

Oneida Nation

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Oneida, WI 54155

BC Resolution # 08-10-22-A

Saving Our History - Oneida Elder Interview Program - Oneida General Welfare Exclusion 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,** on March 11, 2021, the President of the United States signed the American Rescue Plan Act of 2021 (ARPA) which provided certain financial relief to Indian country in the wake of the COVID-19 pandemic public health emergency; and
- WHEREAS,** ARPA authorized nine hundred million dollars (\$900,000,000) of funds to the Bureau of Indian Affairs (BIA) to be available until expended; and
- WHEREAS,** the Nation received four million four hundred and thirty-one thousand two hundred fifty-eight dollars (\$4,431,258) in ARPA funding from the BIA through the Aid to Tribal Government program in accordance with the Nation's Self-Governance Compact with the U.S. Department of the Interior; and
- WHEREAS,** these funds were provided to support Tribal government services, public safety and justice, social services, child welfare assistance, and for other related expenses limited solely to these areas as deemed necessary for recovery purposes; and
- WHEREAS,** BC Resolution # 06-09-21-B, *Setting Goals for Application of Funding from the American Rescue Plan Act of 2021 to Direct Support to Individuals, Families, Community and the Oneida Nation*, provides that all funds allocated under ARPA that are not included in ARPA FRF shall be presented to the Oneida Business Committee for approval by resolution and managed through the Self-Governance Office when deriving from a self-governance contract.; and
- WHEREAS,** BC Resolution # 11-24-21-C, *Oneida Nation American Rescue Plan Act of 2021 Bureau of Indian Affairs Aid to Tribal Government Spending Plan*, allocated one hundred and ten thousand dollars (\$110,000) to Culture and Language to be used by Oneida Cultural Heritage programs to support cultural projects such as equipment to support the *Oneida Elder Interviews Program*, equipment to assist with Oneida Language, the Great Law transcription project, and the hiring of a consultant for an eight (8) week clan systems management pilot; and

WHEREAS, BC Resolution # 11-24-21-C then authorized the Office of Self-Governance to reprogram or reallocate funds within the Culture & Language category without further amendments to the resolution; however, any funding reprogrammed or reallocated between different categories would require Business Committee approval; and

WHEREAS, the Oneida General Welfare law was adopted by the Oneida Business Committee through BC Resolution # 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 elders who participate in the Nation's *Oneida Elder Interview Program*; and

Establishment and Purpose

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

BE IT FURTHER RESOLVED, the purpose of the *Oneida Elder Interview Program* is to interview Oneida elders for the purpose of collecting an oral history of their generation, the Oneida Nation, Oneida Reservation, and their families and fellow members in an effort to enrich the general welfare of every member of the Nation by recording the Nation's history, culture, tradition, and unique way of life for generations to come. Assistance is provided to elders who participate in the *Oneida Elder Interview Program* to ensure that the general welfare needs of the elders are met while participating in the Oneida Elder Interview Program.

Eligibility for Assistance

BE IT FURTHER RESOLVED, any enrolled member of the Nation who is at least sixty-five (65) years of age or older and participates in an elder interview shall be eligible for assistance from the *Oneida Elder Interview Program*.

Funding Source

BE IT FURTHER RESOLVED, the *Oneida Elder Interview Program* shall be funded through Bureau of Indian Affairs Aid to Tribal Government monies received by the Nation and allocated to Culture and Language in accordance with BC Resolution # 11-24-21-C, *Oneida Nation American Rescue Plan Act of 2021 Bureau of Indian Affairs Aid to Tribal Government Spending Plan*.

Qualifications for General Welfare Exclusion

BE IT FURTHER RESOLVED, the *Oneida Elder Interview 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 *Oneida Elder Interview 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 Cultural Heritage Department shall be responsible for the distribution of funds for the *Oneida Elder Interview Program*.

- The Governmental Services Division shall communicate to the interviewed elders that assistance provided through the *Oneida Elder Interview Program* in made accordance with the Oneida General Welfare law.

Term of Program

BE IT FINALLY RESOLVED, that the *Oneida Elder Interview Program* shall begin no later than February 1, 2022, and end 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; 5 members were present at a meeting duly called, noticed and held on the 10th day of August, 2022; that the forgoing resolution was duly adopted at such meeting by a vote of 3 members for, 0 members against, and 1 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."