it pertains to delinquent leases.

Lloyd moved to approve the recommendation. Kathy seconded. Lois abstained. Motion carried.

Oneida Tribe of Indians of Wisconsin
 Special Meeting - April 2, 1985
 Page 4

GENERAL MANAGER REPORT (CONTINUED)

He also updated the Business Committee on the overall goals the Administration has been working on and time frames as to when they expect to accomplish these goals.

Lois moved to approve the reporting system presented by Don Wilson. Kathy seconded. Motion carried.

Don asked the Business Committee to give him direction on the Tribal stationery letterhead. There has been discussion about changing the letterhead.

After discussion, Lois moved to use the same letterhead with exception to the Commission on Aging, which uses their Corporate Seal. Tony seconded.

3 voted yes, 3 voted no, Chairman voted yes. Motion carried.

Gordon moved to have Don Wilson bring information to the Business Committee on the operation of the Retirement Home, so a decision can be made to continue or terminate the program. This should be done within the next 3 weeks. Rick seconded. Motion carried.

In the development of this report, Don asked to contact an architect firm to review the long term use of the Norbert Hill Center.

Rick moved to approve the request. Lois seconded. Motion carried.

TRAVEL REQUEST - Jerry Hill

Jerry is requesting approval to attend the Annual Indian Law Conference in Phoenix, Arizona, on April 10 - 12, 1985.

Lois moved to approve, Rick seconded. Kathy abstained. Motion carried.

NEWCAP AGREEMENT - Lois Powless

Under this agreement, the Tribe will receive \$36,363.00 for the calendar year 1985, from the State, to weatherize eligible dwelling units on the Oneida Reservation.

NEWCAP Inc., will weatherize a minimum of 15 dwelling units, not to exceed \$1,000 per unit for materials, 3 of the 15 units should be rental units, and no mobile homes are to be part of this program. NEWCAP Inc., will receive \$1.63 for every one dollar of material installed.

This contract has been reviewed by the Law Office and is acceptable.

Tony moved to approve the agreement. Lois seconded. Motion carried.

ONEIDA TRIBE OF INDIANS OF WISCONSIN
SPECIAL MEETING - AUGUST 7, 1987
Page 4

RESOLUTION #8-7-87 FOR CREDIT CARD FOR THE TRANSPORTATION PROGRAM (Continued)

WHEREAS, it is in the interests of this corporation to establish a Corporate Charge Card Account with Elan Financial Services (EFS) under which certain designated agents and employees of this corporation will be authorized to obtain credit for the purchase of goods and services.

WHEREAS, EFS is willing to establish such an Account in the name of this corporation upon the terms and conditions of its Corporate Charge Card Application;

NOW, THEREFORE, RESOLVED, that any 2 of the following named officers or employees of this corporation be and they hereby are authorized for and on behalf and in the name of this corporation to execute and deliver to EFS on application for a Corporate Charge Card Account pursuant to which this corporation shall become obligated to repay to EFS the full amount of any credit extended to, or for the benefit of any person presenting a charge card bearing this corporation's name and account number, together with EFS's current applicable service charges therefore.

Purcell Powless
Amelia Cornelius

Richard Hill
Kathy Hughes

FURTHER RESOLVED, that any 2 of the foregoing named officers and employees of this corporation be and they hereby are authorized for and on behalf and in the name of this corporation to authorize EFS to issue charge cards bearing the name and account number of the corporation (including themselves) designated by them in writing to EFS from time to time.

FURTHER RESOLVED, that these Resolutions shall remain in full force and effect until subsequent Resolutions of this corporation superceding them have been duly certified and delivered to EFS.

I hereby certify that I am the duly elected, qualified and acting Oneida Tribal Secretary and the custodian of the records and corporate seal of The Oneida Tribe of Indians of WI a corporation organized and existing and in good standing under the laws of the State of N/A; that the foregoing is a true and correct copy of resolutions duly adopted by the Board of Directors of the corporation, in accordance with law and the by-laws of the corporation, and that such Resolutions are now in full force and effect without modification, and are duly recorded in the minute book of the corporation.

In Witness Whereof, I have affixed my name in my official capacity as L. Gordon Mc Lester, Secretary and have caused the corporate seal of the Tribe to be hereunto affixed this 7th day of August, 1987.

David King moved to approve the Resolution, Tony Benson seconded. Motion carried. Tony Benson recommended that a policy be developed for the use of the credit card.

ONEIDA TRIBE OF INDIANS OF WISCONSIN
SPECIAL MEETING - SEPTEMBER 28, 1987
Page 2

BRAINSTORMING VARIETY OF IDEAS

12 & 13: Lobbyist Training & Voter Encouragement

Sharon Metz is willing to train tribal members
Prison farm problems - Tribe should consider operating the farm with the option to purchase if they should decide to sell the property.
Lobbyists should be in Madison at least two (2) days a week
Training - 2 intensive days
Provide feast or meal adjacent to voting place.

17. Tribal Plan

Feasibility study one on travel of Business Committee members and other tribal employees. Maybe a savings in per diem, mileage, lodging, etc.
Study would be done by an University student.
Could be looked at as a tribal business
Possible to employ a tribal member

1. Community Neighborhood Education

Send flyers to community through newspaper boxes
Work with journalism student to develop this under approval of Business Committee

2. Charity SWAT Teams

Ask for volunteers to serve and work when there are special needs to be addressed, i.e. Home burned down, corn needs to be picked, etc.

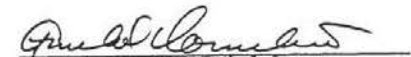
16 & 18: Current History Update, Oneida History/Public Schools

- Develop a pageant on Oneida History
- Development of current history
- Collecting manuscripts
- The Oneida Tribe should offer speakers on the Oneida Tribe to local schools on Oneida History, culture, etc.

Letterhead

Redesign a universal letterhead for Tribal Stationary

Follow up to Brainstorming Session. Next meeting - Monday Mornings or Friday afternoons.


Amelia Cornelius, Tribal Secretary
Oneida Business Committee

ONEIDA TRIBE OF INDIANS OF WISCONSIN
REGULAR MEETING - MAY 20, 1988
Page 3

- Request by Miss Oneida Committee

Miss Oneida is requesting Permission to Use Oneida Seal on T-Shirt & Miss Oneida Shawls. Kathy Hughes moved to approve request to use the seal or similar symbols. Ernie Stevens seconded. Motion carried.

- Bruce King Consultant Agreement - Discussion

Kathy Hughes moved to approve with addition of 2.b #5 "Banking/Financial Institutions." David King seconded. Amelia Cornelius abstained. Motion carried.

Request by Anna John

Request to pay 3% interest to Standing Stone shareholders. Loretta Metoxen moved to approve the request with 5% interest annualized. David King seconded.

Discussion followed. David King withdrew his second. 3 members for (Loretta Metoxen, Larry Barton, Lloyd Powless) 1 opposed (Amelia Cornelius) 3 abstained (Kathy Hughes, Ernie Stevens, David King) Motion carried.

Loretta Metoxen moved to refer the request to Finance and Appropriations. Lloyd Powless seconded. Motion carried.

- Childrens Hospital of Milwaukee Fundraising Telethon

Discussion. Restrict funds as a Memorial to Little Bear from the Oneida Tribe. Kathy Hughes moved to support by: 1) Canvas of tribal employees on June 1, 1988; 2) Raffle at Bingo on June 3 by former Miss Oneidas; 3) Special game at Bingo, and 4) Funds from a Special Top-of-the-Hill Bingo. Loretta Metoxen seconded. Motion carried.

Kathy Hughes moved to refer \$1,500 request to the Community Support Committee. Amelia Cornelius seconded. Motion carried.

- West DePere Parents Request

Request permission to hang picture from students around Norbert Hill Center during the month of June. Loretta Metoxen moved to approve, Ernie Stevens seconded. Motion carried.

- Lummi Tribe of Washington Request

Request letter of support on Fishing Regulations Bill HR-2792.

Kathy Hughes moved to have the Secretary send a letter of support. Loretta Metoxen seconded. Motion carried.

ONEIDA TRIBE OF INDIANS OF WISCONSIN
SPECIAL MEETING - MAY 16, 1989
Page 2

RESOLUTION #5-16-89-A (Continued)

"Resolved, that each of the officers designated herein is fully authorized on behalf of the Oneida Tribe to give oral or written instructions by telephone, telegraph, or otherwise, to the Brokers with respect to such transactions and at all times to have complete authority in every way to bind and obligate the Oneida Tribe for the carrying out of any contract, agreement or transaction which shall be entered into by any such officer and/or agent for and on behalf of the Oneida Tribe with or of the Oneida Tribe such sums as may be necessary in connection with any of the said accounts; to deliver securities to, and deposit funds with, the Brokers; to order the transfer of record of any securities to any name selected by any of the said officers or agents; to affix the tribal seal to any documents or agreements, pass title thereto; to direct the sale or exercise of any rights with respect to any securities; to sign for the Oneida Tribe all releases, powers of attorney and/or other documents in connection with any such account, and to agree to any terms or conditions to control any such account; to direct the Brokers to surrender any securities to the proper agent or party for the purpose of effecting any exchange or conversion, or for the purposes of deposit with any protective or similar committee, or otherwise; to accept delivery of any securities; to appoint any other person or persons to do any and all things which any of the said officers and/or agents is hereby empowered to do, and generally to do and take all action necessary in connection with the account, or considered desirable by such officer and/or agent with respect thereto.

Resolved, that the establishment and maintenance by this Oneida Tribe of one or more accounts with the Broker prior to the date as of which these resolutions are effective, and all transactions consummated and actions taken with respect to transactions of the type described above are hereby ratified and confirmed in all respects.

"Resolved, that the Broker may deal with any and all of the persons holding the above stated offices as though they were dealing with this Oneida Tribe directly.

"Resolved, that no limitations are imposed upon the above authorities except as follows:

1. As authorized by the Investment Committee, and
2. Pursuant to the provisions of the Oneida Tribal Constitution

"Resolved, that the Secretary of this Oneida Tribe be, and hereby is, directed to certify and deliver under seal of the Oneida Tribe to the Broker:

- (a) a true copy of these resolutions;
- (b) specimen signatures of each and every person by the resolutions empowered; and
- (c) a certificate that the Oneida Tribe is duly organized and validly existing, that its Charter and By-Laws authorize it to transact the business by these resolutions defined, and no limitation has otherwise imposed upon such authority.

"Resolved, that the Broker may conclusively rely upon any certification given in accordance with these resolutions, until the Broker receives written notice of a change in any of the information recited therein.

ONEIDA TRIBE OF INDIANS OF WISCONSIN
 JULY 9, 1990 - REGULAR MEETING
 Page 8

F. Mastercard Account for Public Transit - Kathy Hughes

Lloyd Powless moved to allow the use of the Mastercard by the public transit system, David King seconded. Motion carried.

G. Gaming Compact Negotiating Committee - Kathy Hughes

Lloyd Powless moved to approve the Committee with Rick Hill being an adhoc member and adding all the gaming commission members, motion dies for lack of a second.

Ernie Stevens moved to table pending consultation with the Gaming Commission on July 11, 1990, Larry Barton seconded. Motion carried. Three members for (Loretta, Ernie, Larry) 2 opposed (Kathy, Lloyd), 2 abstained (Amelia, David)

H. Health Board Vacancy - Judi Skenandore

Kathy Hughes moved to post for the Health Board Vacancy, Loretta Metoxen seconded. Motion carried.

I. Gaming Commission - Amelia Cornelius

Amelia Cornelius moved to defer issue until the July 11, 1990 meeting, Kathy Hughes seconded. Motion carried.

J. Request for donations from the Parents Group of Children with Cancer Fund Raiser

Loretta Metoxen moved to approve Four Bingo passes, Kathy Hughes seconded. Motion carried.

K. Request from Cornell University

Request to copy Tribal Seal, Loretta Metoxen moved to approve use of the Seal along with the explanation of the Seal and that the date of 1822 is when some of the Oneidas purchased land in Wisconsin, Larry Barton seconded. Motion carried.

L. American Indian Heritage Foundation Request for Support

Kathy Hughes moved to table, Ernie Stevens seconded. Motion carried.

M. Earth First Foundation Request for Support

Rick Hill referred to Larry Barton to research.

3. CONTRACTS/AGREEMENTS

A. Sale of State Lottery Instant Tickets Contract - Carol Silva

Amelia Cornelius moved to table until the July 11, 1990 meeting, Ernie Stevens seconded. Motion carried.



Cornell University

American Indian Program
 300 Caldwell Hall Ithaca, New York 14853
 Telephone: 607 255-6587

June 6, 1990

Amelia Cornelius, Tribal Secretary
 Oneida Tribe of Indians of Wisconsin
 PO Box 365
 Oneida, WI 54155

Dear Amelia,

The American Indian Program at Cornell University has developed a series of curriculum materials for grades 7 -11. This series contains six booklets, one on each of the Six Nations, and a teachers' guide.

I am requesting one time only permission to reprint the following:

The 1822 Seal "Sovereign Nation of the Oneida" from the Oneida Nation stationery which appears in the May 12, 1989 issue of Kalihwisaks, pg. 2. (copy enclosed)

If possible, it would reprint best directly from a piece stationery. Thank you for your time and consideration.

Sincerely,

Carol Cornelius

Carol Cornelius
 Research Assistant

BUSINESS COMMITTEE MEETING
AUGUST 1, 1991 REGULAR MTG
Page 7

- D) Renewal Premium on Public Officials Liability Insurance Policy
Bette Gould

Amelia Cornelius moved for retroactive approval to renew premium of Public officials liability insurance, seconded by Shirley Hill, unanimously.

- E) Gaming Accounting - Gaming Facility - Arvin Prebelski

Motion by Mark N. Powless to notify Dale Wheelock of recommended action, seconded by Russell Metoxen, motion carried unanimously.

Julie Barton requested General Manager to coordinate meeting with Dale Wheelock on the accounting issue, seconded by Shirley Hill, motion carried unanimously.

- F) Request for Executive Meeting - Randy Jourdan

Shirley Hill moved to approve request and to defer setting a date as requested by Randy Jourdan to Monday's briefing schedule, seconded by Amelia Cornelius, motion carried unanimously

- G) Information: Executive Privilege Three (3) passes for the Peter and Sadie Danforth Memorial.

- H) Request for reduced passes for the Tri-State Housing Authorities Meeting (30 passes) - Arlyce Paulson

Mark N. Powless made motion to approve 30 - \$10 passes for the Tri State Housing Authority meeting, seconded by Amelia Cornelius, motion carried.

- I) Request from Mississippi Bank of Choctaw Indians

Mark Powless moved to table until Lloyd Powless returns from Washington seconded by Debbie Doxtator, motion carried unanimously.

- J) Request for Use of Tribal Logo

Julie Barton moved to allow use of Tribal Seal for specific purposes only, seconded by Mark Powless. Would like copy of items produced.

Julie Barton moved to withdraw motion to research copywrite of tribal seal and logo, - second agree's.

Debbie Doxtator moved to have Julie Barton follow up on request to use tribal logo, seconded by Loretta Metoxen, motion carried. Julie Barton abstained.

- K) Election Board Final Report of July 22 1991

Shirley Hill moved to accept report seconded by Russell Metoxen motion carried unanimously.

Amelia Cornelius will advertise for membership on Election Ordinance Committee and to include recommendations of past committees and hearings for the use of the committee, seconded by Shirley Hill, motion carried unanimously.

Business Committee Meeting
FEBRUARY 3, 1993 - Regular
Page 5

- H. Private Sector Initiative - Artley Skenandore

Loan Program - Credit contingent upon other funding. Requirement - enrolled tribal members and commitment of personal finances.

Motion by Amelia Cornelius to approve Private Sector Initiative plan and the transfer of UDAG funds of \$250,000.00, seconded by Deborah Doxtator, motion carried unanimously.

- I. Request from W. Buck Martin/Approval Needed - Artley Skenandore

Motion by Loretta Metoxen to give approval for intern program, seconded by Shirley Hill, motion carried unanimously.

- J. Requests from Chas F. Wheelock

1. Tribal Air Space - Chas to provide more information.
2. Official clarification on Tribal name, symbols, stationery and business cards

Official Name: Oneida Tribe of Indians of Wisconsin per tribal constitution
Tribal Symbol
Tribal Stationary/Business Cards

Motion by Deborah Doxtator that the Communication Department develop letterhead with Oneida Nation in it and to develop similar letterhead and business cards, and signage is to come back for approval in one month (March 10, 1993), seconded by Loretta Metoxen, motion carried unanimously.

Chairman assigns Amelia Cornelius to work with the Communication Department.

3. Policies and Procedures to create sub structures

Referred to reorganization structure retreat.

4. Tribal position on International Indigineous people

Referred to Loretta Metoxen.

5. Elected Appeals Commission members

6. Policies & Procedures on recycled paper

Previous request to Environmental Department.

Motion by Deborah Doxtator that Artley Skenandore and Deanna Bauman check into using recycled paper and the feasibility of its use and possibility of end use at the farm, seconded by Loretta Metoxen, motion carried unanimously.

Motion by Julie Barton that Environmental LOC develop an ordinance on reducing usage of paper in the Tribe, seconded by Deborah Doxtator, motion carried unanimously.

Business Committee Meeting
FEBRUARY 10, 1993 - REGULAR
Page 8

C. Deborah Doxtator (February 24 - March 2, 1993)
Motion by Shirley Hill to approve, seconded by Russell Metoxen, motion carried unanimously.

VIII. OTHER

ADDITIONS:

1. Madison Lobbying - Editorial Board Meetings-PR -- Deborah Doxtator

WEDNESDAY, February 10, 1993 -- Julie Barton/Trish Farmer
TUESDAY, February 16, 1993 -- Amelia Cornelius/Shirley Hill
WEDNESDAY, February 17, 1993 -- Russell Metoxen/Lloyd Powless
THURSDAY, February 18, 1993 - Loretta Metoxen/Patti Hoert

Motion by Lloyd Powless to approve, seconded by Russell Metoxen, motion carried unanimously.

MONDAY, February 15, 1993 - Milwaukee Sentinel Interview

Motion by Amelia Cornelius to approve Chairman or Vice Chairman to attend, seconded by Russell Metoxen, motion carried unanimously.

2. Space Recommendations - Deanna Bauman and Artley Skenandore

Motion by Amelia Cornelius to authorize HRD and Appeals Commission moving to the building at 2630 W. Mason, seconded by Shirley Hill, motion carried unanimously.

Motion by Amelia Cornelius to approve request no. 2 "Negotiations between State Farm Insurance Co. and the Oneida Tribe should begin as soon as possible to reach an equitable termination to the State Farm lease so that this space can be sued by the Oneida Appeals Commission" & No. 3 "Liberty Mutual Insurance Company should be allowed to remain at 2630 W. Mason St for the full term of their lease which ends in July of 1994. At that time, a re-evaluation of the situation should take place as to whether or not the Liberty Mutual Lease should be negotiated or terminated permanently.", seconded by Shirley Hill, motion carried unanimously.

Motion by Amelia Cornelius to have Facilities Management Sub-Committee re-analyze the space needs at the 2630 W. Mason building and make recommendations for its use, seconded by Shirley Hill, motion carried unanimously.

Motion by Amelia Cornelius to refer negotiations of State Farm lease to the Attorney meeting, seconded by Shirley Hill, motion carried unanimously.

3. Tribal Logo - Amelia Cornelius: Requesting that all orders for stationary, envelopes, business cards and related items that would use the tribal seal/logo be halted until a presentation package is completed and approved by the Business Committee. This package presentation would take about four weeks to complete.

Motion by Shirley Hill to approve recommendation, seconded by Lloyd Powless, motion carried, Amelia Cornelius abstained.

4. Resolution and Request from Oneida Tribal School (Two requests)

Business Committee Meeting
NOVEMBER 17, 1993 -REGULAR
Page 8

B. Recommendation on Oneida Tribal Logo - Art Skenandore

MOTION BY SHIRLEY HILL TO REJECT THIS LOGO AND HAVE A SPECIAL MEETING WITH CRYSTAL TO DISCUSS THIS MATTER AT THE NOVEMBER 22, 1993 UPDATE BETWEEN THE BUSINESS COMMITTEE AND COMMUNICATIONS DEPARTMENT TO IMPLEMENT A LOGO BY JANUARY 1, 1994, SECONDED BY SANDRA NINHAM, MOTION CARRIED UNANIMOUSLY.

C. ORTEK Board Appointments - Deborah Doxtator

MOTION BY KATHY HUGHES TO APPROVE THE APPOINTMENT OF DALE WHEELOCK AND TERRY POULIQUEN FOR THE VACANT BOARD POSITIONS, SECONDED BY SANDRA NINHAM, MOTION CARRIED UNANIMOUSLY.

D. Ad HOC Appointment to Oneida Airport Business Development Corporation - Deborah Doxtator

MOTION BY SHIRLEY HILL TO APPROVE THE APPOINTMENT OF RUSSELL METOXEN AS THE AD HOC LIAISON BETWEEN THE ONEIDA AIRPORT BUSINESS DEVELOPMENT CORPORATION AND THE ONEIDA BUSINESS COMMITTEE, SECONDED BY KATHY HUGHES, MOTION CARRIED, RUSSELL METOXEN ABSTAINED.

E. Letters of Support for Amendment to Crime Legislation Bill - Deborah Doxtator

MOTION BY ERNIE STEVENS, JR. TO APPROVE LETTERS OF SUPPORT, SECONDED BY SANDRA NINHAM, MOTION CARRIED UNANIMOUSLY.

F. Area Police Department Treatment of Oneidas - Lloyd Powless

Request review-investigation into incidents.

Discussion: - Meet with Brown County Citizens Board Advisory Commission and do a presentation
- If all attempts fail, could have a press release
- Discuss issues at meeting with Green Bay Police Department heads
- Education for the Green Bay Police Department on minority/Indian sensitivity
- Local units of Governments Training improvement
- Recruit Schools needs to deal with these issues also

Recommend tribal assessment of the problems.

MOTION BY SHIRLEY HILL TO HAVE A MEETING WITH CITY OF GREEN BAY POLICE CHIEF BOB LANGAN, ONEIDA POLICE DEPARTMENT CHIEF JIM DANFORTH, GREG POWLESS, MAYOR SAM HALLOIN, LLOYD POWLESS, CHAS WHEELOCK, ERNIE STEVENS AND ENTIRE BUSINESS COMMITTEE, SECONDED BY ERNIE STEVENS, JR., MOTION CARRIED UNANIMOUSLY.

Lloyd Powless recommends that budget cuts Ashwaubenon and Green Bay Police Departments. Suggest that Tribe fill these positions with tribal members and fund, put this topic on the agenda for discussion with the Green Bay Police Department and Business Committee meeting.

G. Request on the Private Sector Initiative Revenue Reconciliation Act of 1993 - Daniel D. Hawk

Oneida Tribe of Indians of Wisconsin

Administrative Offices
Post Office Box 365
Oneida, WI 54155
(414) 869-1260

MEMORANDUM

TO: Oneida Business Committee
FROM: Art Skenandore, General Manager
DATE: November 12, 1993
RE: Tribal Logo

This is a request to be placed on the Business Committee Meeting agenda on Wednesday, November 17, 1993.

Attached for your consideration is the Oneida Tribal Logo recommendation, along with that, we need to determine what wording will be placed on the logo.

Thank you for your consideration.

ATTACHMENT

AMS/ads



ONEIDA TRIBE OF INDIANS OF WISCONSIN

SOVEREIGN ONEIDA NATION OF WISCONSIN

Business Committee Meeting
 NOVEMBER 24, 1993 - REGULAR
 Page 3

3. Approval for creation of two positions of Special Education Teacher Assistants for the Head Start Program

MOTION BY KATHY HUGHES TO APPROVE THE CREATION OF TWO POSITIONS OF SPECIAL EDUCATION TEACHER ASSISTANTS FOR THE HEAD START PROGRAM, SECONDED BY GARY JORDAN, MOTION CARRIED UNANIMOUSLY.

4. Approval for creation of two positions of before/after School Child Care Program

MOTION BY GARY JORDAN TO APPROVE THE CREATION OF TWO POSITIONS OF BEFORE/AFTER SCHOOL CHILD CARE PROGRAM, SECONDED BY KATHY HUGHES, MOTION CARRIED UNANIMOUSLY

Discussion on wages that are being considered for child care positions in comparison to the child care responsibilities, if wage rates are raised then you need to raise the qualifications. When one job descriptions changes, it changes all the job descriptions.

Shirley Hill approves the job descriptions and meet the wage raise.

5. Approval for creation of positions of Self Governance Coordinator in the Grants Department

MOTION BY SHIRLEY HILL TO APPROVE THE CREATION OF POSITIONS OF SELF GOVERNANCE COORDINATOR IN THE GRANTS DEPARTMENT, SECONDED BY ERNIE STEVENS, JR., MOTION CARRIED, LORETTA METOXEN ABSTAINED.

6. Approval for procedural exception for Accountant/Programs in the Accounting Department (Oneida)

MOTION BY SHIRLEY HILL TO APPROVE THE PROCEDURAL EXCEPTION FOR ACCOUNTANT/PROGRAMS IN THE ACCOUNTING DEPARTMENT, SECONDED BY RUSSELL METOXEN, MOTION CARRIED UNANIMOUSLY.

7. Approval for procedural exception for Secretary at the Oneida Health Center (Native American)

MOTION BY SANDRA NINHAM TO APPROVE THE PROCEDURAL EXCEPTION FOR SECRETARY AT THE ONEIDA HEALTH CENTER, SECONDED BY KATHY HUGHES, MOTION CARRIED UNANIMOUSLY.

- B) Hiring Information: FOR INFORMATION ONLY. .
 C) Transfers/Promotions/Reassignments

TRIBAL LOGO

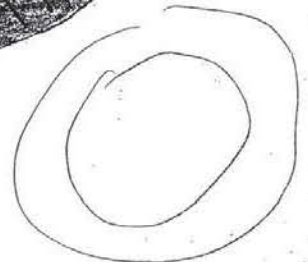
MOTION BY KATHY HUGHES TO TAKE THE TRIBAL LOGO ISSUE FROM THE TABLE, SECONDED BY RUSSELL METOXEN, MOTION CARRIED UNANIMOUSLY.

Discussion - Use of Sovereignty and where to put on the logo, to add "of" to Wisconsin. Recommend that a colored and a black and white draft be brought back to Business Committee.

MOTION BY ERNIE STEVENS, JR. TO APPROVE DRAFT, SECONDED BY SHIRLEY HILL, MOTION CARRIED UNANIMOUSLY.



add
of





Business Committee Meeting
 JANUARY 5, 1994 - REGULAR
 Page 7

Issue 10: The allocation of Head Start supplemental training and technical assistance funds to Indian grantees are insufficient for most grantees to address the training needs of staff, parents and volunteers, particularly the mandated qualifications for teaching staff;

Issue 11: The expansion of Head Start services is essential for meeting the needs of preschool Indian children residing within the jurisdiction of tribal governments throughout the nation.

MOTION BY LORETTA METOXEN TO ADD TO AGENDA AND ADOPT RESOLUTION 1-05-94-A, SECONDED BY ERNIE STEVENS, JR., MOTION CARRIED UNANIMOUSLY.

4. CONTRACTS/AGREEMENTS
 1. FOR INFORMATION: Kim Dumas
 2. FOR APPROVAL: UW-OSHKOSH

MOTION BY LORETTA METOXEN TO APPROVE, SECONDED BY GARY JORDAN, MOTION CARRIED UNANIMOUSLY.

5. TRAVEL REQUESTS
 1. Art Skenandore: La Guardia, NY (January 23-25, 1994) Financing Options

MOTION BY ERNIE STEVENS, JR. TO DEFER TO THE JANUARY 12, 1994 MEETING, SECONDED BY GARY JORDAN, MOTION CARRIED UNANIMOUSLY.

6. VACATION REQUESTS

SOMMERVILLE CONTRACT - ERNIE STEVENS, SR.

MOTION BY SHIRLEY HILL TO DEFER TO JANUARY 19, 1994 MEETING, SECONDED BY KATHY HUGHES, MOTION CARRIED, ERNIE STEVENS JR., ABSTAINED.

TRIBAL LOGO - Crystal Holtz

MOTION BY KATHY HUGHES TO REMOVE FROM TABLE, SECONDED BY SHIRLEY HILL, MOTION CARRIED, LORETTA METOXEN OPPOSED.

MOTION BY JULIE BARTON TO APPROVE AS PRESENTED, SECONDED BY SHIRLEY HILL, MOTION CARRIED UNANIMOUSLY.

VIII. OTHER



Business Committee Meeting
 MARCH 23, 1994 - REGULAR
 Page 4

VETS REQUEST: TED CHRISTJOHN AND JAN MALCOLM

The Vets are requesting that they be allowed to use the old Logo on their Jackets. They were told by Judy Lemke in Promotions that they needed to use the new logo, and if they wanted to use the old one they would then need to get permission from the Business Committee.

Jan Malcolm advised that there is a lot of history behind the symbols in the old logo. The history on the old logo is being taught in the Tribal School to the children.

Anna John stated that a lot of the Community people do not care for the new logo, wanted to know if the changing of the logo went through the General Tribal Council,

Lengthy discussion on the whole logo issue

Kathy Hughes advised that the new logo is for official tribal correspondence, the Vets as an official organization of the Tribe can use any logo they want.

9:30 a.m. ERNIE STEVENS, JR. ARRIVES.

MOTION BY SANDRA NINHAM TO PRESENT THE LOGO ISSUE TO THE GENERAL TRIBAL COUNCIL AND TO HAVE COMMUNITY MEETINGS PRIOR TO PRESENTATION TO GENERAL TRIBAL COUNCIL, SECONDED BY ERNIE STEVENS, JR., MOTION CARRIED UNANIMOUSLY.

MOTION BY GARY JORDAN TO ALLOW THE VETERANS TO UTILIZE THE OLD LOGO ON THEIR JACKETS, SECONDED BY KATHY HUGHES, MOTION CARRIED UNANIMOUSLY.

MOTION BY JULIE BARTON TO HAVE SANDRA NINHAM DEVELOP THE PRESENTATION ON THE LOGO ISSUE FOR THE GENERAL TRIBAL COUNCIL, SECONDED BY ERNIE STEVENS, JR., MOTION CARRIED UNANIMOUSLY.

ERNIE STEVENS, JR. SUGGESTED THAT TED CHRISTJOHN AND JAN MALCOLM WORK WITH SANDRA NINHAM ON THIS PROJECT.

SANDRA NINHAM STATED THAT SHE WILL ALSO HAVE A REPRESENTATIVE FROM THE ELDERS AND A YOUNGER PERSON AND THE VETERANS SERVICE OFFICER, GARY METOXEN TO ASSIST ON THIS TASK FORCE.

MOTION BY KATHY HUGHES TO PUT USE OF THE NEW LOGO ON HOLD UNTIL APPROVED BY THE GENERAL TRIBAL COUNCIL, ITEMS THAT ARE IN STOCK ALREADY CAN BE USED IN THE DURATION, SPECIAL REQUESTS FOR USE OF LOGO ARE TO COME BEFORE THE BUSINESS COMMITTEE, SECONDED BY SANDRA NINHAM, MOTION CARRIED UNANIMOUSLY.

3. TRAVEL REPORTS

- A. Rick Hill: February 3, 1994 to Baraboo, WI
- B. Rick Hill: February 15-17, 1994 to Washington, DC

MOTION BY KATHY HUGHES TO APPROVE BOTH TRAVEL REPORTS FROM RICK HILL, SECONDED BY GARY JORDAN, MOTION CARRIED UNANIMOUSLY.

Business Committee Meeting
MARCH 30, 1994 - REGULAR
Page 7

- D. Request regarding Liaison to the Oneida Housing Authority Board
- Deborah Doxtator

MOTION BY SHIRLEY HILL TO REQUEST THAT THE TRIBAL SECRETARY SEND THE NEWLY ADOPTED LIAISON DUTIES AND RESPONSIBILITIES TO THE ONEIDA HOUSING AUTHORITY AND THAT THE ONEIDA BUSINESS COMMITTEE AND THE ONEIDA HOUSING AUTHORITY IS TO FOLLOW THESE DUTIES AND RESPONSIBILITIES AS OUTLINED, SECONDED BY GARY JORDAN, MOTION CARRIED UNANIMOUSLY.

MOTION BY GARY JORDAN TO FORMALLY DESIGNATE ERNIE STEVENS, JR. AS THE VOLUNTEER LIAISON TO THE ONEIDA HOUSING AUTHORITY, SECONDED BY SANDRA NINHAM,

MOTION BY SHIRLEY HILL TO TABLE THIS REQUEST UNTIL THEY DISCUSS AT CAUCUS, SECONDED BY RUSSELL METOYEN (FOR: RUSSELL METOYEN, SHIRLEY HILL, JULIE BARTON, OPPOSED: ERNIE STEVENS, JR. ABSTAINED: GARY JORDAN, SANDRA NINHAM) MOTION CARRIED.

- E. Proposed GTC Dates - Julie Barton

RECOMMEND DATES:
GAMING EMPLOYEE CONCERNS
SATURDAY, APRIL 30, 1994
10:00 A.M. - NHC AUDITORIUM

REORGANIZATION/REVITALIZATION AND TRIBAL LOGO ISSUE
SATURDAY MAY, 14, 1994
10:00 A.M. - NHC AUDITORIUM

ENVIRONMENTAL ISSUES (LANDFILLS ON RESERVATION, SLUDGE PONDS, CLEAN WATER, LEAKING UNDERGROUND STORAGE TANKS)
APRIL 11, 1994
6:00 P.M. NHC AUDITORIUM

MOTION BY GARY JORDAN TO APPROVE THE PROPOSED GENERAL TRIBAL COUNCIL DATES, SECONDED BY JULIE BARTON, MOTION CARRIED UNANIMOUSLY.

FOR THE RECORD: GARY JORDAN WILL NOT BE ABLE TO ATTEND THE MAY 14TH GTC MEETING. THERE IS A WEDDING IN THE FAMILY.

- F RETRO Approval for the Annual Wisconsin Indian Education Association Conference Award - Ernie Stevens, Jr.

MOTION BY JULIE BARTON TO APPROVE THE ANNUAL WISCONSIN INDIAN EDUCATION ASSOCIATION CONFERENCE AWARD NOMINEES, SECONDED BY GARY JORDAN, MOTION CARRIED UNANIMOUSLY.

- G. Recommendations Regarding Oneida Indian Services of Southeast Wisconsin - Shirley Hill

MOVED TO EXECUTIVE SESSION.

- H. Request from Oneida Land Claims Department

WILL BE CONSIDERED AT A LATER TIME.

ONEIDA TRIBE OF INDIANS OF WISCONSIN
SPECIAL GTC MEETING - MAY 16, 1994
Page 2

IV TRIBAL LOGO

A. Loretta Metoxen (History/Background on past Logo)

- Loretta Metoxen gave a presentation on the past history of the Tribal Logo
- April 8, 1937 minutes, that a stalk of corn be used as background on the logo/seal, however this would cost \$13.50
 - April 30, 1937 the GTC approved a wheat design as logo/seal, as this would only cost \$4.75
 - View of logo from the late 1970's and an update of logo for 1980 which included logo now used.
 - Explanation of what each symbol represented on the tribal logo
 - Wampum belt represents the six nations unity
 - Arrows represent the six nations of the Iroquois Confederacy
 - War Club represents the peace
 - Tree of Peace - represents peace among the six nations
 - 1822 is the date the Oneida's first moved to this area and signed the treaty with the Menominees
 - The Bear, Turtle and Wolf represent the three clans of the Oneida Nation
 - The Eagle is the strongest and largest of all birds, he watches over the Oneida Nation and warns of danger, he also carried messages to and from the Creator.
 - The Circle represents the Circle of Life

Letterhead of 1972 - Unknown date of development, possibly Norbert Hill Sr. and Irene Moore designed and accepted by Business Committee.

1980 Tribal attorneys recommended that the "Incorporated" be deleted and that the tribal seal be added to tribal Letterhead.

The six arrows symbol is used to represent strength in unity by the Six Nations. The U.S. Government, has 13 arrows tied together to represent the unity of the original 13 colonies is represented on the back of the dollar bill.

B. Sandra Ninham (Background on Present Logo)

- The Business Committee approved the new logo in early 1994.
- Original of new design was drafted by student Lee Cornelius
- A committee was assigned to review various designs

The seal represents us as a Nation and needs General Tribal Council approval.

Shirley Hill stated that if the seal is to be Oneida specific, then the arrows, the wampum belt do not belong on the seal, we should have the longhouse and the upright stone.

Jan Malcolm described unification. Symbolism represented and tells story of Oneida and referenced historical significance. The seal is great as it is, General Tribal Council has serious task in making this decision.

Judy Cornelius supports and states that this is used in teaching the children.

Mary Dodge feels that "Of WI" is not necessary, we are a sovereign nation, all three communities.

ONEIDA TRIBE OF INDIANS OF WISCONSIN
SPECIAL GTC MEETING - MAY 16, 1994
Page 3

Lois Powless likes the old logo, she recommended clarifying the animals and leave in the 1822, and leave in the "of Wisconsin".

MOTION BY MADELYN GENSKOW TO ADOPT THE PRESENT TRIBAL LOGO (WHICH IS LOGO #1 ON THE LEFT SIDE OF THE COVER SHEET THAT WAS MAILED OUT TO MEMBERSHIP), SECONDED BY BERNIE CORNELIUS

DISCUSSION:

Ernie Stevens, Jr. - compromises to the present logo, opposes motion as logo was previously designed by a non-Oneida, add clarity to the design and keep the value of the depictions.

Maxine Thomas - Opposes motion as Oneida artwork should be represented by an Oneida and recommends we use ON-YOTE-AKA.

Delora Cornelius - We would represent ourselves. Oneida artwork should be recognized on the new design.

MOTION BY ART SKENANDORE TO AMEND THE MOTION TO INCLUDE THE STANDING STONE, THE DATE OF 1822, THE LONG HOUSE IN THE SHELL AND THE NAME CHANGE OF ONEIDA TO ON-YOTE-AKA, SECONDED BY BARBARA J. SCHUMAN, MOTION CARRIED.

Stan Webster - The Logo is identified with the people, symbols represent the tribe and what it means to the people. Present logo doesn't represent this, we need our own name ON-YOTE-AKA which says we are The People. Whatever we adopt should be used for the official seal, and the seal should be used on all official documents. Flag at the ORCOA building has the stone on it and the meaning of the people ON-YOTE-AKA what holds us together, family, spirituality, etc. Nothing we have now depicts the stone. The Longhouse should also be represented.

Bernie Cornelius questioned the number of amendments that can occur on one motion.

Parliamentarian stated that any amount of amendments can occur on motions.

MOTION BY BERNIE CORNELIUS TO AMEND THE MOTION TO BRING VARIOUS DESIGNS BACK TO THE JULY 1994 GENERAL TRIBAL COUNCIL FOR APPROVAL AT THAT TIME, SECONDED BY JUDY CORNELIUS.

Ted Christjohn sought approval for logo to be used on Veterans jackets and was sent to the Business Committee for approval to use the old logo, he recommends using the old logo because it represents who we are.

Vicky Cornelius, likes logo #2, as it is clearer but doesn't agree with the Peace Pipe which is from the Western Tribes and the War Club should be buried under the tree.

Arlen Cornelius, the Longhouse needs to be in the background and recommends the name ON-YOTE-AKA be added.

Anna John stated that it is very significant that we are learning about symbols the Business Committee was challenged to take this logo issue to the General

ONEIDA TRIBE OF INDIANS OF WISCONSIN
SPECIAL GTC MEETING - MAY 16, 1994
Page 4
Tribal Council, and now the General Tribal Council is up to date on the logo.

Linda Dallas recommends that 1822 be written under the Wampum belt and move the peace pipe into the tree, the stone and the longhouse can go on either side of the bear or wolf, and the name ON-YOTE-AKA can go on top.

C. Action

CALL FOR THE QUESTION

2nd Amendment (BERNIE'S AMENDMENT) vote MOTION CARRIED, 0 OPPOSED 0 ABSTENTIONS
1st Amendment (Art Skenandore's amendment) vote MOTION CARRIED, 0 OPPOSED, 0 ABSTENTIONS

MAIN MOTION (motion by Madelyn Genskow) MOTION CARRIED, Barbara Schuman and Shirley Hill, Ernie Stevens, Jr. opposed, Kathy Hughes abstained.

V. NEW SCHOOL CONSTRUCTION

A. Status Report - Butch Rentmeester

Butch Rentmeester gave a presentation on the current status of the new tribal school.

The budget was not enough to cover the cost of the school at \$51.00 per square foot.

The school would cost around \$72.00 per square foot, which is 20,000 square feet larger than the Norbert Hill Center. The Norbert Hill Center is 140,000 square feet.

Bid package reviewed for schedule. Architect didn't come through with bid dates and proposed lower quality of materials not acceptable at this point. Life Cycle Cost Analysis, lesser quality and higher maintenance. \$72.00 per square foot is a fair price to add quality material with proper sprinkler system HVAC, etc. Review of architect budget estimates and the actual budget, the difference is \$4,423,018.00.

B. Budgetary Presentation - Bruce King

Barbara J. Schuman stated that the children are important to us and they are our future, we need a safe and top quality school for them. Asked Bruce King how much they needed and what the options were.

The Tribal School needs \$4,423,018.00

- Option 1. Recommend a short term note
- Option 2. Recommend long term exemption note

MOTION BY RAEANNE SKENANDORE TO APPROVE THE \$4,423,018.00 TO COMPLETE THE TRIBAL SCHOOL AND ACCEPT OPTION NUMBER ONE FOR FUNDING, SECONDED BY BARBARA J. SCHUMAN, MOTION CARRIED. Tom Oudenhoven opposed.

Tom Oudenhoven asked who is responsible for the cost overrun, the design changes and grade problems.

Butch Rentmeester stated that the Architect was responsible.



Oneidas bring-
ing several hun-
dred bags of
corn to Wash-
ington's starv-
ing army at Val-
ley Forge, after
the colonists had
consistently re-
fused to aid
them.

Oneida Tribe of Indians of Wisconsin, Inc.

DE PERE
ROUTE 4



WISCONSIN
54115



SAGOEWEW TASENE
Because of the help
of this Oneida Chief
in cementing a friend-
ship between the six
nations and the Colony
of Pennsylvania, a new
nation, the United
States was made pos-
sible.



Oneidas bring-
ing several hun-
dred bags of
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ing army at Val-
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Oneida Tribe of Indians of Wisconsin

Phone: 869-2771



Post Office Box 365
Oneida, WI 54155



SAGOEWEW TASENE
Because of the help
of this Oneida Chief
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sible.

114 of 130
Oneida Nation Tribal Logo Options



Proposed New Version



Present Tribal Logo and Seal

CARL J. ARTMAN
 CHIEF COUNSEL
 JAMES R. BRITTON
 DEPUTY CHIEF COUNSEL
 JENNIFER L. CARLETON
 SENIOR STAFF ATTORNEY

ONEIDA LAW OFFICE
 N7210 SEMINARY ROAD
 P.O. BOX 109
 ONEIDA, WISCONSIN 54155
 (920) 869-4327 FAX (920) 869-4065

CCT 6, 2004 Pk mtg.
Business ✓
 PEGGY A. SCHNEIDER
 NELSEN R. WAHLSTROM
 ANDREW J. PIATSKOWITZ
 JENNIFER S. BOLL
 REBECCA M. WEBSTER
CONFIDENTIAL

CONFIDENTIAL MEMORANDUM

TO: Carl Artman, Chief Counsel
 FROM: Jennifer L. Carleton, Senior Staff Attorney *JL / per se*
 DATE: September 28, 2004
 SUBJECT: **Oneida Tribe Logo/Seal**

The purpose of this memorandum is to identify a potential issue that has arisen from my research into the Oneida Tribe's logo/seal. Specifically, it does not appear that the logo/seal currently in use by the Oneida Tribe of Indians of Wisconsin was ever adopted by the General Tribal Council ("GTC").

In September of this year, you directed me to ask our intellectual property attorneys from Michael Best & Friedrich to draft a cease and desist letter. A vendor from the Milwaukee area, Native Clarity, was using promotional materials that contained the Oneida Tribe's logo/seal. Michael Best & Friedrich was directed to send Native Clarity a letter requesting that they immediately cease and desist all use of the Tribe's logo/seal in connection with their store.

As part of the drafting of this letter, Michael Best & Friedrich requested some historical information on the Tribe's logo/seal. The Oneida Records Department provided the attached packet of information related to the Tribe's logo/seal. It appears that the logo issue was to presented to the GTC on May 16, 1994. During this meeting, Loretta Metoxen provided a presentation on the "Present Tribal Logo and Seal" (i.e. the image with the eagle flying through the sun and the six arrows and war club buried beneath the pine tree). Then Sandra Ninham provided a presentation on the "Proposed New Version" (i.e. the image with the eagle's head forming the circle at the top, and Hiawatha's belt forming the circle at the bottom). The following motions were passed at the May 16, 1994, GTC meeting:

MOTION BY MADELYN GENSKOW TO ADOPT THE PRESENT TRIBAL LOGO (WHICH IS LOGO #1 ON THE LEFT SIDE OF THE COVER SHEET THAT WAS

CONFIDENTIAL

MAILED OUT TO MEMBERSHIP), SECONDED BY BERNIE CORNELIUS. Motion carried, Barbara Schuman and Shirley Hill, Ernie Stevens, Jr. opposed, Kathy Hughes abstained.

MOTION BY ART SKENANDORE TO AMEND THE MOTION TO INCLUDE THE STANDING STONE, THE DATE OF 1822, THE LONG HOUSE IN THE SHELL AND THE NAME CHANGE OF ONEIDA TO ON^YOTE-AKA, SECONDED BY BARBARA J. SCHUMAN, MOTION CARRIED. Motion carried.

MOTION BY BERNIE CORNELIUS TO AMEND THE MOTION TO BRING VARIOUS DESIGNS BACK TO THE JULY 1994 GENERAL TRIBAL COUNCIL FOR APPROVAL AT THAT TIME, SECONDED BY JUDY CORNELIUS. Motion carried.

According to the Oneida Records Department, this presentation at the July, 1994, GTC meeting never occurred. There are no further records of this issue at any GTC or BC meeting since 1994. As you are aware, the Oneida Tribe of Indians of Wisconsin currently uses the Proposed New Version of the logo (Logo #2 on the right side of the cover sheet that was mailed out to the membership). The use of this logo appears to contradict the directive of the GTC in May, 1994.

It should also be noted that the Tribe is not consistent in its logo/seal usage. The flag of the Oneida Tribe of Indians of Wisconsin still utilizes the image with the eagle flying through the sun and the six arrows and war club buried beneath the pine tree. The small blue binders that contain the Oneida Personnel Policies and Procedures also utilize this logo. Different departments have developed variations of Logo #2 - for example, Little Bear utilizes a logo with the entire body of an eagle in the circle and no wampum belt. Their logo also contains the words "Oneida Nation in Wisconsin" rather than "Sovereign Oneida Nation of Wisconsin". The logo contained on the Tribe's website ("www.oneidanation.org") features the same logo used by Little Bear, except there is a sunset behind the pine tree and it contains the words "Oneida Nation of Wisconsin" rather than "in Wisconsin". GLIS uses a logo that is identical to Logo #2, except there are no words.

It is recommended that the Oneida Business Committee review this issue to determine if official action is appropriate to adopt a Tribal logo/seal. It is further recommended that if a Tribal logo/seal is adopted, the Oneida Tribe register this logo/seal with the United State Patent and Trademark Office.

Please contact me if you have any questions regarding this memorandum.

UP IN ACCORDANCE WITH ADMINISTRATIVE PROCEDURES ACT (APA), SECONDED BY MERCIE DANFORTH. MOTION CARRIED UNANIMOUSLY.

2. **Oneida Seal**

MOTION BY BRIAN DOXTATOR TO DIRECT THE GENERAL MANAGER AND ATTORNEY ARTMAN TO PROVIDE A JOINT RECOMMENDATION FOLLOWUP AT THE OCTOBER 20, 2004 BUSINESS COMMITTEE MEETING, SECONDED BY TRISH KING. MOTION CARRIED UNANIMOUSLY.

3. Attorney Charlene Smith Contract

Excerpt from September 29, 2004: MOTION BY BRIAN DOXTATOR TO TABLE THE CHARLENE SMITH CONTRACT, SECONDED BY JULIE BARTON. MOTION CARRIED UNANIMOUSLY.

Response due October 6, 2004

Response Submitted

MOTION BY BRIAN DOXTATOR TO APPROVE THE CONTRACT FOR ATTORNEY CHARLENE SMITH, SECONDED BY TRISH KING. MOTION CARRIED UNANIMOUSLY.

E. LEGISLATIVE AFFAIRS UPDATE

1. Retro Approval for Congressman Frank Pallone, Jr. contribution

MOTION BY BRIAN DOXTATOR TO RETRO APPROVE THE \$2,000.00 CONTRIBUTION FOR CONGRESSMAN FRANK PALLONE, JR, SECONDED BY TRISH KING. MOTION CARRIED UNANIMOUSLY.

2. Retro Approval for contributions to Tom Cole, Phil Crane, Brad Carson and Gwen Moore.

MOTION BY BRIAN DOXTATOR TO RETRO APPROVE CONTRIBUTIONS TO STATE LEGISLATORS IN THE AMOUNTS OF \$2,000.00 TO TOM COLE, \$2,000.00 TO PHIL CRANE, \$1,000.00 TO BRAD CARSON AND \$2,000.00 GWEN MOORE, SECONDED BY CURTIS DANFORTH. MOTION CARRIED UNANIMOUSLY.

16. Executive Session

1. Tabled Business

Carl Artman RE: Casino Easement Extension

Excerpt from October 20, 2004: Motion by Brian Doxtator to table this item for two weeks with final recommendations by Chief Council, seconded by Trish King. Motion carried unanimously.

Excerpt from November 3, 17th and December 1, 2004: Remains on the table

Action: Motion by Mercie Danforth to remove from the table, seconded by Kathy Hughes. Motion carried unanimously.

Action: Motion by Brian Doxtator to accept as FYI and delete this item from the agenda, seconded by Trish King. Motion carried unanimously.

2. Old Business

1 Bill Gollnick/Carl Artman RE: Oneida Seal

Excerpt from October 6, 2004: Motion by Brian Doxtator to direct the General Manager and Attorney Artman to provide a joint recommendation followup at the October 20, 2004 Business Committee meeting, seconded by Trish King. Motion carried unanimously.

Excerpt from October 20, 2004: Deferred to the Business Committee Meeting of December 15, 2004.

Response due December 15, 2004

Action: Motion by Trish King to refer this item to the Joint General Managers meeting agenda and delete this from the agenda, seconded by Brian Doxtator. Motion carried unanimously.

3. New Business

1. Kathy Hughes RE: Oneida Enterprise Development Authority (OEDA) Update

Oneida Business Committee Draft Meeting Minutes of December 29, 2004
Page 8 of 11

4. For consideration RE: LOC Minutes May 2, 2005

5. For consideration RE: LOC Minutes of May 9, 2005

Action: Motion by Brian Doxtator to approve the May 2nd and May 9th LOC minutes, seconded by Mercie Danforth. Motion carried unanimously.

6. For consideration RE: Resolution Amending Statement of Effect Requirement for Resolutions

Action: Motion by Brian Doxtator to adopt resolution 6-01-05-C, amending the Statement of Effect requirements for resolutions and that it be forwarded to the General Managers, Chief Financial Officer and Chief Counsel for their files, seconded by Mercie Danforth. Motion carried unanimously.

7. For consideration RE: Forwarding to July Semi-Annual meeting: Resolution Adopting New Removal Law

Action: Motion by Brian Doxtator to approve forwarding the resolution adopting the New Removal Law, Statement of Effect and the Removal Law to the July semi-annual meeting, seconded by Trish King. Motion carried unanimously.

13. Treasurer's Report-None

14. Oneida Business Committee Planning

1. Business Planning Committee Meeting Minutes of May 10, 2005

Action: Motion by Mercie Danforth to approve the Business Committee Planning minutes of May 10, 2005, seconded by Brian Doxtator. Motion carried unanimously.

15. Joint General Managers Meeting

1. Joint General Managers Meeting minutes of May 5, 2005

Oneida Business Committee Meeting Minutes of June 1, 2005
Page 9 of 11

Action: Motion by Brian Doxtator to approve the Joint General Manager Meeting minutes of May 5, 2005 and that the meeting be re-titled to the Joint Executive Staff meeting which will include the Chief of Staff, Chief Financial Officer, Gaming General Manager and General Manager, with the requirement that they attend these meetings, seconded by Julie Barton. For: Paul Ninham, Trish King, Curtis Danforth. Mercie Danforth abstained. Motion carried.

16. Executive Session

1. Tabled Business-None

2. Old Business

1. Bruce King (Mercie Danforth, Sponsor) RE: Oneida Service Agreement

Excerpt from the Business Committee Meeting of May 4, 2005: Motion by Brian Doxtator to defer the Oneida Service Agreement for two weeks, seconded by Paul Ninham. Motion carried unanimously.

Response due May 18, 2005

Action: Motion by Brian Doxtator to table this item until the June 29th Business Committee meeting, seconded by Julie Barton. Motion carried unanimously.

3. New Business

1. Nelsen Wahlstrom (Mercie Danforth, Sponsor) RE: Subrogated Claim - Denny v. Slaets, et al

Action: Motion by Paul Ninham to grant authority to the Oneida law office to settle the subrogated claim as appropriate, seconded by Brian Doxtator. Motion carried unanimously.

2. Carl Artman (Tina Danforth, Sponsor) RE: Attorney Contracts

Action: Motion by Brian Doxtator to approve the attorney contract for Jim Bittorf, seconded by Trish King. Motion carried unanimously.

Ayes: Ed Delgado, Patty Hoeft, Trish King, Brandon Stevens
Not present: Tina Danforth
Excused: Melinda Danforth, Rick Hill, Ron "Tehassi" Hill Jr.

3. Retro-approve one Oneida enrollment to February 2010

Sponsor: Ed Delgado/Cindy Niesen

Excerpt from April 14: Motion by Trish King to defer the Oneida enrollment back to the Trust Committee for the correction of the action in their minutes and to bring back to the Business Committee for approval, seconded by Ed Delgado. Motion carried with one abstention.

Motion by Ed Delgado to retro-approve to February 2010 the enrollment of Dillion Pamoncutt as recommended by the Trust Committee, seconded by Brandon Stevens. Motion carried unanimously:

Ayes: Ed Delgado, Patty Hoeft, Trish King, Brandon Stevens
Not present: Tina Danforth
Excused: Melinda Danforth, Rick Hill, Ron "Tehassi" Hill Jr.

C. New Business/Requests

1. Proclamation of Appreciation resolution

Sponsor: Bill Gollnick/Tana Aguirre

Motion by Brandon Stevens to adopt resolution 05-12-10-R Proclamation of Appreciation for Senator Hansen and 05-12-10-S Proclamation of Appreciation for Representative Soletski and to change the logo to a seal, seconded by Trish King. Motion carried unanimously:

Ayes: Ed Delgado, Patty Hoeft, Trish King, Brandon Stevens
Not present: Tina Danforth
Excused: Melinda Danforth, Rick Hill, Ron "Tehassi" Hill Jr.

2. March Audit report and March 25 minutes

Sponsor: Ed Delgado

Motion by Ed Delgado to approve the March 25 Audit Committee minutes and March 19 Audit Committee report and accompanying March action report, seconded by Patty Hoeft. Motion carried unanimously:

Ayes: Ed Delgado, Patty Hoeft, Trish King, Brandon Stevens
Not present: Tina Danforth
Excused: Melinda Danforth, Rick Hill, Ron "Tehassi" Hill Jr.

3. Caroyl J. Long attorney contract

Sponsor: JoAnne House

Motion by Patty Hoeft to approve the Caroyl J. Long attorney contract retro to May 9 for three years and it is grant funded, seconded by Brandon Stevens. Motion carried unanimously:

Ayes: Ed Delgado, Patty Hoeft, Trish King, Brandon Stevens
Not present: Tina Danforth
Excused: Melinda Danforth, Rick Hill, Ron "Tehassi" Hill Jr.

ONEIDA TRIBE OF INDIANS OF WISCONSIN



BC Resolution 05-12-10-R Proclamation of Appreciation

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 of America; and

WHEREAS, the Oneida General Tribal 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 of the Oneida Tribal Constitution by the Oneida General Tribal Council; and

WHEREAS, Senator Dave Hansen has served the 30th Senate District which is partially located within the Oneida Reservation since November 2000; and

WHEREAS, the Oneida Business Committee expresses its deep appreciation for Senator Hansen's distinguished service to the Oneida Tribe of Indians of Wisconsin. His dedication and commitment to his constituents of the Tribe exemplifies true public service; and

WHEREAS, Senator Hansen has demonstrated the highest standards of integrity, fairness, leadership, excellence, and dedication as an elected leader of the State of Wisconsin; and

WHEREAS, the Oneida Business Committee does wish to recognize Senator Dave Hansen's distinguished service to the Oneida Tribe of Indians of Wisconsin; and

NOW THEREFORE BE IT RESOLVED, the Oneida Business Committee does hereby express its sincere appreciation to Senator Dave Hansen on behalf of the Oneida Tribe of Indians of Wisconsin, for his dedication, time, knowledge and diligence in making the Oneida Reservation a better place to live.

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 members constitute a quorum; 5 members were present at a meeting duly called, noticed and held on the 12th day of May 2010; that the foregoing resolution was duly adopted at such meeting by a vote of 4 for, 0 members against, and 0 members not voting; and that said resolution has not been rescinded or amended in any way.

Patricia Hoefl
Patricia Hoefl, Tribal Secretary
Oneida Business Committee

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

2. U.S. Mint Oneida Code Talker coin copyright release form

Sponsor: Ed Delgado/Chris Cornelius

Motion by Brandon Stevens to approve the copyright release form for the use of the tribal seal, seconded by Trish King. Motion withdrawn.

Motion by Patty Hoefl to approve the copyright release agreement for the use of creating an Oneida Code Talkers coin, seconded by Trish King. Second withdrawn.

Motion by Patty Hoefl to approve the copyright release agreement for the use of creating an Oneida Code Talkers coin, seconded by Ed Delgado. Motion carried with two abstentions:

Ayes: Melinda Danforth, Ed Delgado, Patty Hoefl

Abstained: Trish King, Brandon Stevens

Excused: Tina Danforth, Rick Hill, Ron "Tehassi" Hill Jr.

3. Resolution Energy Efficiency Development and Deployment in Indian Country US Dept. of Energy

Sponsor: Debbie Thundercloud

Motion by Patty Hoefl to adopt resolution 03-09-11-D Resolution Energy Efficiency Development and Deployment in Indian Country U.S. Dept. of Energy, seconded by Trish King. Motion carried unanimously:

Ayes: Melinda Danforth, Ed Delgado, Patty Hoefl, Trish King, Brandon Stevens

Excused: Tina Danforth, Rick Hill, Ron "Tehassi" Hill Jr.

4. National Tribal Operations Committee meeting March 28-April 1, Phoenix, AZ travel request

Sponsor: Ron "Tehassi" Hill Jr.

Motion by Trish King to approve Councilman Ron "Tehassi" Hill Jr. to attend the National Tribal Operations Committee meeting March 28-April 1, Phoenix, AZ, seconded by Patty Hoefl. Motion carried unanimously:

Ayes: Melinda Danforth, Ed Delgado, Patty Hoefl, Trish King, Brandon Stevens

Excused: Tina Danforth, Rick Hill, Ron "Tehassi" Hill Jr.

5. Oneida Seven Generations Corporation agreement

Sponsor: Bill Gollnick

Motion by Trish King to defer the Oneida Seven Generations Corporation agreement to the next Business Committee meeting, seconded by Ed Delgado. Motion carried unanimously:

Ayes: Melinda Danforth, Ed Delgado, Patty Hoefl, Trish King, Brandon Stevens

Excused: Tina Danforth, Rick Hill, Ron "Tehassi" Hill Jr.

RESOLUTION OF THE GOVERNING BODY OF THE
 ONEIDA TRIBE OF INDIANS OF WISCONSIN
 an Indian Chartered Corporation

CERTIFICATION

I, the undersigned, as Secretary of the Executive Committee of the Oneida Tribe of Indians of Wisconsin, an Indian chartered corporation, hereby certify that the Executive Committee of the tribal corporation is composed of four members, of whom three (3), constituting a quorum, were present at a meeting thereof, duly and regularly convened, called, noticed and held this 20th day of December, 1948; and that the foregoing resolution was duly adopted at such meeting by the affirmative vote of three (3) members; and that said resolution has not been rescinded or amended in any way.

 Andrew Beechtree, Secretary

Recommended and approved _____
 (Date)

 R. E. Miller, Acting Superintendent

The Oneida Indians of Wisconsin, Inc.

ONEIDA, WISCONSIN

OSCAR ANCHQUETTE, Chairman
 CHARLES A. HILL, Treasurer
 MRS. MAMIE SMITH, Secretary
 R. R. 2, West De Perre, Wis.
 Telephone: Oneida 5-K



Land Committee
 CHESTER SMITH
 DENISON HILL
 THADDEUS CHRISTJOHN

Credit Committee
 MRS. SIMON MOORE
 ELI HILL
 MRS. RUTH BAIRD

May 5, 1951
The regular meeting of the Ex

ONEIDA TRIBE OF INDIANS OF WISCONSIN

FEDERAL CHARTERED CORPORATION

ROUTE 1

ONEIDA, WISCONSIN

June 12, 1953

Aaron, Aaron, Schimberg & Hess,
First National Bank Bldg,
Chicago, 3, Illinois

Attention of Mr. Marvin Chapman:

Mrs. Mamie Smith
Mrs. Mamie Smith,
Oneida Tribal Secretary



Oneidas bringing sev-
eral hundred bags of
corn to Washington's
starving army at Val-
ley Forge, after the
colonists had consist-
ently refused to aid
them.

Oneida Tribe of Indians of Wisconsin, Inc.

Oneida
ROUTE 1



Wisconsin
54155



OGWA GENEAL TREEM
Because of the help
of this Oneida Chief
in securing a treaty
made between the In-
dians and the Colony
of Pennsylvania, a new
nation, the United
States was made pos-
sible.

ONEIDA TRIBAL BUSINESS COMMITTEE MEETING MINUTES
SPECIAL MEETING ONEIDA NATION MEMORIAL BUILDING
July 30, 1973



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: 869-2752



1288 Fish Creek Road

De Pere, WI 54115

*Approved
9-17-86*



UGWA DEMOLUM YATEHE
Because of the help of this Oneida Chief in cementing a friendship between the Indians and the Colony of Pennsylvania, a new nation, the United States was made possible.

MEETING WITH PROGRAM DIRECTORS

August 25, 1980
9:00 A.M.

Wanda Webster
Wanda Webster, Secretary
Oneida 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.

Oneida Tribe of Indians of Wisconsin

Post Office Box 365

Phone: 869-1260



Oneida, WI 54155



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.

*Approved by
Read 3-7-86*

SPECIAL MEETING

FRIDAY, FEBRUARY 28, 1986

Meeting called to order at 9:00



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

Post Office Box 365

Phone: 869-2214

Oneida, WI 54155



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.

Approved As
~~2222~~/Corrected
4-6-94

ONEIDA BUSINESS COMMITTEE AGENDA
REGULAR MEETING
WEDNESDAY - MARCH 30, 1994
BUSINESS COMMITTEE CONFERENCE ROOM
9:00 A.M.

Present: Loretta V. ...

Oneida Tribe of Indians of Wisconsin



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.

BC Resolution 11-12-09-A

Emergency Amendment to the Personnel Policies and Procedures Relating to Vacation and Personal Day Accumulation

123 of 130

Janice M. Decorah

From: Paula M. King Dessart
Sent: Friday, May 06, 2016 1:41 PM
To: Janice M. Decorah
Subject: Logo

Importance: High

Jan,

Here's the response....do you have add'l questions to ask?

"I do recall any official action to change it. Any changes occurred at the administrative level, incremental ones where, for example, the logo or seal would be interchanged. I started using the seal design on official BC and GTC correspondence to represent the government character of that work. The logo, from a public relations/enterprise/marketing aspect, was used on the non-government items.

I remember many years, in the early 90s, before I was on the council, when the BC tried to redesign the tribal flag and that effort was strongly resisted by a challenge led [REDACTED]

does this help?"

Paula M. King Dessart
 Executive Assistant I
 Business Committee Support Office (BCSO)
 Office: (920) 869-4362

How can the BC Support Office help you?

- Paula "Pogi" King Dessart (Executive Assistant) – Budgeting, Processing Accounts Payable, GTC Meeting Prep
- April Skenandore (Executive Assistant) – BC Scheduling & Travel
- Debbie Melchert (Administrative Assistant) – Signature Log, Mail Log, Kronos
- Kathy Metoxen (Executive Tribal Clerk) – Pardons, Boards, Committees and Commissions
- Heather Heuer (Information Management Specialist) – BC Meeting Agenda Requests, Packets, and Minutes

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Oneida Nation



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.

BC Resolution # 03-30-16-A
Older Americans Month 2016

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

FY-2016 Semi-annual report

For Boards, Committees, and Commissions

Legislative Operating Committee

Purpose:

The mission of the LOC is to enhance the capability of the Oneida Nation to fulfill its sovereign authority to review and enact its laws, policies and regulations in a planned and orderly manner.

BCC Members

Brandon Stevens, LOC Chairperson

Tehassi Hill, LOC Vice-Chairperson

Fawn Billie, LOC Member

Jennifer Webster, LOC Member

David P. Jordan, LOC Member

Budget

Funding Sources for FY-2016

TRIBAL CONTRIBUTION: 100%

GRANTS: 0%

OTHER SOURCES: n/a

Status as of 3/31/16

Total Budget: \$478,692

Budget as of 3/31/16: \$239,346

Expenditures as of 3/31/16: \$170,533

Variance Explanation:

The LOC budget came under budget because the LRO Director position has remained unfilled since the beginning of the Fiscal Year 2016.

Stipends

Regular Stipend Amount: LOC members do not earn stipends.

Update on up to Three (3) Strategic Goals for FY-2016

Please refer to your Annual Report submission for FY-2016 and provide an update on the Goals

GOAL 1

Goal:

Develop the laws of the Oneida Nation that are clear, consistent, and straightforward; that reflect the voices of individual Tribal members.

Strategic Direction: Committing to Build a Responsible Nation

Practical Vision: Accountable & Effective Governmental Design

Update on Goal:

There are 54 pieces of legislation on the LOC's Active Files List. Between October 1, 2015 and March 31, 2016, the LOC adopted two new laws, amended two laws and amended one committee bylaws. As the elected legislative body of the Nation, the role of the LOC is to develop and implement laws that address the needs of the Nation, which in turn builds upon the Nation's sovereignty by increasing our ability to govern ourselves. With the adoption of the Administrative Rulemaking law, the LOC is now focusing on drafting laws that are more clear and easy to understand by reducing and eliminating requirements in laws that are more appropriately developed through rules adopted at the departmental level. Each piece of legislation flows through a required process detailed in the Legislative Procedures Act that includes at least one public comment period. Work meetings are held with affected departments to ensure that laws are developed in accordance with departmental work standards and so that departments are ready to implement new laws as they are passed. The LOC has increased the number of meetings for each legislative proposal to maximize Tribal member involvement.

GOAL 2

Goal:

Increase community participation in the legislative process.

Strategic Direction: Advancing On^yote?a.ka Principles

Practical Vision: An Engaged Community

Update on Goal:

Between October 1, 2015 and March 31, 2016, the LOC held a total of 11 public meetings to solicit comments from the Membership on proposed. The number of public meetings held fluctuates depending on staffing levels of the Legislative

Reference Office; during the same time period in 2014-2015, the LOC held 6 public meetings and during 2013-2014 the LOC held 15 public meetings. The LOC has prepared a separate informational webpage for the proposed Employment Law and has conducted 23 informational meetings with employees and supervisors throughout the Nation to introduce the proposal and gather feedback, some of which has been incorporated into the proposed Law and corresponding Employee Handbook. While all comments for proposed legislation are considered, not every comment will be incorporated into the proposed law. Laws are drafted by the LOC to apply to the full extent of the Nation's jurisdiction. Individual comments are considered with the best interest of the entire Nation in mind. Comments that improve the law as it applies to the Nation as a whole are more likely to be incorporated. Individual comments that do not pertain directly to the law or pertain to one specific person, family or circumstance, are less likely to be incorporated into the final law due to a lack of applicability to the Membership as a whole.

GOAL 3

Goal:

Develop and promote laws that deliver maximum benefit to the Oneida membership while remaining fiscally responsible.

Strategic Direction: Committing to Build a Responsible Nation

Practical Vision: Accountable & Effective Governmental Design

Update on Goal:

The LOC remains committed to developing Oneida laws that deliver maximum benefit to the Oneida membership while remaining fiscally responsible. Each legislative proposal is carefully considered and its financial effects scrutinized by the LOC in order to determine whether the proposed legislation would deliver maximum benefit at minimum cost.

One legislative item currently being amended is the Comprehensive Policy Governing Boards, Committees and Commissions. Amendments include additional reporting requirements and increased regulation of stipends. The intent of these changes is to increase transparency and accountability for elected and appointed officials, while reducing the Nation's overall expense for Oneida boards, committees and commissions.

The LOC is also currently drafting the Rules of Administrative Procedure. Initially, an Administrative Court was proposed to handle the Judiciary's administrative cases as the hearing body authority is moved from most boards, committees and commissions to the Judiciary. However, after careful consideration, the LOC has decided to move forward with Rules of Administrative Procedure, which will be applicable to administrative matters within the existing Civil Court division until such time that a separate administrative court becomes necessary. This reduces the expense involved, while expanding the jurisdiction of the Judiciary to hear administrative issues.

Meetings

Held every 1st and 3rd Wednesday of the month.

Meeting Location: OBC Conference Room - Second Floor, Norbert Hill Center, Oneida WI

Meeting Time: 9:00 a.m.

Meetings are OPEN.

Contact

MAIN CONTACT: Brandon Stevens,

MAIN CONTACT TITLE: LOC Chair

MAIN PHONE: (920) 869-4378

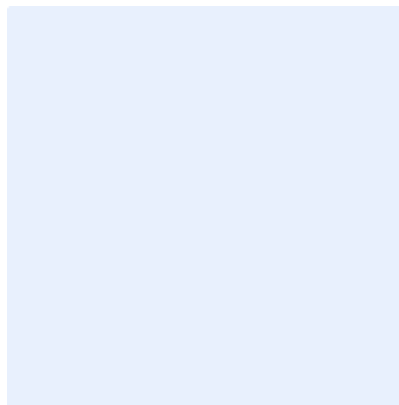
MAIN EMAIL: LOC@Oneidanation.org

MAIN WEBSITE: www.oneida-nsn.gov/LOC

(The LOC also maintains the Oneida Register at www.oneida-nsn.gov/Register)

Other Pictures that may be included in your section of the report

Please provide only high resolution *.jpg images



Legislative Operating Committee Update 10/1/15 – 3/31/16

For more information visit the Oneida Register website <https://oneida-nsn.gov/government/register/> or contact the Legislative Reference Office, 2nd floor of the Norbert Hill Center, 920-869-4376.

Public Meetings

The LOC held eleven public meetings during the reporting period:

1. Employment Law - Brandon Stevens
2. Administrative Procedures Act amendments - Brandon Stevens
3. Administrative Rulemaking – Tehassi Hill
4. Community Support Fund Policy Amendments – David P. Jordan
5. Garnishment Law Amendments – David P. Jordan
6. Public Use of Tribal Land Law Amendments – David P. Jordan
7. Comprehensive Policy Governing Boards, Committees & Commissions amendments - Jennifer Webster
8. Oneida Flag Law – Jennifer Webster
9. Higher Education Scholarship Policy - Fawn Billie
10. Removal Law amendments – Fawn Billie
11. Marriage Law amendments – Fawn Billie

Legislative Items Completed

Five legislative items were completed during this reporting period and removed from the Active Files List:

1. Administrative Procedures Act amended – Brandon Stevens
2. Administrative Rulemaking law adopted – Tehassi Hill
3. Public Use of Tribal Land law amended – David P. Jordan
4. Audit Committee Bylaws amended – Fawn Billie
5. Furlough Policy adopted – Fawn Billie

Legislative Items Added to the Active Files List

1. Probate Law – David P. Jordan
2. Mortgage and Foreclosure Law – David P. Jordan
3. Landlord-Tenant Law – David P. Jordan
4. Real Property Law amendments – David P. Jordan
5. Land Commission Bylaws – David P. Jordan
6. Vendor Licensing Law amendments– Jennifer Webster
7. Marriage Law amendments – Fawn Billie
8. Research Protection Act – Fawn Billie
9. Severance Law – Fawn Billie

Completed GTC Petition Statement of Effect

1. Food Pantry – Brandon Stevens
2. Health Care Board – Jennifer Webster

June 2016

June 2016							July 2016						
Su	Mo	Tu	We	Th	Fr	Sa	Su	Mo	Tu	We	Th	Fr	Sa
			1	2	3	4						1	2
5	6	7	8	9	10	11	3	4	5	6	7	8	9
12	13	14	15	16	17	18	10	11	12	13	14	15	16
19	20	21	22	23	24	25	17	18	19	20	21	22	23
26	27	28	29	30			24	25	26	27	28	29	30
							31						

	Sunday	Monday	Tuesday	Wednesday	Thursday	Friday	Saturday
May 29 - Jun 4	May 29	30	31	Jun 1	2	3	4
				9:00am 2:00pm LOC Meeting (BC_Conf_Room) - LOC_Calendar		12:15pm 2:15pm FW: Garnishment Public Meeting - June 3, 2016 (BCCR) - Krystal John	
Jun 5 - 11	5	6	7	8	9	10	11
				BC Meeting (BCCR)			
Jun 12 - 18	12	13	14	15	16	17	18
				9:00am 2:00pm LOC Meeting (BC_Conf_Room) - LOC_Calendar	12:15pm 2:00pm Public Meeting - Per Capita Law Amendments (BC_Conf_Room) - Douglass A. McIntyre		
Jun 19 - 25	19	20	21	22	23	24	25
				BC Meeting (BCCR)			
Jun 26 - Jul 2	26	27	28	29	30	Jul 1	2

July 2016

July 2016							August 2016						
Su	Mo	Tu	We	Th	Fr	Sa	Su	Mo	Tu	We	Th	Fr	Sa
					1	2		1	2	3	4	5	6
3	4	5	6	7	8	9	7	8	9	10	11	12	13
10	11	12	13	14	15	16	14	15	16	17	18	19	20
17	18	19	20	21	22	23	21	22	23	24	25	26	27
24	25	26	27	28	29	30	28	29	30	31			
31													

	Sunday	Monday	Tuesday	Wednesday	Thursday	Friday	Saturday
	Jun 26	27	28	29	30	Jul 1	2
6/26 - 7/1							
	3	4	5	6	7	8	9
7/3 - 8		Independence Day Ho		9:00am 2:00pm LOC Meeting (BC_Conf_Room) - L 6:00pm 10:00pm GTC Meeting			
	10	11	12	13	14	15	16
7/10 - 15				BC Meeting (BCCR)			
	17	18	19	20	21	22	23
7/17 - 22				9:00am 2:00pm LOC Meeting (BC_Conf_Room) - LOC_Calendar			
	24	25	26	27	28	29	30
7/24 - 29				BC Meeting (BCCR)			
	31	Aug 1	2	3	4	5	6
7/31 - 8/5							