

# Oneida Nation

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Oneida, WI 54155

## **BC Resolution # 06-28-22-A Summer Savings at the Pump Program**

- 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 U.S. government reported that inflation, as measured by the consumer price index, jumped to a new forty (40) year high of 8.6% in May; and
- WHEREAS,** fuel prices in the U.S. are hitting record highs nationally and the U.S. average for the price of a gallon of regular gasoline hit four dollars and ninety-nine cents (\$4.99) according to the most recent reading from American Automobile Association; and
- WHEREAS,** oil prices have increased in global markets due to a variety of factors such as increased demand for gasoline during the summer season, and the cut-off of Russian oil shipments due to the war in Ukraine; and
- WHEREAS,** members of the Nation continues to experience hardships due to the economic impacts of COVID-19 pandemic such as the price increases; and
- WHEREAS,** Governor Evers included eleven million dollars (\$11,000,000) in the Wisconsin Tribal Assistance Grant for Wisconsin tribes to use for non-gaming related expenses; and
- WHEREAS,** based on the Nation's employment figures one million three hundred and seventy-eight thousand one hundred dollars (\$1,378,100) of the eleven million dollars (\$11,000,000) available from the Wisconsin Tribal Assistance Grant is allocated to be paid to the Nation before June 30, 2022; and
- WHEREAS,** the Oneida Business Committee was charged with developing a spending plan for the Wisconsin Tribal Assistance Grant Funds; and
- WHEREAS,** due to the Nation's inability to undertake many activities in Fiscal Year 2020, there are available funds from Fiscal Year 2020 that remain unspent; and
- WHEREAS,** the Oneida General Welfare law was adopted by the Oneida Business Committee through resolution BC-12-08-21-A for the purpose of governing how the Nation provides assistance to eligible members, on a non-taxable basis, through approved programs that promote the general welfare of the Nation pursuant to the principles of the General Welfare Exclusion; and

**WHEREAS,** the Oneida Business Committee has determined it would be beneficial for the general welfare of the Nation's membership to create an approved program under the Oneida General Welfare law to provide financial assistance to members of the Nation to aid them with the rising costs of gasoline prices; and

*Establishment and Purpose*

**NOW THEREFORE BE IT RESOLVED,** the Oneida Business Committee hereby adopts and establishes the *Summer Savings at the Pump Program* as an approved program of the Nation in accordance with the Oneida General Welfare law.

**BE IT FURTHER RESOLVED,** the purpose of the *Summer Savings at the Pump Program* is to provide financial assistance to members of the Nation to aid them with the rising costs of gasoline prices to ensure that their general welfare needs can continue to be met.

*Eligibility for Assistance*

**BE IT FURTHER RESOLVED,** any enrolled member of the Nation who is at least eighteen (18) years of age or older on or before June 30, 2022, shall be eligible for assistance from the *Summer Savings at the Pump Program*.

*Funding Source*

**BE IT FURTHER RESOLVED,** the *Summer Savings at the Pump Program* shall be funded as follows.

1. In accordance with section 121.6-4(c) of the Budget Management law by allocating the unbudgeted supplemental funding consisting of the one million three hundred and seventy-eight thousand one hundred dollars (\$1,378,100) of the Wisconsin Tribal Assistance Grant; and
2. In accordance with section 121.6-4(a) of the Budget Management law by approving the unbudgeted expense and utilizing the one million seven hundred thousand dollars (\$1,700,000) in carry-over funds from Fiscal Year 2020.

*Qualifications for General Welfare Exclusion*

**BE IT FURTHER RESOLVED,** the *Summer Savings at the Pump Program* meets the requirements of the General Test as defined in the Oneida General Welfare law; General Criteria as defined in I.R.S. Rev. Proc. 2014-35, section 5; and the requirements of the Tribal General Welfare Exclusion Act of 2014, 26 U.S.C. §139E(b). The assistance provided through the *Summer Savings at the Pump Program* is:

- paid on behalf of the Nation;
- pursuant to an approved program of the Nation;
- does not discriminate in favor of members of the governing body of the Nation;
- available to any eligible member of the Nation who meets the guidelines of the approved program;
- provided for the promotion of general welfare;
- not lavish or extravagant;
- not compensation for services; and
- not a per capita payment.

*Distribution of Funds*

**BE IT FURTHER RESOLVED**, that the Oneida Trust Enrollment Department shall be responsible for the distribution of funds for the *Summer Savings at the Pump Program*.

- The Oneida Trust Enrollment Department shall make available an application form for the *Summer Savings at the Pump Program* of a one-time payment of \$300.
- The Oneida Trust Enrollment Department shall oversee the collection, review, and permitted distribution of funds from the *Summer Savings at the Pump Program* to the qualifying recipients.
- The Oneida Trust Enrollment Department shall be responsible for maintenance of records for the *Summer Savings at the Pump Program*. The recipient shall retain receipts for the expenditure of the funds associated with the *Summer Savings at the Pump Program*.

*Term of Program*

**BE IT FINALLY RESOLVED**, that the *Summer Savings at the Pump Program* shall begin no later than July 1, 2022, and end on September 30, 2022, or when the allocated funding has been fully expended.

**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 participated in an electronic vote (e-poll) which closed on the 28<sup>th</sup> day of June, 2022; that the forgoing resolution was duly adopted by a vote of 7 members for, 0 members against, and 0 members not voting\*; and that said resolution has not been rescinded or amended in any way. The results of the e-poll will be entered into the record at the next Oneida Business Committee scheduled on July 13, 2022.

  
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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."