

Oneida Nation

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BC Resolution # 06-08-22-A Emergency Adoption of the Oneida Nation Assistance Fund Law

- WHEREAS,** the Oneida Nation is a federally recognized Indian government and a treaty tribe recognized by the laws of the United States of America; and
- WHEREAS,** the Oneida General Tribal Council is the governing body of the Oneida Nation; and
- WHEREAS,** the Oneida Business Committee has been delegated the authority of Article IV, Section 1, of the Oneida Tribal Constitution by the Oneida General Tribal Council; and
- WHEREAS,** the Oneida Nation Assistance Fund law (“the Law”) is being proposed for emergency adoption in an effort to establish the Oneida Nation Assistance Fund as an approved program of the Nation to govern how the Nation provides financial assistance to its members, pursuant to the Oneida General Welfare law; and
- WHEREAS,** the Law provides how the Oneida Nation Assistance Fun qualifies for general welfare exclusion; and
- WHEREAS,** the Law provides the eligibility requirements for accessing assistance from the Oneida Nation Assistance Fund – which is that a person is a member of the Nation; age eighteen (18) or older; and submits a completed application during the designated submission timeframe; and
- WHEREAS,** the Law provides the minimum requirements for the information that must be included on the application for assistance from the Oneida Nation Assistance Fund; and
- WHEREAS,** the Law provides how and when funds from the Oneida Nation Assistance Fund are disbursed; and
- WHEREAS,** the Law provides for the types of expenses that shall be considered qualifying expenditures for use of assistance from Oneida Nation Assistance Fund by the recipient; and

- WHEREAS,** the Law provides information on the funding source and who determines that amount of available funding to an eligible participant; and
- WHEREAS,** the Law provides that the Trust Enrollment Department is the department that has the responsibilities to administer the Oneida Nation Assistance Fund; and
- WHEREAS,** the Legislative Procedures Act authorizes the Oneida Business Committee to enact legislation on an emergency basis when legislation is necessary for the immediate preservation of the public health, safety, or general welfare of the Reservation population, and the adoption of the legislation is required sooner than would be possible under the Legislative Procedures Act; and
- WHEREAS,** emergency adoption of legislation is effective for a period of six (6) months, renewable by the Oneida Business Committee for an additional six (6) month term; and
- WHEREAS,** on March 12, 2020, Chairman Tehassi Hill signed a *Declaration of Public Health State of Emergency* regarding COVID-19 which declared a Public Health State of Emergency for the Nation until April 12, 2020, which was subsequently extended by the Oneida Business Committee until July 22, 2022, through the adoption of the following resolutions: BC-03-26-20-A, BC-05-06-20-A, BC-06-10-20-A, BC-07-08-20-A, BC-08-06-20-A, BC-09-09-20-A, BC-10-08-20-A, BC-11-10-20-A, BC-12-09-20-D, BC-01-07-21-A, BC-02-10-21-A, and BC-03-10-21-D, BC-05-12-21-A, BC-06-23-21-B, BC-07-28-21-N, BC-09-22-21-A, BC-11-24-21-F, BC-01-12-22-B, BC-03-23-22-A, BC-05-11-22-E; and
- WHEREAS,** the COVID-19 pandemic has resulted in vast negative economic effects that has affected the ability of members of the Nation to meet their general welfare needs; and
- WHEREAS,** the emergency adoption of this Law is necessary for the preservation of the general welfare of the Reservation population, as the Law shall assist in addressing the economic needs of the Reservation population during the public health crisis that has resulted from the COVID-19 pandemic by allowing the Nation to establish and operate the Oneida Nation Assistance Fund to provide assistance to members of the Nation in accordance with the Oneida General Welfare law; and
- WHEREAS,** observance of the requirements under the Legislative Procedures Act for adoption of this Law would be contrary to public interest since the Nation is currently experiencing the vast economic effects of the COVID-19 pandemic, and the process and requirements of the Legislative Procedures Act cannot be completed in time to ensure that the Law can be adopted to best assist members of the Nation in meeting their general welfare needs during this COVID-19 pandemic; and

WHEREAS, the Legislative Procedures Act does not require a public meeting or fiscal impact statement when considering emergency legislation; and

NOW THEREFORE BE IT RESOLVED, the Oneida Business Committee hereby adopts, on an emergency basis, the Oneida Nation Assistance Fund law effective immediately.

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; 7 members were present at a meeting duly called, noticed and held on the 8th day of June, 2022; that the forgoing resolution was duly adopted at such meeting by a vote of 6 members for, 0 members against, and 0 members not voting*; and that said resolution has not been rescinded or amended in any way.



Lisa Liggins, Secretary
Oneida Business Committee

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