

Oneida Business Committee



Executive Session
8:30 AM Tuesday, February 13, 2024
BC Conference Room, 2nd floor, Norbert Hill Center

Regular Meeting
8:30 AM Wednesday, February 14, 2024
BC Conference Room, 2nd floor, Norbert Hill Center

Agenda

Meeting agenda is available here: oneida-nsn.gov/government/business-committee/agendas-packets/. Materials for the "General Tribal Council" section of the agenda, if any, are available to enrolled members of the Oneida Nation; to obtain a copy, visit the Government Administrative Office, 1st floor, Norbert Hill Center and present a valid Tribal I.D. or go to <https://goo.gl/uLp2jE>. Scheduled times are subject to change.

I. CALL TO ORDER

II. OPENING

III. ADOPT THE AGENDA

IV. OATH OF OFFICE

- A. Oneida Nation School Board - Melissa Skenandore**
Sponsor: Lisa Liggins, Secretary
- B. Oneida Election Board Ad Hoc Committee - Candace House- Administered Oath of Office on February 8, 2024**
Sponsor: Lisa Liggins, Secretary
- C. Oneida Land Claims Commission - Candace House - Administered Oath of Office on February 8, 2024**
Sponsor: Lisa Liggins, Secretary

V. RESOLUTIONS

- A. Adopt resolution entitled Amendments to the Clean Air Policy**
Sponsor: Jameson Wilson, Councilman
- B. Adopt resolution entitled Amendments to the Drug and Alcohol Free Workplace Law**
Sponsor: Jameson Wilson, Councilman

- C. **Adopt resolution entitled FY 2024 Community Opioid Intervention Prevention Program**
Sponsor: Mark W. Powless, General Manager
- D. **Adopt resolution entitled Temporary Assistance to Needy Families (TANF) Grant Application**
Sponsor: Mark W. Powless, General Manager

VI. STANDING COMMITTEES

A. FINANCE COMMITTEE

- 1. **Accept the January 11, 2024, regular Finance Committee meeting minutes**
Sponsor: Lawrence Barton, Treasurer
- 2. **Accept the January 25, 2024, regular Finance Committee meeting minutes**
Sponsor: Lawrence Barton, Treasurer

B. LEGISLATIVE OPERATING COMMITTEE

- 1. **Accept the January 17, 2024, regular Legislative Operating Committee meeting minutes**
Sponsor: Jameson Wilson, Councilman

VII. TRAVEL REPORTS

- A. **Approve the travel report - Vice-Chairman Brandon Yellowbird-Stevens - White House Tribal Nations Summit - Washington, D.C. - December 5-7, 2023**
Sponsor: Brandon Yellowbird-Stevens, Vice-Chairman
- B. **Approve the travel report - Councilwoman Jennifer Webster - Administration of Children & Families (ACF) Tribal Advisory Committee (TAC) Triannual Meeting - Washington, D.C. - October 23-26, 2023**
Sponsor: Jennifer Webster, Councilwoman
- C. **Approve the travel report - Councilwoman Jennifer Webster - Bemidji Area Budget Formulation - Prior Lake, MN - November 6-8, 2023**
Sponsor: Jennifer Webster, Councilwoman
- D. **Approve the travel report - Councilwoman Jennifer Webster - Child Care Development Fund (CCDF) Tribal Consultation - Albuquerque, NM - November 29-December 1, 2023**
Sponsor: Jennifer Webster, Councilwoman
- E. **Approve the travel report - Councilwoman Jennifer Webster - Indian Health Services (IHS) Tribal Self Governance Advisory Committee meeting - Washington, D.C. - December 12-14, 2023**
Sponsor: Jennifer Webster, Councilwoman

VIII. TRAVEL REQUESTS

- A. **Approve the travel request - Chairman Tehassi Hill - Government Accountability Office Tribal and Indigenous Advisory Council (GAO TIAC) - Washington, D.C. - February 27-March 1, 2024**
Sponsor: Tehassi Hill, Chairman
- B. **Approve the travel request - Chairman Tehassi Hill - 2024 Midwest Alliance of Sovereign Tribes (MAST) Impact Week - Washington, D.C. - March 5-8, 2024**
Sponsor: Tehassi Hill, Chairman
- C. **Approve the travel request - Vice-Chairman Brandon Yellowbird-Stevens - Indian Gaming Association (IGA) Tradeshow and Convention - Anaheim, CA - April 8-11, 2024**
Sponsor: Brandon Yellowbird-Stevens, Vice-Chairman]
- D. **Approve the travel request - Treasurer Lawrence Barton - Native American Finance Officers Association (NAFOA) Annual Conference - Hollywood, FL - April 27-May 1, 2024**
Sponsor: Lawrence Barton, Treasurer
- E. **Approve the travel request - Councilwoman Jennifer Webster - Health and Human Services (HHS) Budget Consultation - Washington, D.C. - April 8-11, 2024**
Sponsor: Jennifer Webster, Councilwoman
- F. **Approve the travel request - Councilwoman Jennifer Webster - 2024 National Tribal Health Conference - Rapid City, SD - May 18-24, 2024**
Sponsor: Jennifer Webster, Councilwoman

IX. NEW BUSINESS

- A. **Review tribal member request regarding the Oneida Higher Education Office and determine next steps**
Sponsor: Marena Bridges, Tribal Member
- B. **Review the Sports Wagering (Chapter 8) Oneida Gaming Minimum Internal Controls and determine appropriate next steps**
Sponsor: Mark A. Powless, Sr., Chair/Oneida Gaming Commission
- C. **Post one (1) vacancy - Oneida Nation Commission on Aging**
Sponsor: Lisa Liggins, Secretary

X. REPORTS

- A. **OPERATIONAL (8:30 a.m.)**
 - 1. **Accept the Emergency Management FY-2024 1st quarter report (*not submitted*)**
Sponsor: Kaylynn Gresham, Director/Emergency Management

B. APPOINTED BOARDS, COMMITTEES, COMMISSIONS (8:30 a.m.)

1. **Accept the Anna John Resident Centered Care Community Board FY-2024 1st quarter report**
Sponsor: Lorna Skenandore, Chair/Anna John Resident Centered Care Community Board
2. **Accept the Environmental Resources Board FY-2024 1st quarter memorandum**
Sponsor: Lisa Liggins, Secretary
3. **Accept the Oneida Community Library Board FY-2024 1st quarter report**
Sponsor: Bridget John, Chair/Oneida Community Library Board
4. **Accept the Oneida Nation Arts Board FY-2024 1st quarter report**
Sponsor: Cody Cottrell, Chair/Oneida Nation Arts Board
5. **Accept the Oneida Nation Veteran Affairs Committee FY-2024 1st quarter report**
Sponsor: Gerald Cornelius, Chair/Oneida Nation Veteran Affairs Committee
6. **Accept the Oneida Personnel Commission FY-2024 1st quarter memorandum**
Sponsor: Lisa Liggins, Secretary
7. **Accept the Oneida Police Commission FY-2024 1st quarter report**
Sponsor: Richard VanBoxtel, Chair/Oneida Police Commission
8. **Accept the Pardon and Forgiveness Screening Committee FY-2024 1st quarter report**
Sponsor: Eric Boulanger, Chair/Pardon and Forgiveness Screening Committee
9. **Accept the Southeastern Wisconsin Oneida Tribal Services Advisory Board FY-2024 1st quarter report**
Sponsor: Diane Hill, Chair/Southeastern Wisconsin Oneida Tribal Services Advisory Board

C. ELECTED BOARDS, COMMITTEES, COMMISSIONS (9:00 a.m.)

1. **Accept the Oneida Election Board FY-2024 1st quarter report**
Sponsor: Ray Skenandore, Chair/Oneida Election Board
2. **Accept the Oneida Gaming Commission FY-2024 1st quarter report**
Sponsor: Mark Powless Sr., Chair/Oneida Gaming Commission
3. **Accept the Oneida Land Claims Commission FY-2024 1st quarter report**
Sponsor: Chris Cornelius, Chair/Oneida Land Claims Commission
4. **Accept the Oneida Land Commission FY-2024 1st quarter report**
Sponsor: John Danforth, Chair/Oneida Land Commission
5. **Accept the Oneida Nation Commission on Aging FY-2024 1st quarter report**
Sponsor: Winnifred Thomas, Chair,/Oneida Nation Commission on Aging

6. **Accept the Oneida Nation School Board FY-2024 1st quarter report**
Sponsor: Sacheen Lawrence, Chair/Oneida Nation School Board
7. **Accept the Oneida Trust Enrollment Committee FY-2024 1st quarter report**
Sponsor: Jermaine Delgado, Chair/Oneida Trust Enrollment Committee

D. STANDING COMMITTEES

1. **Accept the Finance Committee FY-2024 1st quarter report**
Sponsor: Lawrence Barton, Treasurer
2. **Accept the Legislative Operating Committee FY-2024 1st quarter report**
Sponsor: Jameson Wilson, Councilman

XI. EXECUTIVE SESSION

A. REPORTS

1. **Accept the Chief Counsel report**
Sponsor: Jo Anne House, Chief Counsel
2. **Accept the General Manager report (10:30 a.m.)**
Sponsor: Mark W. Powless, General Manager
3. **Accept the Gaming General Manager FY-2024 1st quarter report (8:30 a.m.)**
Sponsor: Louise Cornelius, Gaming General Manager
4. **Accept the Retail General Manager FY-2024 1st quarter report (9:30 a.m.)**
Sponsor: Debra Powless, Retail General Manager
5. **Accept the Executive HR Director FY-2024 1st quarter report (1:30 p.m.)**
Sponsor: Todd VanDen Heuvel, Executive HR Director
6. **Accept the Security Director FY-2024 1st quarter report (2:00 p.m.)**
Sponsor: Katsitsiyo Danforth, Security Director
7. **Accept the Treasurer's December 2023 report (11:30 a.m.)**
Sponsor: Lawrence Barton, Treasurer
8. **Accept the Hotel to Gaming Transition Committee February 2024 report (9:00 a.m.)**
Sponsor: Louise Cornelius, Gaming General Manager

B. AUDIT COMMITTEE

1. **Accept the Audit Committee FY-2024 1st quarter report**
Sponsor: Lisa Liggins, Secretary
2. **Accept the November 14, 2023, regular Audit Committee meeting minutes**
Sponsor: Lisa Liggins, Secretary

3. **Accept the Cage/Vault/Kiosk Year End compliance audit and lift the confidentiality requirement**
Sponsor: Lisa Liggins, Secretary
4. **Accept the Sports Wagering compliance audit and lift the confidentiality requirement**
Sponsor: Lisa Liggins, Secretary

C. NEW BUSINESS

1. **Review Chief Financial Officer memorandum and determine next steps**
Sponsor: Keith Doxtator, Chief Financial Officer

XII. ADJOURN

Posted on the Oneida Nation's official website, www.oneida-nsn.gov pursuant to the Open Records and Open Meetings law (§ 107.14.)

The meeting packet of the open session materials for this meeting is available by going to the Oneida Nation's official website at: oneida-nsn.gov/government/business-committee/agendas-packets/

For information about this meeting, please call the Government Administrative Office at (920) 869-4364 or (800) 236-2214

Oneida Nation School Board - Melissa Skenandore

Business Committee Agenda Request

1. Meeting Date Requested: 02/14/24

2. General Information:

Session: Open Executive – must qualify under §107.4-1.

Justification: *Choose reason for Executive.*

3. Supporting Documents:

- Bylaws
- Contract Document(s)
- Correspondence
- Draft GTC Notice
- Draft GTC Packet
- E-poll results/back-up
- Other: *Describe*
- Fiscal Impact Statement
- Law
- Legal Review
- Minutes
- MOU/MOA
- Petition
- Presentation
- Report
- Resolution
- Rule (adoption packet)
- Statement of Effect
- Travel Documents

4. Budget Information:

- Budgeted
- Not Applicable
- Budgeted – Grant Funded
- Unbudgeted
- Other: *Describe*

5. Submission:

Authorized Sponsor: Lisa Liggins, Secretary

Primary Requestor: Bonnie Pigman, Recording Clerk

Additional Requestor: (Name, Title/Entity)


Additional Requestor: (Name, Title/Entity)

Submitted By: BPIGMAN



Memorandum

TO: Oneida Business Committee

FROM: Brooke Doxtator, BCC Supervisor 

DATE: February 1, 2024

RE: Oath of Office – Oneida Nation School Board

Background

On January 24, 2024, the Oneida Business Committee appointed Melissa Skenandore. to the Oneida Nation School Board.

Oneida Election Board Ad Hoc Committee - Candace House- Administered Oath of Office on February 8,

Business Committee Agenda Request

1. Meeting Date Requested: 02/14/24

2. General Information:

Session: Open Executive – must qualify under §107.4-1.

Justification: *Choose reason for Executive.*

3. Supporting Documents:

- | | | |
|--|--|---|
| <input type="checkbox"/> Bylaws | <input type="checkbox"/> Fiscal Impact Statement | <input type="checkbox"/> Presentation |
| <input type="checkbox"/> Contract Document(s) | <input type="checkbox"/> Law | <input type="checkbox"/> Report |
| <input checked="" type="checkbox"/> Correspondence | <input type="checkbox"/> Legal Review | <input type="checkbox"/> Resolution |
| <input type="checkbox"/> Draft GTC Notice | <input type="checkbox"/> Minutes | <input type="checkbox"/> Rule (adoption packet) |
| <input type="checkbox"/> Draft GTC Packet | <input type="checkbox"/> MOU/MOA | <input type="checkbox"/> Statement of Effect |
| <input type="checkbox"/> E-poll results/back-up | <input type="checkbox"/> Petition | <input type="checkbox"/> Travel Documents |
| <input type="checkbox"/> Other: <i>Describe</i> | | |

4. Budget Information:

- | | | |
|--|--|-------------------------------------|
| <input type="checkbox"/> Budgeted | <input type="checkbox"/> Budgeted – Grant Funded | <input type="checkbox"/> Unbudgeted |
| <input checked="" type="checkbox"/> Not Applicable | <input type="checkbox"/> Other: <i>Describe</i> | |

5. Submission:

Authorized Sponsor: Lisa Liggins, Secretary

Primary Requestor: Shannon Davis, Recording Clerk

Additional Requestor: (Name, Title/Entity)


Additional Requestor: (Name, Title/Entity)

Submitted By: SDAVIS



Memorandum

TO: Oneida Business Committee

FROM: Brooke Doxtator, BCC Supervisor 

DATE: February 8, 2024

RE: Oath of Office – Oneida Election Board Ad-Hoc Committee

Background

On January 24, 2024, the Oneida Business Committee appointed Candace House to the Oneida Election Board Ad Hoc Committee.

Candace Houses' oath would have been scheduled for the Oneida Business Committee meeting on February 14, 2024; however, she was unable to attend. Other arrangements to administer her oath were made in accordance with the Boards, Committees, and Commissions law.

“§105.9-1 (b) If an oath is administered outside of an Oneida Business Committee meeting, a quorum of Oneida Business Committee members shall be present to witness the oath.”

On February 8, 2024, Secretary Lisa Liggins administered the oath of office to Candace House. The following Oneida Business Committee members were present: Lawrence Barton, Jonas Hill, Tehassi Hill, Lisa Liggins, Kirby Metoxen and Jennifer Webster.

Oneida Land Claims Commission - Candace House - Administered Oath of Office on February 8, 2024

Business Committee Agenda Request

1. Meeting Date Requested: 02/14/24

2. General Information:

Session: Open Executive – must qualify under §107.4-1.

Justification: *Choose reason for Executive.*

3. Supporting Documents:

- | | | |
|--|--|---|
| <input type="checkbox"/> Bylaws | <input type="checkbox"/> Fiscal Impact Statement | <input type="checkbox"/> Presentation |
| <input type="checkbox"/> Contract Document(s) | <input type="checkbox"/> Law | <input type="checkbox"/> Report |
| <input checked="" type="checkbox"/> Correspondence | <input type="checkbox"/> Legal Review | <input type="checkbox"/> Resolution |
| <input type="checkbox"/> Draft GTC Notice | <input type="checkbox"/> Minutes | <input type="checkbox"/> Rule (adoption packet) |
| <input type="checkbox"/> Draft GTC Packet | <input type="checkbox"/> MOU/MOA | <input type="checkbox"/> Statement of Effect |
| <input type="checkbox"/> E-poll results/back-up | <input type="checkbox"/> Petition | <input type="checkbox"/> Travel Documents |
| <input type="checkbox"/> Other: <i>Describe</i> | | |

4. Budget Information:

- | | | |
|--|--|-------------------------------------|
| <input type="checkbox"/> Budgeted | <input type="checkbox"/> Budgeted – Grant Funded | <input type="checkbox"/> Unbudgeted |
| <input checked="" type="checkbox"/> Not Applicable | <input type="checkbox"/> Other: <i>Describe</i> | |

5. Submission:

Authorized Sponsor: Lisa Liggins, Secretary

Primary Requestor: Bonnie Pigman, Recording Clerk

Additional Requestor: (Name, Title/Entity)


Additional Requestor: (Name, Title/Entity)

Submitted By: BPIGMAN



Memorandum

TO: Oneida Business Committee

FROM: Brooke Doxtator, BCC Supervisor 

DATE: February 8, 2024

RE: Oath of Office – Oneida Land Claims Commission

Background

On February 8, 2024, the Oneida Business Committee appointed Candace House to the Oneida Land Claims Commission.

Candace's oath would have been scheduled for the Oneida Business Committee meeting on February 13, 2024, however, she was unable to attend. Other arrangements to administer her oath was made in accordance with the Boards, Committees, and Commissions law.

“§105.9-1 (b) If an oath is administered outside of an Oneida Business Committee meeting, a quorum of Oneida Business Committee members shall be present to witness the oath.”

On February 8, 2024, Secretary, Lisa Liggins administered the oath of office to Candace House. The following Oneida Business Committee members were present: Tehassi Hill, Lawrence Barton, Lisa Liggins, Jonas Hill, Kirby Metoxen, Jennifer Webster.

Adopt resolution entitled Amendments to the Clean Air Policy

Business Committee Agenda Request

1. **Meeting Date Requested:** 02/14/24

2. **Session:**

Open Executive – must qualify under §107.4-1.

Justification: *Choose or type justification.*

3. **Requested Motion:**

Accept as information; OR

Adopt the resolution, Amendments to the Clean Air Policy

4. **Areas potentially impacted or affected by this request:**

Finance

Programs/Services

Law Office

MIS

Gaming/Retail

Boards, Committees, or Commissions

Other: *Describe*

5. **Additional attendees needed for this request:**

Name, Title/Entity OR Choose from List

Name, Title/Entity OR Choose from List

Name, Title/Entity OR Choose from List

Name, Title/Entity OR Choose from List

6. Supporting Documents:

- | | | |
|---|---|---|
| <input type="checkbox"/> Bylaws | <input checked="" type="checkbox"/> Fiscal Impact Statement | <input type="checkbox"/> Presentation |
| <input type="checkbox"/> Contract Document(s) | <input checked="" type="checkbox"/> Law | <input type="checkbox"/> Report |
| <input checked="" type="checkbox"/> Correspondence | <input type="checkbox"/> Legal Review | <input checked="" type="checkbox"/> Resolution |
| <input type="checkbox"/> Draft GTC Notice | <input type="checkbox"/> Minutes | <input type="checkbox"/> Rule (adoption packet) |
| <input type="checkbox"/> Draft GTC Packet | <input type="checkbox"/> MOU/MOA | <input checked="" type="checkbox"/> Statement of Effect |
| <input type="checkbox"/> E-poll results/back-up | <input type="checkbox"/> Petition | <input type="checkbox"/> Travel Documents |
| <input checked="" type="checkbox"/> Other: Legislative Analysis | | |

7. Budget Information:

- | | |
|---|--|
| <input type="checkbox"/> Budgeted – Tribal Contribution | <input type="checkbox"/> Budgeted – Grant Funded |
| <input type="checkbox"/> Unbudgeted | <input checked="" type="checkbox"/> Not Applicable |
| <input type="checkbox"/> Other: <i>Describe</i> | |

8. Submission:

Authorized Sponsor: Jameson Wilson, Councilmember

Primary Requestor: Clorissa N. Leeman, LRO Senior Staff Attorney



Oneida Nation
 Oneida Business Committee
 Legislative Operating Committee
 PO Box 365 • Oneida, WI 54155-0365
 Oneida-nsn.gov



TO: Oneida Business Committee
 FROM: Jameson Wilson, LOC Chairperson *Jameson Wilson*
 DATE: February 14, 2024
 RE: Adoption of Amendments to the Clean Air Policy

Please find the following attached backup documentation for your consideration of the adoption of amendments to the Clean Air Policy:

1. Resolution: Amendments to the Clean Air Policy
2. Statement of Effect: Amendments to the Clean Air Policy
3. Clean Air Policy Amendments Legislative Analysis
4. Clean Air Policy Amendments Draft (Redline)
5. Clean Air Policy Amendments Draft (Clean)
6. Clean Air Policy Amendments Fiscal Impact Statement

Overview

Amendments to the Clean Air Policy are being sought to clarify and provide additional exemptions to the prohibition against smoking, address how violations of this law by employees are handled, and make other minor drafting changes. The Clean Air Policy provides a healthy working and learning environment within buildings and vehicles owned and operated by the Nation by prohibiting smoking. [4 O.C. 411.1-1]. The amendments to the Clean Air Policy:

- Include a new exemption to the prohibition of smoking, which is a tobacco store, on or in premises controlled by Oneida Retail, that sells tobacco product, unless prohibited by Oneida Retail or the terms and conditions of the lease or land or building assignment. [4 O.C. 411.4-2(b)(3)];
- Clarify the exemption to the prohibition of smoking for residential buildings owned by the Nation only applies if not otherwise prohibited by a lease or rental agreement. [4 O.C. 411.4-2(b)(2)];
- Eliminate the requirement that a suspension for a second violation of this law be one (1) week in length, providing the supervisor and HRD greater flexibility in determining a suspension length that best fits the violation. [4 O.C. 411.4-4(b)(2)]; and
- Make other minor drafting changes, such as changing the title from the Clean Air Policy to the Clean Air law.

The Legislative Operating Committee developed the proposed amendments to the Clean Air Policy through collaboration with representatives from the Oneida Law Office, Gaming, Retail, Comprehensive Health Division, and Environmental, Health, Safety, Land, and Agriculture Division. The Legislative Operating Committee held six (6) work meetings on the development of the amendments to the Clean Air Policy.

The development of the amendments to the Clean Air Policy complies with all processes and procedures required by the Legislative Procedures Act, including the development of a legislative analysis, a fiscal analysis, and the opportunity for public review during a public meeting and public comment period. *[1 O.C. 109.6, 109.7, 109.8].*

A public meeting on the proposed amendments to the Clean Air Policy was held on December 15, 2023. Two (2) individuals provided oral comments during the public meeting. The public comment period was then held open until December 26, 2023. Four (4) individuals provided written comments during the public comment period. The Legislative Operating Committee reviewed and considered the public comments received on January 3, 2024, and any changes have been incorporated into this draft.

The amendments to the Clean Air Policy will become effective on February 28, 2024.

Requested Action

Adopt the Resolution: Amendments to the Clean Air Policy

Oneida Nation

Post Office Box 365

Phone: (920)869-2214



Oneida, WI 54155

BC Resolution # Amendments to the Clean Air Policy

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25
26
27
28
29
30
31
32
33
34
35
36
37
38
39
40
41
42
43
44
45
46
47

- 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 Clean Air Policy (“the Law”) was adopted by motion of the Oneida Business Committee on May 25, 1994, and amended by resolutions BC-02-24-10-I, BC-05-28-14-A; and
- WHEREAS,** the purpose of this Law is to provide a healthy working and learning environment within buildings and vehicles owned and operated by the Nation by prohibiting smoking; and
- WHEREAS** currently, the Law provides that no person may smoke in any building owned or operated by the Nation, in any vehicle owned or operated by the Nation, or within thirty (30) feet of any building owned or operated by the Nation, except that a person may smoke within thirty (30) feet of the retail outlets or any gaming establishments; and
- WHEREAS,** the Law provides various exemptions from the prohibition against smoking; and
- WHEREAS,** the amendments to the Law provide a new exemption to the prohibition of smoking, which is a tobacco store, on or in premises controlled by Oneida Retail, that sells tobacco product, unless prohibited by Oneida Retail or the terms and conditions of the lease or land or building assignment; and
- WHEREAS,** the amendments to the Law further clarify the exemption to the prohibition of smoking for residential buildings owned by the Nation only applies if not otherwise prohibited by a lease or rental agreement; and
- WHEREAS,** the amendments to the Law eliminate the requirement that a suspension for a second violation of this law be one (1) week in length, providing the supervisor and HRD greater flexibility in determining a suspension length that best fits the violation; and
- WHEREAS,** the amendments to the Law make other minor drafting changes, such as changing the title from the Clean Air Policy to the Clean Air law; and
- WHEREAS,** the Legislative Operating Committee developed the proposed amendments to the Law through collaboration with representatives from the Oneida Law Office, Gaming, Retail, Comprehensive Health Division, and Environmental, Health, Safety, Land, and Agriculture Division; and
- WHEREAS,** in accordance with the Legislative Procedures Act a legislative analysis and fiscal impact statement were completed for the proposed amendments to the Law; and

48
49 **WHEREAS,** a public meeting for the proposed amendments to this Law was held on December 15,
50 2023,with two (2) individuals providing oral comments, and the public comment period for
51 the amendments to this Law was held open until December 26, 2023, with four (4)
52 individuals providing written comments; and

53
54 **WHEREAS,** the Legislative Operating Committee reviewed and considered the public comments
55 received on January 3, 2023, and any changes have been incorporated into this draft; and

56
57 **NOW THEREFORE BE IT RESOLVED,** the Oneida Business Committee hereby adopts the amendments
58 to the Clean Air law which shall become effective on February 28, 2024.



Statement of Effect
Amendments to the Clean Air Policy

Summary

This resolution adopts amendments to the Clean Air Policy to clarify and provide additional exemptions to the prohibition against smoking, address how violations of this law by employees are handled, and make other minor drafting changes.

Submitted by: Clorissa N. Leeman, Senior Staff Attorney, Legislative Reference Office
Date: January 22, 2024

Analysis by the Legislative Reference Office

This resolution adopts amendments to the Clean Air Policy. The purpose of the Clean Air Policy is to provide a healthy working and learning environment within buildings and vehicles owned and operated by the Nation by prohibiting smoking. [4 O.C. 411.1-1]. The amendments to the Clean Air Policy:

- Include a new exemption to the prohibition of smoking, which is a tobacco store, on or in premises controlled by Oneida Retail, that sells tobacco product, unless prohibited by Oneida Retail or the terms and conditions of the lease or land or building assignment. [4 O.C. 411.4-2(b)(3)];
- Clarify the exemption to the prohibition of smoking for residential buildings owned by the Nation only applies if not otherwise prohibited by a lease or rental agreement. [4 O.C. 411.4-2(b)(2)];
- Eliminate the requirement that a suspension for a second violation of this law be one (1) week in length, providing the supervisor and HRD greater flexibility in determining a suspension length that best fits the violation. [4 O.C. 411.4-4(b)(2)]; and
- Make other minor drafting changes, such as changing the title from the Clean Air Policy to the Clean Air law.

Adoption of any legislation is required to comply with the Legislative Procedures Act (“the LPA”), which was adopted by the General Tribal Council through resolution GTC-01-07-13-A for the purpose of providing a standardized process for the adoption of laws of the Nation. [1 O.C. 109.1-1]. The Clean Air Policy amendments complied with all processes and procedures required by the LPA, including the development of a legislative analysis, a fiscal analysis, and the opportunity for public review during a public meeting and public comment period. [1 O.C. 109.6, 109.7, 109.8].

A public meeting on the proposed amendments to the Clean Air Policy was held on December 15, 2023. Two (2) individuals provided oral comments during the public meeting. The public comment period was then held open until December 26, 2023. Four (4) individuals provided written comments during the public comment period. The Legislative Operating Committee reviewed and considered the public comments received on January 3, 2024, and any changes have been incorporated into this draft.

The amendments to the Clean Air Policy will become effective on February 28, 2024.

Conclusion

Adoption of this resolution would not conflict with any of the Nation's laws.



CLEAN AIR POLICY AMENDMENTS LEGISLATIVE ANALYSIS

SECTION 1. EXECUTIVE SUMMARY

<i>Analysis by the Legislative Reference Office</i>	
Intent of the Proposed Amendments	<ul style="list-style-type: none"> ▪ Include a new exemption to the prohibition of smoking, which is a tobacco store, on or in premises controlled by Oneida Retail, that sells tobacco product, unless prohibited by Oneida Retail or the terms and conditions of the lease or land or building assignment. [4 O.C. 411.4-2(b)(3)]; ▪ Clarify the exemption to the prohibition of smoking for residential buildings owned by the Nation only applies if not otherwise prohibited by a lease or rental agreement. [4 O.C. 411.4-2(b)(2)]; ▪ Eliminate the requirement that a suspension for a second violation of this law be one (1) week in length, providing the supervisor and HRD greater flexibility in determining a suspension length that best fits the violation. [4 O.C. 411.4-4(b)(2)]; and ▪ Make other minor drafting changes.
Purpose	The purpose of this law is to provide a healthy working and learning environment within buildings and vehicles owned and operated by the Nation by prohibiting smoking. [4 O.C. 411.1-1].
Affected Entities	Oneida Nation employees and community members.
Public Meeting	A public meeting was held on December 15, 2023. The public comment period was held open until December 26, 2023.
Fiscal Impact	A fiscal impact statement was provided by the Finance Department on January 30, 2024.

SECTION 2. LEGISLATIVE DEVELOPMENT

- 1
- 2 **A. Background.** The Clean Air Policy was originally adopted by the Oneida Business by motion on May
- 3 25, 1994, and then amended through resolutions BC-02-24-10-I, and BC-05-28-14-A. The purpose of
- 4 the Clean Air Policy is to provide a healthy working and learning environment within buildings and
- 5 vehicles owned and operated by the Nation by prohibiting smoking. [4 O.C. 411.1-1]. It is the policy
- 6 of the Nation to commit to promoting health and wellness in all forms, by prohibiting smoking. [4 O.C.
- 7 411.1-2].
- 8 **B. Request for Amendments.** On January 10, 2023, the LOC received a request from Retail to consider
- 9 amendments to the Clean Air Policy to create an exemption for the prohibition from smoking in any
- 10 building of the Nation for smoking cigars and tobacco in pipes within a premise designated by retail as
- 11 a tobacco store, on or in premises controlled by Oneida Retail, that sells tobacco product and in which
- 12 the smoking of only cigars and tobacco in pipes is permitted. The Legislative Operating Committee
- 13 added the Clean Air Policy amendments to its Active Files List on January 18, 2023.
- 14

SECTION 3. CONSULTATION AND OUTREACH

- 15
- 16 **A.** Representatives from the following departments or entities participated in the development of the
- 17 amendments to the Clean Air Policy and this legislative analysis:

- 18 ▪ Oneida Law Office;
- 19 ▪ Gaming;
- 20 ▪ Retail;
- 21 ▪ Comprehensive Health Division; and
- 22 ▪ Environmental, Health, Safety, Land, and Agriculture Division.

- 23 **B.** The following laws were reviewed in the drafting of this analysis:
- 24 ▪ Oneida Personnel Policies and Procedures.

25

26 **SECTION 4. PROCESS**

- 27 **A.** The development of the proposed amendments to the Clean Air Policy complies with the process set
28 forth in the Legislative Procedures Act (LPA).

- 29 ▪ On January 18, 2023, the Legislative Operating Committee added the Clean Air Policy
30 amendments to its Active Files List.
- 31 ▪ On February 1, 2023, the Legislative Operating Committee approved the draft of the proposed
32 amendments to the Clean Air Policy and directed that a legislative analysis be developed.
- 33 ▪ On July 10, 2023, the Legislative Operating Committee approved the updated draft and
34 legislative analysis.
- 35 ▪ On October 4, 2023, the Legislative Operating Committee readded the Clean Air Policy
36 amendments to its Active Files List for the 2023-2026 legislative term.
- 37 ▪ On November 1, 2023, the Legislative Operating Committee approved the public meeting
38 packet for the Clean Air Policy Amendments with noted change to the public meeting notice,
39 and forwarded the Clean Air Policy Amendments to a public meeting to be held on December
40 15, 2023.
- 41 ▪ On December 15, 2023, the public meeting was held. Two (2) individuals provided oral
42 comments during the public meeting.
- 43 ▪ The public comment period was held open until December 26, 2023. Four (4) individuals
44 provided written comments during the public comment period.
- 45 ▪ On January 3, 2024, the Legislative Operating Committee accepted the public comments and
46 the public comment review memorandum and deferred these items to a work meeting for
47 further discussion. The Legislative Operating Committee held a work meeting to review and
48 consider the public comments later this same day.
- 49 ▪ On January 17, 2024, the Legislative Operating Committee approved the updated public
50 comment review memorandum, draft, and legislative analysis; and approved the fiscal impact
51 statement request memorandum and forwarded the relevant materials to the Finance
52 Department directing that a fiscal impact statement be prepared and submitted to the LOC by
53 January 31, 2024.
- 54 ▪ The Finance Department provided the fiscal impact statement on January 30, 2024.

- 55 **B.** At the time this legislative analysis was developed the following work meetings had been held
56 regarding the development of the amendments to this Law:

- 57 ▪ January 26, 2023: LOC work session;
- 58 ▪ February 20, 2023: LOC work session with the Comprehensive Health Division and the
59 Environmental, Health, Safety, Land, and Agriculture Division; and
- 60 ▪ March 20, 2023: LOC work session with the Comprehensive Health Division, Retail, Gaming,
61 Oneida Law Office, and the Environmental, Health, Safety, Land, and Agriculture Division.

- 62 ▪ October 18, 2023: LOC work session.
- 63 ▪ January 3, 2024: LOC work session.
- 64 ▪ February 1, 2024: LOC work session.

65

66 **SECTION 5. CONTENTS OF THE LEGISLATION**

67 **A. *Exemptions to the Prohibition of Smoking.*** The proposed amendments to the Clean Air Policy include
 68 a new exemption to the prohibition of smoking, which is a tobacco store, on or in premises controlled
 69 by Oneida Retail, that sells tobacco product, unless prohibited by Oneida Retail or the terms and
 70 conditions of the lease or land or building assignment. [4 O.C. 411.4-2(b)(3)]. Previously, the Clean
 71 Air Policy only included exemptions to the prohibition of smoking for cultural usage, all gaming areas
 72 in any building of the Nation, and residential buildings that are owned by the Nation. [4 O.C. 411.4-
 73 2(a)-(b)(1)-(2)]. The proposed amendments also provide clarification that the exemption for residential
 74 buildings owned by the Nation only applies if not otherwise prohibited by a lease or rental agreement.
 75 [4 O.C. 411.4-2(b)(2)].

- 76 ▪ *Effect.* An additional exemption was added to the Clean Air Policy in an effort to provide Retail
 77 with an opportunity to pursue the development of a cigar bar in one of the Oneida One Stop retail
 78 locations. Clarification was added to the exemption for residential buildings in recognition that a
 79 lease or rental agreement may further prohibit smoking within a residential building owned by the
 80 Nation.

81 **B. *Violations of the Clean Air Policy.*** The proposed amendments to the Clean Air Policy clarify that any
 82 employee of the Nation who violates this law during their work hours may be subject to disciplinary
 83 action in accordance with the Nation’s laws and policies governing employment, which is the Oneida
 84 Personnel Policies and Procedures. [4 O.C. 411.4-4(b)]. The proposed amendments to the Clean Air
 85 Policy then demonstrates that the disciplinary action an employee may be subject to includes a written
 86 warning for a first-time violation; a suspension without pay for a second violation; or termination from
 87 employment for any violation thereafter. [4 O.C. 411.4-4(b)(1)-(3)]. Previously, the Clean Air
 88 Policy provided that a first violation of this law would result in a reprimand, but the Clean Air Policy
 89 was not specific as to what that reprimand would consist of. Additionally, the Clean Air Policy
 90 previously provided that a second violation of this law would result in a suspension for one (1) week.
 91 The proposed amendments to the Clean Air Policy eliminated the one (1) week requirement for
 92 suspensions and instead provide the supervisor with discretion to determine the appropriate length of
 93 the suspension. The Oneida Personnel Policies and Procedures requires that a supervisor consult with
 94 the Executive Director of the Human Resources Department to mutually determine the appropriate
 95 length of the suspension, and that any suspension be limited to a maximum of three (3) weeks. [Oneida
 96 Personnel Policies and Procedures Section V.D.5.f.1].

- 97 ▪ *Effect.* This proposed amendments to the Clean Air Policy provide greater clarification as to how
 98 violations of this law are addressed for employees who violate the Clean Air Policy during their
 99 work hours.

100

101 **SECTION 6. EXISTING LEGISLATION**

102 **A. *Related Legislation.*** The following laws of the Nation are related to the Clean Air Policy:

- 103 ▪ *Oneida Personnel Policies and Procedures.* The purpose of the Oneida Personnel Policies and
 104 Procedures is to provide for the Nation’s employee related policies and procedures including

105 recruitment, selection, compensation and benefits, employee relations, safety and health, program
106 and enterprise rules and regulations, and record keeping.

- 107 ▪ Section V.D of the Oneida Personnel Policies and Procedures specifically addresses
108 complaints, disciplinary actions and grievances. Section V.D.2.b of the Oneida Personnel
109 Policies and Procedures provides that a supervisor is required to initiate disciplinary actions
110 commensurate with the seriousness of the unsatisfactory performance, and a supervisor must
111 consider each disciplinary action in progressive order and justify a deviance from that
112 recommended progression.
- 113 ▪ The proposed amendments to the Clean Air Policy clarify that any employee of the Nation who
114 violates this law during their work hours may be subject to disciplinary action in accordance
115 with the Nation’s laws and policies governing employment, which is the Oneida Personnel
116 Policies and Procedures. [4 O.C. 411.4-4(b)].

117

118 **SECTION 7. OTHER CONSIDERATIONS**

119 **A. *Fiscal Impact.*** Under the Legislative Procedures Act, a fiscal impact statement is required for all
120 legislation except emergency legislation [1 O.C. 109.6-1]. Oneida Business Committee resolution BC-
121 10-28-20-A titled, “*Further Interpretation of ‘Fiscal Impact Statement’ in the Legislative Procedures*
122 *Act,*” provides further clarification on who the Legislative Operating Committee may direct complete
123 a fiscal impact statement at various stages of the legislative process, as well as timeframes for
124 completing the fiscal impact statement.

- 125 ▪ *Conclusion.* The Finance Department provided a fiscal impact statement on January 30, 2024.

126

Title 4. Environment and Natural Resources – Chapter 411

CLEAN AIR ~~POLICY~~

411.1. Purpose and Policy

~~411.2. Adoption, Amendment, Conflicts~~~~411.2. Adoption, Amendment, Repeal~~

411.3. Definitions

411.4. Regulation of Smoking

3#

411.1. Purpose and Policy

411.1-1. *Purpose.* ~~It is the~~The purpose of this ~~Clean Air Policy~~law is to provide a healthy working and learning environment within buildings and vehicles owned and operated by the ~~Oneida Tribe~~Nation by prohibiting smoking.

411.1-2. *Policy.* ~~The Oneida Tribe~~It is committed~~the policy of the Nation~~to ~~commit to promoting~~ health and wellness in all forms. ~~There is long standing evidence that smoking is harmful to oneself, and that second-hand smoke is harmful to others. In addition, the long-term effects of electronic cigarettes on individuals are unclear. In an effort to provide a healthy environment for children, employees, and visitors, smoking will~~shall be ~~restricted~~prohibited as described within this ~~policy~~law.

34#

411.2. Adoption, Amendment, ~~Conflicts~~Repeal

411.2-1. This ~~Policy~~law was adopted by motion of the Oneida Business Committee on May 25, 1994, and amended by ~~resolution~~resolutions BC-02-24-10-I~~and~~, BC-05-28-14-A~~,~~ and BC- ~~- -~~ .#

411.2-2. This ~~Policy~~law may be amended or repealed by the Oneida Business Committee ~~or~~ General Tribal Council pursuant to the procedures set out in the Legislative Procedures Act.

411.2-3. Should a provision of this ~~Policy~~law or the application thereof to any person or circumstances be held as invalid, such invalidity shall not affect other provisions of this ~~Policy~~law which are considered to have legal force without the invalid portions.

411.2-4. In the event of a conflict between a provision of this ~~Policy~~law and a provision of another law, ~~ordinance, policy, regulation, rule, resolution, or motion~~, the provisions of this ~~Policy~~law shall control. ~~Provided that, nothing in this Policy is intended to repeal or modify any existing law, ordinance, policy, regulation, rule, resolution or motion.~~

411.2-5. This ~~Policy~~law is adopted under authority of the Constitution of the Oneida ~~Tribe of Indians of Wisconsin~~Nation.

4:#

411.3. Definitions

411.3-1. This section shall govern the definitions of words and phrases used within this ~~Policy~~law. All words not defined herein shall be used in their ordinary and everyday sense.

(a) (a) “Building” means a structure that has a roof and more than two (2) substantial walls.

(b) (b) “Electronic cigarette” means a device that enables a person to ingest nicotine, or other chemicals or substances, by inhaling a vaporized liquid and shall include the cartridges and other products used to refill the device. ~~“Electronic cigarette” shall not include any device that is prescribed by a healthcare professional.~~

(c) (c) “Indoor” means within the exterior walls of any building.

(d) (d) “Main entrance” means the front entrance to any building, or any entrance a majority of the employees and public use to access the building.

(e) “Nation” means the Oneida Nation.

(f) (f) “Smoke” or “Smoking” means the inhalation of:

(1) (1) the smoke of burning tobacco encased in cigarettes, pipes and cigars; or

Draft 4 for OBC Consideration (Redline to Current)

2024 02 14

66# ~~(2)~~ (2) a vaporized liquid from an electronic cigarette, whether the liquid contains
67# or does not contain nicotine.

68# (f) ~~“Tribe”~~(g) “Tobacco product” means ~~the Oneida Tribe~~any form of ~~Indians of~~
69# ~~Wisconsin~~tobacco prepared in a manner suitable for smoking.

6 : #

6 ; # **411.4. Regulation of Smoking**

72# 411.4-1. ~~Except as provided in 411.4-1(b)(1) and 411.4-2, no~~Prohibition of Smoking. No person
73# may smoke:

74# (a) in any building owned or operated by the ~~Tribe~~Nation;

75# (b) within thirty (30) feet of any building owned or operated by the ~~Tribe~~Nation.
76# Receptacles for disposing of smoking materials shall be maintained at least thirty (30) feet
77# from the main entrances of the building; ~~or~~

78# (1) Exception. A person may smoke within thirty (30) feet of the ~~Oneida One~~
79# ~~Stop~~retail outlets or any gaming establishments. ~~Receptacles for disposing of~~
7 : # smoking materials may be maintained within thirty (30) feet of the entrances of
7 ; # these buildings.

82# (c) in any vehicle owned or operated by the ~~Tribe~~Nation.

83# 411.4-2. Exemptions. The following exemptions shall apply to the prohibition of smoking:

84# (a) ~~There shall be an exemption for specific cultural uses for the~~Cultural Usage. ~~The~~
85# reasonable burning of tobacco, sage, cedar, and/or sweetgrass ~~shall be exempted for~~
86# cultural usage. Employees working in the vicinity of this cultural use shall be notified prior
87# to use.

88# (b) Specifically Exempted Locations. The following locations shall be exempted from ~~this~~
89# ~~policy~~are the prohibition of smoking:

8 : # (1) all gaming areas in any ~~Tribal~~building of the Nation;

8 ; # (A) Smoking and non-smoking employee break rooms shall be provided in
92# these buildings and shall have separate ventilation.

93# (B) Employees shall not smoke while working in these buildings, other than
94# in the provided break room.

95# (2) residential buildings that are owned by the ~~Tribe~~Nation, including, but not
96# limited to, single-family dwellings, two-~~(2)~~ family dwellings, and multiple-family
97# dwellings; ~~unless otherwise prohibited by a lease or rental agreement; and~~

98# (3) a tobacco store, on or in premises controlled by Oneida Retail, that sells tobacco
99# product, unless prohibited by Oneida Retail or the terms and conditions of the lease
9 : # or land or building assignment.

9 ; # 411.4-3. Posting and Notices. All ~~Tribal~~buildings of the Nation, except for those ~~listed in~~
: 2# exempted by section 411.4-2(b),) of this Law, shall be posted as “Non-Smoking” on entrances. ~~In~~
: 3# addition, the hallways, restroom facilities, and other public areas of these buildings may also be
: 4# posted as “Non-Smoking.” ~~Signs shall be large enough that they can be viewed and read thirty~~
: 5# (30) feet from the building.

: 6# 411.4-4. Violations.

: 7# (a) Any building manager or designated agent of the ~~Oneida Business Committee~~Nation
: 8# may file for injunctive relief with the ~~Tribe’s judicial system~~Nation’s Judiciary against any
: 9# person who repeatedly or willfully violates this ~~policy~~law.

Draft 4 for OBC Consideration (Redline to Current)

2024 02 14

: : # (b) An employee of the TribeNation who violates this policylaw during his or hertheir
 : ; # work hours may be subject to the following disciplinary action in accordance with the
 ; 2# Nation’s laws and policies governing employment:
 ; 3# (1) reprimandedwritten warning for a first-time violation;
 ; 4# (2) suspended without pay for one (1) week for a second violation; or
 ; 5# (3) terminated from employment for any violation thereafter.

; 6#
 ; 7# *End.*
 ; 8#

; 9# Adopted ~~5~~ OBC motion on 05-25-94, ~~motion, grace~~Grace period for thirty (30) feet until shelters complete, except
 ; : # for at educational facilities where minors are present.
 ; ; # Amended – BC-02-24-10-I
 32 2 # Amended – BC-05-28-14-A
 32 3 # Amended – BC - - -

**Title 4. Environment and Natural Resources – Chapter 411
CLEAN AIR**

411.1. Purpose and Policy
411.2. Adoption, Amendment, Repeal

411.3. Definitions
411.4. Regulation of Smoking

3#

4# **411.1. Purpose and Policy**

5# 411.1-1. *Purpose.* The purpose of this law is to provide a healthy working and learning
6# environment within buildings and vehicles owned and operated by the Nation by prohibiting
7# smoking.

8# 411.1-2. *Policy.* It is the policy of the Nation to commit to promoting health and wellness in all
9# forms. There is long standing evidence that smoking is harmful to oneself, and that second-hand
:# smoke is harmful to others. In addition, the long-term effects of electronic cigarettes on individuals
;# are unclear. In an effort to provide a healthy environment for children, employees, and visitors,
32# smoking shall be prohibited as described within this law.

33#

34# **411.2. Adoption, Amendment, Repeal**

35# 411.2-1. This law was adopted by motion of the Oneida Business Committee on May 25, 1994,
36# and amended by resolutions BC-02-24-10-I, BC-05-28-14-A, and BC-__-__-__-__.#

37# 411.2-2. This law may be amended or repealed by the Oneida Business Committee or General
38# Tribal Council pursuant to the procedures set out in the Legislative Procedures Act.

39# 411.2-3. Should a provision of this law or the application thereof to any person or circumstances
3:# be held as invalid, such invalidity shall not affect other provisions of this law which are considered
3;# to have legal force without the invalid portions.

42# 411.2-4. In the event of a conflict between a provision of this law and a provision of another law,
43# the provisions of this law shall control.

44# 411.2-5. This law is adopted under authority of the Constitution of the Oneida Nation.

45#

46# **411.3. Definitions**

47# 411.3-1. This section shall govern the definitions of words and phrases used within this law. All
48# words not defined herein shall be used in their ordinary and everyday sense.

49# (a) “Building” means a structure that has a roof and more than two (2) substantial walls.

4:# (b) “Electronic cigarette” means a device that enables a person to ingest nicotine, or other
4;# chemicals or substances, by inhaling a vaporized liquid and shall include the cartridges and
52# other products used to refill the device.

53# (c) “Indoor” means within the exterior walls of any building.

54# (d) “Main entrance” means the front entrance to any building, or any entrance a majority
55# of the employees and public use to access the building.

56# (e) “Nation” means the Oneida Nation.

57# (f) “Smoke” or “Smoking” means the inhalation of:

58# (1) the smoke of burning tobacco encased in cigarettes, pipes and cigars; or

59# (2) a vaporized liquid from an electronic cigarette, whether the liquid contains or
5:# does not contain nicotine.

5;# (g) “Tobacco product” means any form of tobacco prepared in a manner suitable for
62# smoking.

63#

64# **411.4. Regulation of Smoking**

65# 411.4-1. *Prohibition of Smoking.* No person may smoke:

66# (a) in any building owned or operated by the Nation;
67# (b) within thirty (30) feet of any building owned or operated by the Nation. Receptacles
68# for disposing of smoking materials shall be maintained at least thirty (30) feet from the
69# main entrances of the building; or

6 :# (1) *Exception.* A person may smoke within thirty (30) feet of the retail outlets or
6 ;# any gaming establishments. Receptacles for disposing of smoking materials may
72# be maintained within thirty (30) feet of the entrances of these buildings.

73# (c) in any vehicle owned or operated by the Nation.

74# 411.4-2. *Exemptions.* The following exemptions shall apply to the prohibition of smoking:

75# (a) *Cultural Usage.* The reasonable burning of tobacco, sage, cedar, and/or sweetgrass
76# shall be exempted for cultural usage. Employees working in the vicinity of this cultural use
77# shall be notified prior to use.

78# (b) *Exempted Locations.* The following locations shall be exempted from the prohibition
79# of smoking:

7 :# (1) all gaming areas in any building of the Nation;

7 ;# (A) Smoking and non-smoking employee break rooms shall be provided in
82# these buildings and shall have separate ventilation.

83# (B) Employees shall not smoke while working in these buildings, other than
84# in the provided break room.

85# (2) residential buildings that are owned by the Nation, including, but not limited
86# to, single-family dwellings, two (2) family dwellings, and multiple-family
87# dwellings, unless otherwise prohibited by a lease or rental agreement; and

88# (3) a tobacco store, on or in premises controlled by Oneida Retail, that sells tobacco
89# product, unless prohibited by Oneida Retail or the terms and conditions of the lease
8 :# or land or building assignment.

8 ;# 411.4-3. *Posting and Notices.* All buildings of the Nation, except for those exempted by section
92# 411.4-2(b) of this Law, shall be posted as “Non-Smoking” on entrances. In addition, the hallways,
93# restroom facilities, and other public areas of these buildings may also be posted as “Non-
94# Smoking.” Signs shall be large enough that they can be viewed and read thirty (30) feet from the
95# building.

96# 411.4-4. *Violations.*

97# (a) Any building manager or designated agent of the Nation may file for injunctive relief
98# with the Nation’s Judiciary against any person who repeatedly or willfully violates this
99# law.

9 :# (b) An employee of the Nation who violates this law during their work hours may be
9 ;# subject to the following disciplinary action in accordance with the Nation’s laws and
:2# policies governing employment:

:3# (1) written warning for a first-time violation;

:4# (2) suspended without pay for a second violation; or

:5# (3) terminated from employment for any violation thereafter.

:6#

:7# *End.*

:8#

:9#

Adopted – OBC motion on 05-25-94, Grace period for thirty (30) feet until shelters complete, except for at educational
: :# facilities where minors are present.

Draft 4 for OBC Consideration
2024 02 14

- ; # Amended – BC-02-24-10-I
- ; 2# Amended – BC-05-28-14-A
- ; 3# Amended – BC __ - __ - __ - __



MEMORANDUM

To: Legislative Operating Committee

From: Keith Doxtator

Date: January 30th, 2024

Subject: Fiscal Impact for: Clean Air Policy Amendments

I. Estimated Fiscal Impact Summary:

Request: Amendments to Clean Air Policy		
Implementing Agency	Retail Comprehensive Housing Human Resources	
Estimated Impact	Current Fiscal Year	Ten Year Estimate
Total Estimated Fiscal Impact	None	None

II. Background:

The Clean Air Policy was originally adopted by the Oneida Business Committee by motion on May 25th, 1994, and then amended through resolutions BC-02-24-10-I, and BC-05-28-14-A. The purpose of the Clean Air Policy is to provide a health working and learning environment within buildings and vehicles owned and operated by the Nation by prohibiting smoking. It is the policy of the Nation to commit to promoting health and wellness in all forms, by prohibiting smoking.

On January 10th, 2023, the LOC received a request from Retail to consider amendments to the Clean Air Policy to create an exemption for the prohibition from smoking in any building of the Nation for smoking cigars and tobacco in pipes within a premise designated by retail as a tobacco store, on or in premises controlled by Oneida Retail, that sells tobacco product and in which the smoking of only cigars and tobacco in pipes is permitted.

The LOC is considering amendments to the Clean Air Policy, summarized as:

- A new exemption to the prohibition of smoking, which is a tobacco store, on or in premises controlled by Oneida Retail, that sells tobacco product, unless prohibited by Oneida Retail or the terms and conditions of the lease or land or building assignment.
- Clarify the exemption to the prohibition of smoking for residential buildings owned by the Nation only applies if not otherwise prohibited by a lease or rental agreement.
- Eliminate the requirement that a suspension for a second violation of this law be one (1) week in length, providing the supervisor and HRD greater flexibility in determining a suspension length that best fits the violation.

III. **Methodology and Assumptions:**

New Exemption for Retail

I've requested input from Retail and relying on their expertise specific to this FIS within Retail.

Residential Exemption

This exemption for residential buildings already exists, and the amendment clarifies that further restrictions may be imposed by a lease or rental agreement. I will assume no fiscal impact as this exemption reversal (assuming pertinent in the lease or rental agreement) will result in the same process and enforcement of any other Nation owned building.

Violations

The only change here is from a mandatory one-week suspension to an indeterminate length suspension.

IV. **Financial Impact:**

Retail has confirmed there is no financial impact to their operations within these amendments.

There is no process or enforcement change to comply with the original pre-exemption language, and no fiscal impact will result for housing leases or rental agreements.

Finance Administration Office

Suspension length changes are indeterminate, and rather minimal. The impact may only be the difference from one-week to future practices, and these are rather infrequent and non-consequential in scale compared to the size of our personnel budgets.

V. Recommendation:

Finance does not provide a recommendation for this request. Rather our aim is to disclose the financial impact and allow the BC to weigh the value to cost among all its priorities.

Please contact Finance with any follow up questions.

Adopt resolution entitled Amendments to the Drug and Alcohol Free Workplace Law

Business Committee Agenda Request

1. Meeting Date Requested: 02/14/24

2. Session:

Open Executive – must qualify under §107.4-1.

Justification: *Choose or type justification.*

3. Requested Motion:

Accept as information; OR

Adopt the resolution, Amendments to the Drug and Alcohol Free Workplace Law

4. Areas potentially impacted or affected by this request:

- Finance Programs/Services
- Law Office MIS
- Gaming/Retail Boards, Committees, or Commissions
- Other: *Describe*

5. Additional attendees needed for this request:

Name, Title/Entity OR Choose from List

Name, Title/Entity OR Choose from List

Name, Title/Entity OR Choose from List

Name, Title/Entity OR Choose from List

6. Supporting Documents:

- | | | |
|---|---|---|
| <input type="checkbox"/> Bylaws | <input checked="" type="checkbox"/> Fiscal Impact Statement | <input type="checkbox"/> Presentation |
| <input type="checkbox"/> Contract Document(s) | <input checked="" type="checkbox"/> Law | <input type="checkbox"/> Report |
| <input checked="" type="checkbox"/> Correspondence | <input type="checkbox"/> Legal Review | <input checked="" type="checkbox"/> Resolution |
| <input type="checkbox"/> Draft GTC Notice | <input type="checkbox"/> Minutes | <input type="checkbox"/> Rule (adoption packet) |
| <input type="checkbox"/> Draft GTC Packet | <input type="checkbox"/> MOU/MOA | <input checked="" type="checkbox"/> Statement of Effect |
| <input type="checkbox"/> E-poll results/back-up | <input type="checkbox"/> Petition | <input type="checkbox"/> Travel Documents |
| <input checked="" type="checkbox"/> Other: Legislative Analysis | | |

7. Budget Information:

- | | |
|---|--|
| <input type="checkbox"/> Budgeted – Tribal Contribution | <input type="checkbox"/> Budgeted – Grant Funded |
| <input type="checkbox"/> Unbudgeted | <input checked="" type="checkbox"/> Not Applicable |
| <input type="checkbox"/> Other: <i>Describe</i> | |

8. Submission:


Authorized Sponsor: Jameson Wilson, Councilmember

Primary Requestor: Clorissa N. Leeman, LRO Senior Staff Attorney



Oneida Nation
 Oneida Business Committee
 Legislative Operating Committee
 PO Box 365 • Oneida, WI 54155-0365
 Oneida-nsn.gov



TO: Oneida Business Committee
 FROM: Jameson Wilson, LOC Chairperson 
 DATE: February 14, 2024
 RE: Adoption of Amendments to the Drug and Alcohol Free Workplace Law

Please find the following attached backup documentation for your consideration of the adoption of amendments to the Drug and Alcohol Free Workplace law:

1. Resolution: Amendments to the Drug and Alcohol Free Workplace Law
2. Statement of Effect: Amendments to the Drug and Alcohol Free Workplace Law
3. Drug and Alcohol Free Workplace Law Amendments Legislative Analysis
4. Drug and Alcohol Free Workplace Law Amendments Draft (Redline)
5. Drug and Alcohol Free Workplace Law Amendments Draft (Clean)
6. Drug and Alcohol Free Workplace Law Amendments Fiscal Impact Statement

Overview

Amendments to the Drug and Alcohol Free Workplace law are being sought to address exemptions to the pre-employment drug testing of external applicants. Drug and Alcohol Free Workplace law establishes a drug and alcohol-free workplace program that balances respect for individuals with the need to maintain an alcohol and drug-free environment. [2 O.C. 202.1-2].

Currently, the Drug and Alcohol Free Workplace law provides that each employee, as a condition of employment, shall participate in pre-employment, reasonable suspicion, and follow-up testing upon the request of an appropriate authority, and that a negative test result is required for employment eligibility. The proposed amendments to the Drug and Alcohol Free Workplace law require that all external and internal applicants participate in pre-employment drug testing, and that a negative drug test result shall be required for employment eligibility. [2 O.C. 202.8-4]. The amendments to the Drug and Alcohol Free Workplace law further provide that an external applicant's confirmed positive THC test result shall be exempted from the requirement of a negative drug test result for pre-employment eligibility unless prohibited by an external licensing or grant requirement. [2 O.C. 202.8-4(a)]. Once an individual is hired by the Nation, the employee is prohibited from the use of prohibited drugs and alcohol during working hours, when on-call, and when operating a vehicle owned by the Nation or a vehicle rented by the Nation. [2 O.C. 202.4-2]. All employees of the Nation are required to participate in reasonable suspicion and follow-up testing upon the request of an appropriate authority. [2 O.C. 202.8-5]. A negative test result is required for unimpeded employment eligibility. *Id.*

The Legislative Operating Committee developed the proposed amendments to the Drug and Alcohol Free Workplace law through collaboration with representatives from the Oneida Law Office, Human Resources Department, Gaming, and Employee Health Nursing. The Legislative

Operating Committee held seven (7) work meetings on the development of the amendments to the Drug and Alcohol Free Workplace law.

The development of the amendments to the Drug and Alcohol Free Workplace law complies with all processes and procedures required by the Legislative Procedures Act, including the development of a legislative analysis, a fiscal analysis, and the opportunity for public review during a public meeting and public comment period. [1 O.C. 109.6, 109.7, 109.8].

A public meeting on the proposed amendments to the Drug and Alcohol Free Workplace law was held on February 15, 2023. Six (6) individuals provided oral comments during the public meeting. The public comment period was then held open until February 22, 2023. Four (4) individuals provided written comments during the public comment period. The Legislative Operating Committee reviewed and considered the public comments received on December 20, 2023, and any changes have been incorporated into this draft.

The amendments to the Drug and Alcohol Free Workplace law will become effective on March 4, 2024.

Requested Action

Adopt the Resolution: Amendments to the Drug and Alcohol Free Workplace Law

Oneida Nation

Post Office Box 365

Phone: (920)869-2214



Oneida, WI 54155

BC Resolution # Amendments to the Drug and Alcohol Free Workplace Law

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25
26
27
28
29
30
31
32
33
34
35
36
37
38
39
40
41
42
43
44
45
46
47

- 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 Drug and Alcohol Free Workplace law (“the Law”) was adopted by the Oneida Business Committee through resolution BC-10-25-95-A and amended by resolutions BC-10-20-99-A, BC-12-05-07-B, BC-12-11-13-F, and BC-04-12-17-C; and
- WHEREAS,** it is the policy of the Nation to establish a drug and alcohol-free workplace program that balances respect for individuals with the need to maintain an alcohol and drug-free environment; and
- WHEREAS** currently, the Law provides that each employee, as a condition of employment, shall participate in pre-employment, reasonable suspicion, and follow-up testing upon the request of an appropriate authority, and that a negative test result is required for employment eligibility; and
- WHEREAS,** the proposed amendments to the Law require that all external and internal applicants participate in pre-employment drug testing, and that a negative drug test result shall be required for employment eligibility; and
- WHEREAS,** the amendments to the Law further provide that an external applicant’s confirmed positive THC test result shall be exempted from the requirement of a negative drug test result for pre-employment eligibility unless prohibited by an external licensing or grant requirement; and
- WHEREAS,** once an individual is hired by the Nation, the employee is prohibited from the use of prohibited drugs and alcohol during working hours, when on-call, and when operating a vehicle owned by the Nation or a vehicle rented by the Nation; and
- WHEREAS,** all employees of the Nation are required to participate in reasonable suspicion and follow-up testing upon the request of an appropriate authority, and a negative test result is required for unimpeded employment eligibility; and
- WHEREAS,** the Legislative Operating Committee developed the proposed amendments to the Law through collaboration with representatives from the Oneida Law Office, Human Resources Department, Gaming, and Employee Health Nursing; and
- WHEREAS,** in accordance with the Legislative Procedures Act a legislative analysis and fiscal impact statement were completed for the proposed amendments to the Law; and

48
49 **WHEREAS,** a public meeting for the proposed amendments to this Law was held on February 15,
50 2023,with six (6) individuals providing oral comments, and the public comment period for
51 the amendments to this Law was held open until February 22, 2023, with four (4) individuals
52 providing written comments; and

53
54 **WHEREAS,** the Legislative Operating Committee reviewed and considered the public comments
55 received on December 20, 2023, and any changes have been incorporated into this draft;
56 and

57
58 **NOW THEREFORE BE IT RESOLVED,** the Oneida Business Committee hereby adopts the amendments
59 to the Drug and Alcohol Free Workplace law which shall become effective on March 4, 2024.



Oneida Nation
 Oneida Business Committee
 Legislative Operating Committee
 PO Box 365 • Oneida, WI 54155-0365
Oneida-nsn.gov



Statement of Effect

Amendments to the Drug and Alcohol Free Workplace Law

Summary

This resolution adopts amendments to the Drug and Alcohol Free Workplace law to provide that an external applicant's confirmed positive THC test result shall be exempted from the requirement of a negative drug test result for pre-employment eligibility unless prohibited by an external licensing or grant requirement.

Submitted by: Clorissa N. Leeman, Senior Staff Attorney, Legislative Reference Office

Date: January 15, 2024

Analysis by the Legislative Reference Office

This resolution adopts amendments to the Drug and Alcohol Free Workplace law. The Drug and Alcohol Free Workplace law establishes a drug and alcohol-free workplace program that balances respect for individuals with the need to maintain an alcohol and drug-free environment. [2 O.C. 202.1-2]. The amendments to the Drug and Alcohol Free Workplace law will provide that an external applicant's confirmed positive THC test result shall be exempted from the requirement of a negative drug test result for pre-employment eligibility unless prohibited by an external licensing or grant requirement.

Adoption of any legislation is required to comply with the Legislative Procedures Act ("the LPA"), which was adopted by the General Tribal Council through resolution GTC-01-07-13-A for the purpose of providing a standardized process for the adoption of laws of the Nation. [1 O.C. 109.1-1]. The Drug and Alcohol Free Workplace law amendments complied with all processes and procedures required by the LPA, including the development of a legislative analysis, a fiscal analysis, and the opportunity for public review during a public meeting and public comment period. [1 O.C. 109.6, 109.7, 109.8].

A public meeting on the proposed amendments to the Drug and Alcohol Free Workplace law was held on February 15, 2023. Six (6) individuals provided oral comments during the public meeting. The public comment period was then held open until February 22, 2023. Four (4) individuals provided written comments during the public comment period. The Legislative Operating Committee reviewed and considered the public comments received on December 20, 2023, and any changes have been incorporated into this draft.

The amendments to the Drug and Alcohol Free Workplace law will become effective on March 4, 2024.

Conclusion

Adoption of this resolution would not conflict with any of the Nation's laws.



DRUG AND ALCOHOL FREE WORKPLACE LAW AMENDMENTS LEGISLATIVE ANALYSIS

SECTION 1. EXECUTIVE SUMMARY

<i>Analysis by the Legislative Reference Office</i>	
Intent of the Proposed Amendments	Provide that an external applicant's confirmed positive THC test result shall be exempted from the requirement of a negative drug test result for pre-employment eligibility unless prohibited by an external licensing or grant requirement. [2 O.C. 202.8-4(a)].
Purpose	The purpose of this law is to establish a drug and alcohol-free workplace program that balances respect for individuals with the need to maintain an alcohol and drug-free environment. [2 O.C. 202.1-2].
Affected Entities	Human Resources Department, Oneida Nation employees.
Public Meeting	A public meeting was held on February 15, 2023. The public comment period was held open until February 22, 2023.
Fiscal Impact	A fiscal impact statement was provided by the Finance Administration on January 16, 2024.

SECTION 2. LEGISLATIVE DEVELOPMENT

- 1 **A. Background.** The Drug and Alcohol Free Workplace law was adopted by the Oneida Business
2 Committee in 1994 through resolution BC-10-25-95-A and then amended through resolutions BC-10-
3 20-99-A, BC-12-05-07-B, BC-12-11-13-F, and BC-04-12-17-C. The purpose of the Drug and Alcohol
4 Free Workplace law is to establish a drug and alcohol-free workplace program that balances respect for
5 individuals with the need to maintain an alcohol and drug-free environment. [2 O.C. 202.1-2].
6
- 7 **B. Request for Amendments.** On August 30, 2022, the Legislative Operating Committee received a
8 request from the Human Resources Department to add the Drug and Alcohol Free Workplace law
9 amendments to its Active Files List. The Human Resources Department indicated that with the *Benton*
10 – *Pre-Employment Drug Testing* petition currently pending – which requests to remove THC from the
11 pre-employment drug testing requirements, they were directed by the Oneida Business Committee to
12 work with the Oneida Law Office on potential proposed language to address this petition. The
13 Legislative Operating Committee added this item to its Active Files List on September 7, 2022.
14

SECTION 3. CONSULTATION AND OUTREACH

- 15 **A.** Representatives from the following departments or entities participated in the development of the
16 amendments to the Law and this legislative analysis:
17
- 18 ▪ Oneida Law Office;
 - 19 ▪ Human Resources Department;
 - 20 ▪ Gaming; and
 - 21 ▪ Employee Health Nursing.
- 22 **B.** The following laws were reviewed in the drafting of this analysis:
23
- Drug and Alcohol Free Workplace law;

- 24 ▪ Oneida Personnel Policies and Procedures.
25

26 **SECTION 4. PROCESS**

27 **A.** The development of the proposed amendments to the Drug and Alcohol Free Workplace law complies
28 with the process set forth in the Legislative Procedures Act (LPA).

- 29 ▪ On September 7, 2022, the Legislative Operating Committee added the Law to its Active Files
30 List.
31 ▪ On December 7, 2022, the Legislative Operating Committee approved the draft of the proposed
32 amendments to the Law and directed that a legislative analysis be developed.
33 ▪ On December 21, 2022, the Legislative Operating Committee approved the legislative analysis.
34 ▪ On January 4, 2023, the Legislative Operating Committee approved the public meeting packet
35 for the proposed amendments to the Drug and Alcohol Free Workplace law and scheduled a
36 public meeting to be held on February 15, 2022.
37 ▪ On February 15, 2023, the public meeting was held in the Norbert Hill Center's Business
38 Committee Conference Room as well as on Microsoft Teams. Six (6) individuals provided oral
39 comments during this public meeting.
40 ▪ On February 22, 2023, the public comment period closed. Four (4) individuals provided written
41 comments during the public comment period.
42 ▪ On October 4, 2023 the Legislative Operating Committee elected for the 2023-2026 legislative
43 term added the Drug and Alcohol Free Workplace Law Amendments to the Active Files List
44 with Kirby Metoxen and Jonas Hill as the sponsors.
45 ▪ On December 20, 2023, the Legislative Operating Committee accepted the public comments
46 and the public comment review memorandum and defer to a work meeting for further
47 consideration. The Legislative Operating Committee then reviewed and considered these
48 public comments that same day.
49 ▪ On January 3, 2024, the Legislative Operating Committee approved the updated public
50 comment review memorandum, draft, and legislative analysis; and also approved the fiscal
51 impact statement request memorandum and forwarded the materials to the Finance Department
52 directing that a fiscal impact statement be prepared and submitted to the LOC by January 17,
53 2024.
54 ▪ On January 16, 2024, the Finance Administration provided the fiscal impact statement to the
55 Legislative Operating Committee.

56 **B.** At the time this legislative analysis was developed the following work meetings had been held
57 regarding the development of the amendments to this Law:

- 58 ▪ October 31, 2022: LOC work meeting with the Oneida Law Office, Human Resources
59 Department, and Gaming.
60 ▪ November 15, 2022: LOC work meeting with the Oneida Law Office, Human Resources
61 Department, Employee Health Nursing, and Gaming.
62 ▪ December 1, 2022: LOC work session.
63 ▪ January 26, 2023: LOC work meeting with Oneida Law Office, Human Resources
64 Department, Gaming, and the General Manager.
65 ▪ December 6, 2023: LOC work session.
66 ▪ December 20, 2023: LOC work session.
67 ▪ January 17, 2024: LOC work session.

68

69 **SECTION 5. CONTENTS OF THE LEGISLATION**

70 **A. *Pre-Employment Drug Testing.*** Currently, the Law provides that each employee, as a condition of
71 employment, shall participate in pre-employment, reasonable suspicion, and follow-up testing upon the
72 request of an appropriate authority, and that a negative test result is required for employment eligibility.
73 The proposed amendments focus specifically on pre-employment drug testing and how positive THC
74 test results are addressed by the Nation. The proposed amendments to the Law require that all external
75 and internal applicants participate in pre-employment drug testing, and that a negative drug test result
76 shall be required for employment eligibility. [2 O.C. 202.8-4]. The Law then further provides that an
77 external applicant's confirmed positive THC test result shall be exempted from the requirement of a
78 negative drug test result for employment eligibility unless prohibited by an external licensing or grant
79 requirement. [2 O.C. 202.8-4(a)].

80 ▪ *Effect.* The proposed amendments to the Law allow an individual who is seeking employment with
81 the Nation to still be eligible to be hired if the individual tests positive for THC in most situations,
82 unless prohibited by an external licensing or grant requirement. When developing these
83 amendments, the Legislative Operating Committee had great discussion regarding the fact that an
84 external applicant's positive THC test result is not indicative of an individual's intent to continue
85 the use of marijuana once they are hired as an employee of the Nation and the use of drugs is
86 prohibited. The Legislative Operating Committee understands that external applicants may come
87 from, or may have visited, states where the use of marijuana has been legalized. As of April 24,
88 2023, thirty-eight (38) states, three (3) territories and the District of Columbia allow the medical
89 use of cannabis products; while as of November 8, 2023, twenty-four (24) states, two (2) territories
90 and the District of Columbia have enacted measures to regulate cannabis for non-medical adult
91 recreational use.¹ The exemption for positive THC test results applies only to external applicants
92 during pre-employment drug testing. Once an individual is hired by the Nation, the employee is
93 prohibited from the use of prohibited drugs and alcohol during working hours, when on-call, and
94 when operating a vehicle owned by the Nation or a vehicle rented by the Nation. [2 O.C. 202.4-2].
95 All employees of the Nation are required to participate in reasonable suspicion and follow-up
96 testing upon the request of an appropriate authority. [2 O.C. 202.8-5]. A negative test result is
97 required for unimpeded employment eligibility. *Id.*

98

99 **SECTION 6. EXISTING LEGISLATION**

100 **A. *Related Legislation.*** The following laws of the Nation are related to the proposed amendments to the
101 Law:

102 ▪ *Oneida Personnel Policies and Procedures.* The purpose of the Oneida Personnel Policies and
103 Procedures is to provide for the Nation's employee related policies and procedures including
104 recruitment, selection, compensation and benefits, employee relations, safety and health, program
105 and enterprise rules and regulations, and record keeping.

¹ Information found on the Nation Conference of State Legislatures website at [https://www.ncsl.org/health/state-medical-cannabis-laws#:~:text=Non%2DMedical%2FAdult%2DUse,medical%20adult%20\(recreational\)%20use.](https://www.ncsl.org/health/state-medical-cannabis-laws#:~:text=Non%2DMedical%2FAdult%2DUse,medical%20adult%20(recreational)%20use.)

106 ▪ Section V.D.3 of the Oneida Personnel Policies and Procedures provides that the Drug
107 and Alcohol Free Workplace Policy shall govern disciplinary actions warranting
108 termination for drug and alcohol related violations.

109

110 **SECTION 7. OTHER CONSIDERATIONS**

111 **A. *Fiscal Impact.*** Under the Legislative Procedures Act, a fiscal impact statement is required for all
112 legislation except emergency legislation [*1 O.C. 109.6-1*]. Oneida Business Committee resolution BC-
113 10-28-20-A titled, “*Further Interpretation of ‘Fiscal Impact Statement’ in the Legislative Procedures*
114 *Act,*” provides further clarification on who the Legislative Operating Committee may direct complete
115 a fiscal impact statement at various stages of the legislative process, as well as timeframes for
116 completing the fiscal impact statement.

117 ▪ *Conclusion.* A fiscal impact statement was provided by the Finance Administration on January 16,
118 2024.

119

**Title 2. Employment – Chapter 202
DRUG AND ALCOHOL FREE WORKPLACE**

202.1. Purpose and Policy
 202.2. Adoption, Amendment, Repeal
 202.3. Definitions
 202.4. Application
 202.5. Shared Responsibility
 202.6. Prohibited Behavior
 202.7. Reasonable Suspicion
 202.8. Drug and Alcohol Testing

202.9. Refusal to Test
 202.10. Reasonable Suspicion Testing Waiting Period
 202.11. Consequences for Prohibited Behavior
 202.12. Re-hire
 202.13. Other Potential Consequences
 202.14. Confidentiality
 202.15. Communication

1
2 **202.1. Purpose and Policy**

3 202.1-1. *Purpose.* The Nation is committed to protecting the safety, health and well-being of all
4 employees, and other individuals in the workplace. The Nation recognizes that alcohol abuse and
5 drug use pose a significant health and safety threat to our customers and other employees. The Nation
6 also recognizes that alcohol and drug abuse and addiction are treatable illnesses. The Nation realizes
7 that early intervention and support may improve the success of rehabilitation.

8 202.1-2. *Policy.* It is the policy of the Nation to establish a drug and alcohol-free workplace program
9 that balances respect for individuals with the need to maintain an alcohol and drug-free environment.
10 The Nation encourages employees to voluntarily seek help for their personal drug and alcohol-
11 related problems.

12
13 **202.2. Adoption, Amendment, Repeal**

14 202.2-1. This law was adopted by the Oneida Business Committee by resolution BC-10-25-95-A
15 and amended by resolutions BC-10-20-99-A, BC-12-05-07-B, BC-12-11-13-F-~~and~~, BC-04-12-17-
16 C-, and BC- - - - -.

17 202.2-2. This law may be amended or repealed by the Oneida Business Committee and/or the
18 Oneida General Tribal Council pursuant to the procedures set out in the Legislative Procedures Act.

19 202.2-3. Should a provision of this law or the application thereof to any person or circumstances be
20 held as invalid, such invalidity shall not affect other provisions of this law which are considered to
21 have legal force without the invalid portions.

22 202.2-4. In the event of a conflict between a provision of this law and a provision of another law,
23 the provisions of this law shall control.

24 202.2-5. This law is adopted under authority of the Constitution of the Oneida Nation.
25

26 **202.3. Definitions**

27 202.3-1. This section shall govern the definitions of words or phrases as used within this law. All
28 words not defined herein shall be used in their ordinary and everyday sense.

29 (a) “Appropriate authority” means the Human Resources Department hiring representative,
30 immediate supervisor, EHN, MRO, and/or ONEAP who requests the drug and/or alcohol
31 testing for reasons of pre-employment, reasonable suspicion, and/or follow-up testing.

32 (b) “Business day” means Monday through Friday from 8:00am-4:30pm, excluding holidays
33 recognized by the Nation.

34 (c) “Confirmed positive test result” means a lab-confirmed drug test that is verified by the
35 MRO that exceeds the cut-off levels established by this law (levels established by the United
36 States Department of Health and Human Services), confirmed saliva testing, confirmed
37 evidential breath alcohol test results of 0.02 or greater; and/or refusal to test.

- 38 (d) “EHN” means the Oneida Employee Health Nursing Department.
- 39 (e) “Employee” means any individual who is employed by the Nation and is subject to the
- 40 direction and control of the Nation with respect to the material details of the work performed,
- 41 or who has the status of an employee under the usual common law rules applicable to
- 42 determining the employer-employee relationship. “Employee” includes, but is not limited
- 43 to; an individual employed by any program or enterprise of the Nation, but does not include
- 44 elected or appointed officials, or individuals employed by a Tribally Chartered Corporation.
- 45 For purposes of this law, individuals employed under an employment contract as a limited
- 46 term employee are employees of the Nation, not consultants.
- 47 (f) “External applicant” means a person who is applying for a position and not currently
- 48 employed by the Nation.
- 49 (g) “HRD” means the Human Resources Department and/or representatives performing
- 50 Human Resources functions applicable to this law.
- 51 (h) “Internal applicant” means a person who is applying for a position who is currently
- 52 employed by the Nation, this includes those employed under a temporary status.
- 53 (i) “MRO” means Medical Review Officer who is a licensed physician who is responsible
- 54 for receiving and reviewing laboratory test results generated by an employer’s drug testing
- 55 program and evaluating medical explanations for certain drug test results.
- 56 (j) “Nation” means the Oneida Nation.
- 57 (k) “NHTSA” means the National Highway Traffic Safety Administration.
- 58 (l) “ONEAP” means the Oneida Nation Employee Assistance Program which is a
- 59 professional counseling program staffed by clinical social workers licensed by the State of
- 60 Wisconsin which offers services to the Nation’s employees and family members.
- 61 (m) “Prohibited drug(s)” means marijuana, cocaine, opiates, amphetamines, phencyclidine
- 62 (PCP), hallucinogens, methaqualone, barbiturates, narcotics, and any other substance
- 63 included in Schedules I through V, as defined by Section 812 of Title 21 of the United States
- 64 Code. This also includes prescription medication or over-the-counter medicine used in an
- 65 unauthorized or unlawful manner.
- 66 (n) “Return-to-Work Agreement” means an agreement, developed by an ONEAP counselor
- 67 and signed by the employee and the ONEAP counselor, and the referring supervisor, which
- 68 sets out the actions the employee needs to complete in order to return to work and remain
- 69 employed.
- 70 (o) “SAMHSA” means the United States Department of Health and Human Services,
- 71 Substance Abuse and Mental Health Services Administration.
- 72 (p) “Supervisor” means the immediate supervisor, or person who has taken on the role of
- 73 supervisor due to an absence that is responsible for performance review, corrective action,
- 74 and day-to-day assignments of duties.
- 75 (q) “Work-related accident” means an unexpected event involving an employee that occurs
- 76 in the employee’s working environment or during an activity related to work, that:
- 77 (1) results in an injury to the employee or another person that may require medical
- 78 intervention by a police officer or emergency medical technician, or treatment at a
- 79 medical facility,
- 80 (2) results in death of the employee or another person, or
- 81 (3) involves any property damage.
- 82

83 202.4. Application

84 202.4-1. This law applies to all applicants for employment, whether external or internal, and all
85 employees during working hours, when on-call, and when operating a vehicle owned by the Nation
86 or a vehicle rented by the Nation.

87 202.4-2. An employee is prohibited from the use of prohibited drugs and alcohol during working
88 hours, when on-call, and when operating a vehicle owned by the Nation or a vehicle rented by the
89 Nation.

90 202.4-3. An employee is prohibited from the use of intoxicants while on official business travel
91 while the conference or meeting is in session.

92 202.4-4. An employee is not exempted from this law if they travel to another state, territory or
93 country where the use of certain drugs is legal.

94

95 202.5. Shared Responsibility

96 202.5-1. A safe and productive drug and alcohol free workplace is achieved through cooperation
97 and shared responsibility between the employer and an employee.

98 202.5-2. *Employee*. It is the employee's responsibility to:

99 (a) Be free from the effects of prohibited drugs, and/or alcohol during working hours, and/or
100 when scheduled to be on-call.

101 (b) Refrain from the unlawful manufacture, distribution, dispensation or possession of any
102 prohibited drugs while working.

103 (c) Comply with drug and alcohol testing if directed to do so upon the request of an
104 appropriate authority.

105 (d) Confidentially report suspicious behavior of an employee immediately to the supervisor
106 of the employee in question.

107 (e) Cooperate with the requests made by EHN and the MRO. The employee shall return the
108 call of the MRO within twenty-four (24) hours of the call being made to the employee. An
109 employee who fails to cooperate and does not contact the MRO within twenty-four (24) hours
110 of receiving contact shall not receive back pay for any time between the date the MRO placed
111 the call until the time the employee does return the call of the MRO.

112 (f) Sign a consent form to be tested for alcohol and drugs when requested by an appropriate
113 authority.

114 (g) Provide the appropriate information to EHN in the event a medical condition prevents
115 the employee from properly completing drug and alcohol testing so alternative drug and
116 alcohol testing measures can be taken by EHN.

117 202.5-3. *Supervisor*. It is the supervisor's responsibility to:

118 (a) Be familiar with this law and any related policies and procedures.

119 (b) Investigate reported suspicious behaviors while maintaining the confidentiality of the
120 person who reported the suspicious behavior.

121 (c) Promptly intervene with an employee who is believed to be under the influence of
122 prohibited drugs and/or alcohol.

123 (d) Monitor the employee under the influence of prescription and/or over-the-counter
124 medications that could compromise the safety of the employee, fellow employees, or the
125 public.

126 (e) Send the employee through the contracted transportation service for reasonable suspicion
127 drug and alcohol testing.

- 128 (f) Take appropriate action as outlined by this law.
129 (g) Sign the Return-to-Work Agreement along with the employee and ONEAP counselor
130 that was developed by ONEAP.
131 (h) Send a copy of the consent to submit to drug and alcohol testing form signed by the
132 employee to EHN.

133 202.5-4. *Supervisor and Employee.* A supervisor or an employee that fails to adhere to the
134 responsibilities of the supervisor or employee under this law may be subject to disciplinary action
135 or other consequences as explained in section 202.13.

136 202.5-5. *Off-duty Use of Prohibited Drugs or Alcohol.* Off-duty use of prohibited drugs or alcohol
137 may result in continued impairment during on-duty hours, which shall then constitute a violation of
138 this law. It is the employee's responsibility to understand the consequences of off-duty use, and take
139 steps to avoid the possibility of on-duty impairment. An employee who is called in for emergency
140 or unplanned work, excluding those on-call, and has been using prohibited drugs or drinking
141 alcoholic beverages prior to such a call, shall inform the employee's supervisor they cannot report,
142 and shall continue to decline to report until the effects of the prohibited drugs or alcohol have left
143 the employee's system. Such refusal to report shall not be viewed as improper, and disciplinary
144 action shall not arise from such refusal.

145 202.5-6. *Use of Controlled Substances That May Affect Safety or Performance.* An employee who
146 is taking or is under the influence of any controlled substances during working hours, including
147 prescription medication or over the counter medication, which may affect the employee's job
148 performance or safety of the employee, fellow employees, public, or assets of the Nation have the
149 following obligations:

- 150 (a) The employee shall notify the employee's immediate supervisor about the use of the
151 substance and possible work-related effects prior to commencing work.
152 (b) Upon request, the employee may be required to obtain a written statement of any work
153 restrictions or impact on performance or safety relating to the legal substances from the
154 employee's physician or pharmacist.
155 (c) An employee shall not sell or share his or her prescribed medications with any other
156 person, and shall not take medications that are prescribed to another person.
157 (d) It may be necessary for the employee's supervisor, area manager or EHN to consult with
158 the employee's personal physician, pharmacist or an MRO, with the employee's approval
159 or written authorization, to determine if the medication might impact the employee's
160 ability to perform the employee's job, or pose a hazard to other employees or to the
161 general public.
162 (e) The employee's duties may be temporarily modified for up to one hundred eighty (180)
163 days. Any modification of duties shall result in the appropriate modification of pay as
164 established by the Human Resources Department.
165

166 **202.6. Prohibited Behavior**

167 202.6-1. An applicant or employee of the Nation is in violation of this law if he or she:

- 168 (a) Uses, possesses, and/or sells prohibited drugs, or is under the influence of prohibited
169 drugs or alcohol while on duty. Notwithstanding section 202.11, any employee who is
170 caught using, possessing or selling prohibited drugs shall be immediately terminated from
171 employment with the Nation.

- 172 (b) Fails to inform his or her supervisor of being under the influence of prescription
173 medication and/or over-the-counter medication(s) which may affect the employee's job
174 performance or safety of the employee, fellow employees, public, or assets of the Nation.
175 (c) Uses unauthorized prescription drugs or intentionally misuses and/or abuses prescription
176 medications.
177 (d) Refuses to test.
178 (e) Has a confirmed positive test result after completing a drug and/or alcohol test through
179 EHN or a medical facility, or has a confirmatory test come back as positive.
180

181 **202.7. Reasonable Suspicion**

182 202.7-1. Establishing reasonable suspicion begins when the supervisor becomes aware either by
183 personal observation and/or secondary reported observation that an employee may be under the
184 influence of drugs and/or alcohol: this may include seeing or receiving a report that the employee
185 has taken or possess prohibited drugs or prescription medication that is not specifically prescribed
186 to that employee. In order to make a reasonable suspicion determination, the supervisor shall
187 evaluate the following:

- 188 (a) Specific observations concerning appearance, behavior, speech, or body odors of the
189 employee consistent with possible drug use or alcohol misuse.
190 (b) The observations may include indications of the chronic and withdrawal effects of
191 prohibited drugs or alcohol.

192 202.7-2. The supervisor shall document his or her observations and discuss the matter with the
193 employee. During this discussion, the supervisor may ask the employee for proof of a prescription.
194 The employee shall comply with this request. If after a discussion with the employee, the supervisor
195 continues to suspect the employee may currently still be under the influence or reasonable suspicion
196 is otherwise established, the supervisor shall refer the employee for reasonable suspicion drug and
197 alcohol testing.

198 202.7-3. A supervisor's decision made in regard to the reasonable suspicion drug and alcohol testing
199 of an employee is final. An employee shall not appeal or challenge a supervisor's determination for
200 reasonable suspicion drug and alcohol testing.
201

202 **202.8. Drug and Alcohol Testing**

203 202.8-1. Drug and alcohol tests are forensic in nature, meaning they are performed to formalize
204 conditions of employment as described in this law. To ensure the accuracy and fairness of this law,
205 all drug and alcohol testing shall be conducted according to SAMHSA guidelines for Federal
206 Workplace Drug Testing Programs.

207 202.8-2. EHN or its designee shall use Federal Drug Administration approved urine tests and
208 NHTSA certified evidential breath testing devices or NHTSA certified saliva-screening devices,
209 operated by technicians whose training terminology, procedures, methods, equipment, forms, and
210 quality assurance comply with best practices.

211 (a) Confirmation drug testing done on urine specimens shall be conducted by a laboratory
212 which is certified by the U.S. Department of Health and Human Services using its
213 confirmation methods and established cut-off levels. Laboratory-confirmed results shall
214 undergo the verification process by a MRO.

215 (b) Confirmation breath alcohol testing shall be performed using an NHTSA certified
216 evidential breath testing device.

217 (c) Confirmation drug testing done by saliva testing shall be performed using an NHTSA
218 certified saliva test.

219 202.8-3. If an employee is involved in a work-related accident, he or she shall immediately inform
220 his or her supervisor of the accident.

221 202.8-4. ~~Each employee, as a condition of employment,~~All external and internal applicants shall
222 participate in pre-employment, ~~reasonable suspicion, and follow-up drug~~ testing ~~upon the request of~~
223 ~~an appropriate authority.~~ A negative drug test result shall be required for employment eligibility.

224 (a) Exemption for Positive THC Test Result. An external applicant's confirmed positive THC
225 test result shall be exempted from the requirement of a negative drug test result for
226 employment eligibility unless prohibited by an external licensing or grant requirement.

227 202.8-5. Each employee shall participate in reasonable suspicion and follow-up testing upon the
228 request of an appropriate authority. A negative test result is required for unimpeded employment
229 eligibility.

230 202.8-6. *Dilution of Test Results.* In cases where a drug test result is diluted, a positive dilute of the
231 test result requires that the applicant or employee shall be given a confirmed positive test result,
232 while a negative dilute of the test result requires retesting. EHN shall notify the applicant or
233 employee of the required retesting.

234 (a) If the re-test results in a negative-dilute, the applicant or employee shall be given a
235 negative test result.

236 (b) If the re-test results in a positive-dilute, then the applicant or employee shall be given a
237 positive test result.

238

239 **202.9. Refusal to Test**

240 202.9-1. Refusal to test is prohibited behavior as defined in section 202.6. Refusal to test carries
241 the same consequences as a confirmed positive test result. Examples of refusal to test include, but
242 are not limited to:

243 (a) Substituting, adulterating (falsifying), or diluting the specimen.

244 (b) Refusal to sign the required forms.

245 (c) Refusal to cooperate in the testing process in such a way that prevents completion of
246 accurate testing and as directed by the collector.

247 (d) Failing to remain at the testing site until the testing process is complete.

248 (e) Providing an insufficient sample of urine or breath.

249 (f) Failing to test or to re-test.

250 (g) Failing to appear within two (2) hours after an order or request is made for testing or re-
251 testing.

252 (h) Behaving in a confrontational or discourteous manner that disrupts the collection process.

253

254 **202.10. Reasonable Suspicion Testing Waiting Period**

255 202.10-1. This section applies only to current employees who meet the reasonable suspicion
256 standard. It does not apply to applicants of the Nation.

257 202.10-2 During drug and alcohol testing for reasonable suspicion, an employee shall be
258 immediately removed from duty without pay at the time of initiation of the reasonable suspicion
259 drug and alcohol testing and specimen collection until the employer is notified by EHN of negative
260 results on both the drug and alcohol tests, or MRO-verified negative test results.

261 202.10-3. When confirmation of test results are made available to the employer, the supervisor shall
262 notify the employee by telephone and by certified mail using the contact information provided by
263 the employee. The notice to the employee shall identify a reinstatement date if the test was
264 confirmed negative, or applicable consequences if the test was confirmed positive. If the employee
265 is reinstated, back pay shall be provided in accordance with the Back Pay law. However, if the
266 employee fails to return to work on the assigned reinstatement date as instructed in the notice from
267 the supervisor, the supervisor shall discipline the employee in accordance with the Nation's laws,
268 rules and policies governing employment, unless an extension is granted in writing by the supervisor
269 along with the reason for the extension. An employee who is ultimately terminated for failure to
270 return to work on his or her assigned reinstatement date shall not be eligible for employment for one
271 (1) year after the date of termination.

272

273 **202.11. Consequences for Prohibited Behavior**

274 202.11-1. Either an internal applicant or an external applicant may decline the position at any time
275 before being directed to EHN or other designated testing site for the applicant's drug and alcohol
276 testing.

277 202.11-2. *External Applicant.* If an external applicant fails to show at the testing site within the
278 time allotted, or on the date of the scheduled test, or has engaged in prohibited behavior as listed at
279 section 202.6 that has been documented, the employment offer shall be withdrawn. An external
280 applicant shall not be eligible for hiring consideration for one hundred eighty (180) days from the
281 date of the urine drug screening test.

282 202.11-3. *Internal Applicant.* If an internal applicant fails to show at the testing site within the time
283 allotted, or on the date of the scheduled test, or has engaged in prohibited behavior as listed at section
284 202.6, the employment offer shall be withdrawn. The applicant shall be removed from duty and
285 subject to respective consequences of this law. The applicant shall not be eligible for hiring
286 consideration in a different position for one hundred eighty (180) days from the date of the urine
287 drug screening test.

288 202.11-4. *Employee.* If an employee has engaged in prohibited behavior as listed in section 202.6-
289 1, and/or fails to cooperate by not responding to contact from the MRO within ten (10) business days
290 (which shall be deemed thereafter as a definite positive test), the employee shall be removed from
291 duty and subject to the respective consequences of this law.

292 202.11-5. *Consequences.*

293 (a) *First Violation.*

294 (1) Any employee who engages in prohibited behavior as defined in section 202.6
295 for the first time shall be removed from duty without pay and shall receive a
296 mandatory referral to ONEAP for an assessment. The ONEAP shall also determine
297 if the employee shall be subject to return-to-duty/follow-up testing. If follow-up
298 testing is required, the testing shall be at the employee's expense.

299 (2) The employee shall sign a Return-to-Work Agreement and submit the agreement
300 to his or her supervisor within ten (10) days or the employee shall be terminated and
301 ineligible for re-hire for one (1) year.

302 (A) When the supervisor signs the Return-to-Work Agreement the employee
303 shall be placed back on the work schedule by the next regularly scheduled
304 workday.

305 (3) Failure to comply with the signed Return-to-Work Agreement shall result in the
306 employee being terminated and ineligible for re-hire for one (1) year.

307 (b) *Second Violation.*

308 (1) Any employee who engages in prohibited behavior as defined in section 202.6 a
309 second time within his or her lifetime of employment with the Nation shall be
310 removed from duty without pay and shall receive a mandatory referral to ONEAP for
311 an assessment.

312 (2) The employee shall sign a Return-to-Work Agreement and submit it to the
313 employee's supervisor for signature within ten (10) days or the employee shall be
314 terminated and ineligible for re-hire for one (1) year. After a second violation the
315 employee shall not be placed back on the work schedule until:

316 (A) The employee receives approval from the ONEAP that they have
317 demonstrated sufficient progress in a treatment program that would indicate
318 the employee is drug and alcohol free within thirty (30) days of the employee
319 being removed from duty; and

320 (B) The employee completes a return-to-duty drug screening and alcohol test
321 at a SAMHSA-certified facility at their own expense, which shall be negative
322 within thirty (30) days of the employee being removed from duty;

323 (C) The ONEAP notifies the supervisor of the employee's eligibility to return
324 to work.

325 (3) As a condition of continuing employment, the employee shall participate in
326 follow-up testing with continued negative results as directed by the ONEAP and
327 listed in the Return-to-Work Agreement. All follow-up testing shall be at the
328 employee's expense.

329 (4) Failure to comply with the Return-to-Work agreement or follow up testing shall
330 result in the employee being terminated and ineligible for re-hire for one (1) year.

331 (c) *Third Violation.*

332 (1) Any employee who engages in prohibited behavior as defined in section 202.6 a
333 third time in his or her lifetime of employment with the Nation shall be terminated.
334 The employee shall not be eligible for employment unless he or she receives a
335 forgiveness pursuant to the Pardon and Forgiveness law. An employee that receives
336 forgiveness shall not be eligible for re-hire for one (1) year after the date of
337 termination.

338 339 **202.12. Re-hire**

340 202.12-1. A former employee that was terminated due to violations of this law shall provide, along
341 with the former employee's application for employment, the following:

342 (a) Proof of completion of a certified Alcohol and Other Drug Abuse program; and

343 (b) A negative drug screening and alcohol test at a SAMHSA-certified facility completed
344 within the last thirty (30) days. This drug screening and alcohol test shall be done at the
345 former employee's own expense.

346 347 **202.13. Other Potential Consequences**

348 202.13-1. The violation of this law may result in consequences to the employee beyond any
349 discipline or corrective action that may be taken. Other potential consequences include the
350 following:

351 (a) *Disqualification of Unemployment Benefits.* An employee who is terminated as a result
352 of a violation of this law may be ineligible for unemployment benefits.

353 (b) *Reduction of Workers Compensation Benefits.* An employee who incurs an injury in a
354 work-related accident that occurred while engaged in a violation of this law may have any
355 workers compensation benefits reduced.

356 (c) *Criminal Penalties.* An employee whose conduct violates state or federal criminal laws
357 may be referred to appropriate law enforcement for criminal prosecution.

358 (d) *Liability for Accidents.* An employee whose conduct in violation of this law causes an
359 accident may be held personally responsible for losses associated with the accident, and the
360 employee may be required to pay for those losses.

361

362 **202.14. Confidentiality**

363 202.14-1. Information related to the application of this law is confidential. Access to this
364 information is limited to those who have a legitimate “need to know” in compliance with relevant
365 laws and personnel policies and procedures.

366 202.14-2. All drug and alcohol testing information shall be maintained at EHN in confidential
367 records which are separate from the employee’s clinical and personnel files. The employee may
368 request a copy of the employee’s records. The records may be requested by a third party in
369 accordance with the Oneida Nation’s laws, rules and policies governing employment.

370

371 **202.15. Communication**

372 202.15-1. HRD shall communicate this law to all employees to ensure all employees are aware of
373 their role in supporting this law:

374 (a) All employees shall be given information on how to access this law.

375 (b) This law shall be reviewed in new employee orientation and other means, as deemed
376 appropriate by HRD.

377 (c) All employees shall sign an acknowledgment form stating they have received a copy of
378 this law, have read and understand it, and agree to follow this law.

379

380 *End.*

381

-
- 382 See GTC-01-31-94-B
 - 383 Adopted – BC-08-17-94
 - 384 Emergency Amended - BC-04-20-95-C
 - 385 Adopted - BC-10-25-95-A (repealed previous versions)
 - 386 Amended - BC-10-20-99-A
 - 387 Amended - BC-12-05-07-B
 - 388 Amended - BC-12-11-13-F
 - 389 Emergency Amended - BC-10-26-16-D
 - 390 Amended - BC-04-12-17-C
 - 391 Amended – BC- - - -

392

Title 2. Employment – Chapter 202
DRUG AND ALCOHOL FREE WORKPLACE

202.1. Purpose and Policy	202.9. Refusal to Test
202.2. Adoption, Amendment, Repeal	202.10. Reasonable Suspicion Testing Waiting Period
202.3. Definitions	202.11. Consequences for Prohibited Behavior
202.4. Application	202.12. Re-hire
202.5. Shared Responsibility	202.13. Other Potential Consequences
202.6. Prohibited Behavior	202.14. Confidentiality
202.7. Reasonable Suspicion	202.15. Communication
202.8. Drug and Alcohol Testing	

- 1
2 **202.1. Purpose and Policy**
3 202.1-1. *Purpose.* The Nation is committed to protecting the safety, health and well-being of all
4 employees, and other individuals in the workplace. The Nation recognizes that alcohol abuse and
5 drug use pose a significant health and safety threat to our customers and other employees. The Nation
6 also recognizes that alcohol and drug abuse and addiction are treatable illnesses. The Nation realizes
7 that early intervention and support may improve the success of rehabilitation.
8 202.1-2. *Policy.* It is the policy of the Nation to establish a drug and alcohol-free workplace program
9 that balances respect for individuals with the need to maintain an alcohol and drug-free environment.
10 The Nation encourages employees to voluntarily seek help for their personal drug and alcohol-
11 related problems.
12
13 **202.2. Adoption, Amendment, Repeal**
14 202.2-1. This law was adopted by the Oneida Business Committee by resolution BC-10-25-95-A
15 and amended by resolutions BC-10-20-99-A, BC-12-05-07-B, BC-12-11-13-F, BC-04-12-17-C, and
16 BC-__-__-__-__.
17 202.2-2. This law may be amended or repealed by the Oneida Business Committee and/or the
18 Oneida General Tribal Council pursuant to the procedures set out in the Legislative Procedures Act.
19 202.2-3. Should a provision of this law or the application thereof to any person or circumstances be
20 held as invalid, such invalidity shall not affect other provisions of this law which are considered to
21 have legal force without the invalid portions.
22 202.2-4. In the event of a conflict between a provision of this law and a provision of another law,
23 the provisions of this law shall control.
24 202.2-5. This law is adopted under authority of the Constitution of the Oneida Nation.
25
26 **202.3. Definitions**
27 202.3-1. This section shall govern the definitions of words or phrases as used within this law. All
28 words not defined herein shall be used in their ordinary and everyday sense.
29 (a) “Appropriate authority” means the Human Resources Department hiring representative,
30 immediate supervisor, EHN, MRO, and/or ONEAP who requests the drug and/or alcohol
31 testing for reasons of pre-employment, reasonable suspicion, and/or follow-up testing.
32 (b) “Business day” means Monday through Friday from 8:00am-4:30pm, excluding holidays
33 recognized by the Nation.
34 (c) “Confirmed positive test result” means a lab-confirmed drug test that is verified by the
35 MRO that exceeds the cut-off levels established by this law (levels established by the United
36 States Department of Health and Human Services), confirmed saliva testing, confirmed
37 evidential breath alcohol test results of 0.02 or greater; and/or refusal to test.

- 38 (d) “EHN” means the Oneida Employee Health Nursing Department.
- 39 (e) “Employee” means any individual who is employed by the Nation and is subject to the
- 40 direction and control of the Nation with respect to the material details of the work performed,
- 41 or who has the status of an employee under the usual common law rules applicable to
- 42 determining the employer-employee relationship. “Employee” includes, but is not limited
- 43 to; an individual employed by any program or enterprise of the Nation, but does not include
- 44 elected or appointed officials, or individuals employed by a Tribally Chartered Corporation.
- 45 For purposes of this law, individuals employed under an employment contract as a limited
- 46 term employee are employees of the Nation, not consultants.
- 47 (f) “External applicant” means a person who is applying for a position and not currently
- 48 employed by the Nation.
- 49 (g) “HRD” means the Human Resources Department and/or representatives performing
- 50 Human Resources functions applicable to this law.
- 51 (h) “Internal applicant” means a person who is applying for a position who is currently
- 52 employed by the Nation, this includes those employed under a temporary status.
- 53 (i) “MRO” means Medical Review Officer who is a licensed physician who is responsible
- 54 for receiving and reviewing laboratory test results generated by an employer’s drug testing
- 55 program and evaluating medical explanations for certain drug test results.
- 56 (j) “Nation” means the Oneida Nation.
- 57 (k) “NHTSA” means the National Highway Traffic Safety Administration.
- 58 (l) “ONEAP” means the Oneida Nation Employee Assistance Program which is a
- 59 professional counseling program staffed by clinical social workers licensed by the State of
- 60 Wisconsin which offers services to the Nation’s employees and family members.
- 61 (m) “Prohibited drug(s)” means marijuana, cocaine, opiates, amphetamines, phencyclidine
- 62 (PCP), hallucinogens, methaqualone, barbiturates, narcotics, and any other substance
- 63 included in Schedules I through V, as defined by Section 812 of Title 21 of the United States
- 64 Code. This also includes prescription medication or over-the-counter medicine used in an
- 65 unauthorized or unlawful manner.
- 66 (n) “Return-to-Work Agreement” means an agreement, developed by an ONEAP counselor
- 67 and signed by the employee and the ONEAP counselor, and the referring supervisor, which
- 68 sets out the actions the employee needs to complete in order to return to work and remain
- 69 employed.
- 70 (o) “SAMHSA” means the United States Department of Health and Human Services,
- 71 Substance Abuse and Mental Health Services Administration.
- 72 (p) “Supervisor” means the immediate supervisor, or person who has taken on the role of
- 73 supervisor due to an absence that is responsible for performance review, corrective action,
- 74 and day-to-day assignments of duties.
- 75 (q) “Work-related accident” means an unexpected event involving an employee that occurs
- 76 in the employee’s working environment or during an activity related to work, that:
- 77 (1) results in an injury to the employee or another person that may require medical
- 78 intervention by a police officer or emergency medical technician, or treatment at a
- 79 medical facility,
- 80 (2) results in death of the employee or another person, or
- 81 (3) involves any property damage.
- 82

202.4. Application

202.4-1. This law applies to all applicants for employment, whether external or internal, and all employees during working hours, when on-call, and when operating a vehicle owned by the Nation or a vehicle rented by the Nation.

202.4-2. An employee is prohibited from the use of prohibited drugs and alcohol during working hours, when on-call, and when operating a vehicle owned by the Nation or a vehicle rented by the Nation.

202.4-3. An employee is prohibited from the use of intoxicants while on official business travel while the conference or meeting is in session.

202.4-4. An employee is not exempted from this law if they travel to another state, territory or country where the use of certain drugs is legal.

202.5. Shared Responsibility

202.5-1. A safe and productive drug and alcohol free workplace is achieved through cooperation and shared responsibility between the employer and an employee.

202.5-2. *Employee.* It is the employee's responsibility to:

- (a) Be free from the effects of prohibited drugs, and/or alcohol during working hours, and/or when scheduled to be on-call.
- (b) Refrain from the unlawful manufacture, distribution, dispensation or possession of any prohibited drugs while working.
- (c) Comply with drug and alcohol testing if directed to do so upon the request of an appropriate authority.
- (d) Confidentially report suspicious behavior of an employee immediately to the supervisor of the employee in question.
- (e) Cooperate with the requests made by EHN and the MRO. The employee shall return the call of the MRO within twenty-four (24) hours of the call being made to the employee. An employee who fails to cooperate and does not contact the MRO within twenty-four (24) hours of receiving contact shall not receive back pay for any time between the date the MRO placed the call until the time the employee does return the call of the MRO.
- (f) Sign a consent form to be tested for alcohol and drugs when requested by an appropriate authority.
- (g) Provide the appropriate information to EHN in the event a medical condition prevents the employee from properly completing drug and alcohol testing so alternative drug and alcohol testing measures can be taken by EHN.

202.5-3. *Supervisor.* It is the supervisor's responsibility to:

- (a) Be familiar with this law and any related policies and procedures.
- (b) Investigate reported suspicious behaviors while maintaining the confidentiality of the person who reported the suspicious behavior.
- (c) Promptly intervene with an employee who is believed to be under the influence of prohibited drugs and/or alcohol.
- (d) Monitor the employee under the influence of prescription and/or over-the-counter medications that could compromise the safety of the employee, fellow employees, or the public.
- (e) Send the employee through the contracted transportation service for reasonable suspicion drug and alcohol testing.

- 128 (f) Take appropriate action as outlined by this law.
129 (g) Sign the Return-to-Work Agreement along with the employee and ONEAP counselor
130 that was developed by ONEAP.
131 (h) Send a copy of the consent to submit to drug and alcohol testing form signed by the
132 employee to EHN.

133 202.5-4. *Supervisor and Employee.* A supervisor or an employee that fails to adhere to the
134 responsibilities of the supervisor or employee under this law may be subject to disciplinary action
135 or other consequences as explained in section 202.13.

136 202.5-5. *Off-duty Use of Prohibited Drugs or Alcohol.* Off-duty use of prohibited drugs or alcohol
137 may result in continued impairment during on-duty hours, which shall then constitute a violation of
138 this law. It is the employee's responsibility to understand the consequences of off-duty use, and take
139 steps to avoid the possibility of on-duty impairment. An employee who is called in for emergency
140 or unplanned work, excluding those on-call, and has been using prohibited drugs or drinking
141 alcoholic beverages prior to such a call, shall inform the employee's supervisor they cannot report,
142 and shall continue to decline to report until the effects of the prohibited drugs or alcohol have left
143 the employee's system. Such refusal to report shall not be viewed as improper, and disciplinary
144 action shall not arise from such refusal.

145 202.5-6. *Use of Controlled Substances That May Affect Safety or Performance.* An employee who
146 is taking or is under the influence of any controlled substances during working hours, including
147 prescription medication or over the counter medication, which may affect the employee's job
148 performance or safety of the employee, fellow employees, public, or assets of the Nation have the
149 following obligations:

- 150 (a) The employee shall notify the employee's immediate supervisor about the use of the
151 substance and possible work-related effects prior to commencing work.
152 (b) Upon request, the employee may be required to obtain a written statement of any work
153 restrictions or impact on performance or safety relating to the legal substances from the
154 employee's physician or pharmacist.
155 (c) An employee shall not sell or share his or her prescribed medications with any other
156 person, and shall not take medications that are prescribed to another person.
157 (d) It may be necessary for the employee's supervisor, area manager or EHN to consult with
158 the employee's personal physician, pharmacist or an MRO, with the employee's approval
159 or written authorization, to determine if the medication might impact the employee's
160 ability to perform the employee's job, or pose a hazard to other employees or to the
161 general public.
162 (e) The employee's duties may be temporarily modified for up to one hundred eighty (180)
163 days. Any modification of duties shall result in the appropriate modification of pay as
164 established by the Human Resources Department.
165

166 **202.6. Prohibited Behavior**

167 202.6-1. An applicant or employee of the Nation is in violation of this law if he or she:

- 168 (a) Uses, possesses, and/or sells prohibited drugs, or is under the influence of prohibited
169 drugs or alcohol while on duty. Notwithstanding section 202.11, any employee who is
170 caught using, possessing or selling prohibited drugs shall be immediately terminated from
171 employment with the Nation.

- 172 (b) Fails to inform his or her supervisor of being under the influence of prescription
173 medication and/or over-the-counter medication(s) which may affect the employee's job
174 performance or safety of the employee, fellow employees, public, or assets of the Nation.
175 (c) Uses unauthorized prescription drugs or intentionally misuses and/or abuses prescription
176 medications.
177 (d) Refuses to test.
178 (e) Has a confirmed positive test result after completing a drug and/or alcohol test through
179 EHN or a medical facility, or has a confirmatory test come back as positive.
180

181 **202.7. Reasonable Suspicion**

182 202.7-1. Establishing reasonable suspicion begins when the supervisor becomes aware either by
183 personal observation and/or secondary reported observation that an employee may be under the
184 influence of drugs and/or alcohol: this may include seeing or receiving a report that the employee
185 has taken or possess prohibited drugs or prescription medication that is not specifically prescribed
186 to that employee. In order to make a reasonable suspicion determination, the supervisor shall
187 evaluate the following:

- 188 (a) Specific observations concerning appearance, behavior, speech, or body odors of the
189 employee consistent with possible drug use or alcohol misuse.
190 (b) The observations may include indications of the chronic and withdrawal effects of
191 prohibited drugs or alcohol.

192 202.7-2. The supervisor shall document his or her observations and discuss the matter with the
193 employee. During this discussion, the supervisor may ask the employee for proof of a prescription.
194 The employee shall comply with this request. If after a discussion with the employee, the supervisor
195 continues to suspect the employee may currently still be under the influence or reasonable suspicion
196 is otherwise established, the supervisor shall refer the employee for reasonable suspicion drug and
197 alcohol testing.

198 202.7-3. A supervisor's decision made in regard to the reasonable suspicion drug and alcohol testing
199 of an employee is final. An employee shall not appeal or challenge a supervisor's determination for
200 reasonable suspicion drug and alcohol testing.
201

202 **202.8. Drug and Alcohol Testing**

203 202.8-1. Drug and alcohol tests are forensic in nature, meaning they are performed to formalize
204 conditions of employment as described in this law. To ensure the accuracy and fairness of this law,
205 all drug and alcohol testing shall be conducted according to SAMHSA guidelines for Federal
206 Workplace Drug Testing Programs.

207 202.8-2. EHN or its designee shall use Federal Drug Administration approved urine tests and
208 NHTSA certified evidential breath testing devices or NHTSA certified saliva-screening devices,
209 operated by technicians whose training terminology, procedures, methods, equipment, forms, and
210 quality assurance comply with best practices.

211 (a) Confirmation drug testing done on urine specimens shall be conducted by a laboratory
212 which is certified by the U.S. Department of Health and Human Services using its
213 confirmation methods and established cut-off levels. Laboratory-confirmed results shall
214 undergo the verification process by a MRO.

215 (b) Confirmation breath alcohol testing shall be performed using an NHTSA certified
216 evidential breath testing device.

217 (c) Confirmation drug testing done by saliva testing shall be performed using an NHTSA
218 certified saliva test.

219 202.8-3. If an employee is involved in a work-related accident, he or she shall immediately inform
220 his or her supervisor of the accident.

221 202.8-4. All external and internal applicants shall participate in pre-employment drug testing. A
222 negative drug test result shall be required for employment eligibility.

223 (a) *Exemption for Positive THC Test Result.* An external applicant's confirmed positive THC
224 test result shall be exempted from the requirement of a negative drug test result for
225 employment eligibility unless prohibited by an external licensing or grant requirement.

226 202.8-5. Each employee shall participate in reasonable suspicion and follow-up testing upon the
227 request of an appropriate authority. A negative test result is required for unimpeded employment
228 eligibility.

229 202.8-6. *Dilution of Test Results.* In cases where a drug test result is diluted, a positive dilute of the
230 test result requires that the applicant or employee shall be given a confirmed positive test result,
231 while a negative dilute of the test result requires retesting. EHN shall notify the applicant or
232 employee of the required retesting.

233 (a) If the re-test results in a negative-dilute, the applicant or employee shall be given a
234 negative test result.

235 (b) If the re-test results in a positive-dilute, then the applicant or employee shall be given a
236 positive test result.

237

238 **202.9. Refusal to Test**

239 202.9-1. Refusal to test is prohibited behavior as defined in section 202.6. Refusal to test carries
240 the same consequences as a confirmed positive test result. Examples of refusal to test include, but
241 are not limited to:

242 (a) Substituting, adulterating (falsifying), or diluting the specimen.

243 (b) Refusal to sign the required forms.

244 (c) Refusal to cooperate in the testing process in such a way that prevents completion of
245 accurate testing and as directed by the collector.

246 (d) Failing to remain at the testing site until the testing process is complete.

247 (e) Providing an insufficient sample of urine or breath.

248 (f) Failing to test or to re-test.

249 (g) Failing to appear within two (2) hours after an order or request is made for testing or re-
250 testing.

251 (h) Behaving in a confrontational or discourteous manner that disrupts the collection process.

252

253 **202.10. Reasonable Suspicion Testing Waiting Period**

254 202.10-1. This section applies only to current employees who meet the reasonable suspicion
255 standard. It does not apply to applicants of the Nation.

256 202.10-2 During drug and alcohol testing for reasonable suspicion, an employee shall be
257 immediately removed from duty without pay at the time of initiation of the reasonable suspicion
258 drug and alcohol testing and specimen collection until the employer is notified by EHN of negative
259 results on both the drug and alcohol tests, or MRO-verified negative test results.

260 202.10-3. When confirmation of test results are made available to the employer, the supervisor shall
261 notify the employee by telephone and by certified mail using the contact information provided by

262 the employee. The notice to the employee shall identify a reinstatement date if the test was
263 confirmed negative, or applicable consequences if the test was confirmed positive. If the employee
264 is reinstated, back pay shall be provided in accordance with the Back Pay law. However, if the
265 employee fails to return to work on the assigned reinstatement date as instructed in the notice from
266 the supervisor, the supervisor shall discipline the employee in accordance with the Nation's laws,
267 rules and policies governing employment, unless an extension is granted in writing by the supervisor
268 along with the reason for the extension. An employee who is ultimately terminated for failure to
269 return to work on his or her assigned reinstatement date shall not be eligible for employment for one
270 (1) year after the date of termination.

271
272 **202.11. Consequences for Prohibited Behavior**

273 202.11-1. Either an internal applicant or an external applicant may decline the position at any time
274 before being directed to EHN or other designated testing site for the applicant's drug and alcohol
275 testing.

276 202.11-2. *External Applicant.* If an external applicant fails to show at the testing site within the
277 time allotted, or on the date of the scheduled test, or has engaged in prohibited behavior as listed at
278 section 202.6 that has been documented, the employment offer shall be withdrawn. An external
279 applicant shall not be eligible for hiring consideration for one hundred eighty (180) days from the
280 date of the urine drug screening test.

281 202.11-3. *Internal Applicant.* If an internal applicant fails to show at the testing site within the time
282 allotted, or on the date of the scheduled test, or has engaged in prohibited behavior as listed at section
283 202.6, the employment offer shall be withdrawn. The applicant shall be removed from duty and
284 subject to respective consequences of this law. The applicant shall not be eligible for hiring
285 consideration in a different position for one hundred eighty (180) days from the date of the urine
286 drug screening test.

287 202.11-4. *Employee.* If an employee has engaged in prohibited behavior as listed in section 202.6-
288 1, and/or fails to cooperate by not responding to contact from the MRO within ten (10) business days
289 (which shall be deemed thereafter as a definite positive test), the employee shall be removed from
290 duty and subject to the respective consequences of this law.

291 202.11-5. *Consequences.*

292 (a) *First Violation.*

293 (1) Any employee who engages in prohibited behavior as defined in section 202.6
294 for the first time shall be removed from duty without pay and shall receive a
295 mandatory referral to ONEAP for an assessment. The ONEAP shall also determine
296 if the employee shall be subject to return-to-duty/follow-up testing. If follow-up
297 testing is required, the testing shall be at the employee's expense.

298 (2) The employee shall sign a Return-to-Work Agreement and submit the agreement
299 to his or her supervisor within ten (10) days or the employee shall be terminated and
300 ineligible for re-hire for one (1) year.

301 (A) When the supervisor signs the Return-to-Work Agreement the employee
302 shall be placed back on the work schedule by the next regularly scheduled
303 workday.

304 (3) Failure to comply with the signed Return-to-Work Agreement shall result in the
305 employee being terminated and ineligible for re-hire for one (1) year.

306 (b) *Second Violation.*

307 (1) Any employee who engages in prohibited behavior as defined in section 202.6 a
308 second time within his or her lifetime of employment with the Nation shall be
309 removed from duty without pay and shall receive a mandatory referral to ONEAP for
310 an assessment.

311 (2) The employee shall sign a Return-to-Work Agreement and submit it to the
312 employee's supervisor for signature within ten (10) days or the employee shall be
313 terminated and ineligible for re-hire for one (1) year. After a second violation the
314 employee shall not be placed back on the work schedule until:

315 (A) The employee receives approval from the ONEAP that they have
316 demonstrated sufficient progress in a treatment program that would indicate
317 the employee is drug and alcohol free within thirty (30) days of the employee
318 being removed from duty; and

319 (B) The employee completes a return-to-duty drug screening and alcohol test
320 at a SAMHSA-certified facility at their own expense, which shall be negative
321 within thirty (30) days of the employee being removed from duty;

322 (C) The ONEAP notifies the supervisor of the employee's eligibility to return
323 to work.

324 (3) As a condition of continuing employment, the employee shall participate in
325 follow-up testing with continued negative results as directed by the ONEAP and
326 listed in the Return-to-Work Agreement. All follow-up testing shall be at the
327 employee's expense.

328 (4) Failure to comply with the Return-to-Work agreement or follow up testing shall
329 result in the employee being terminated and ineligible for re-hire for one (1) year.

330 (c) *Third Violation.*

331 (1) Any employee who engages in prohibited behavior as defined in section 202.6 a
332 third time in his or her lifetime of employment with the Nation shall be terminated.
333 The employee shall not be eligible for employment unless he or she receives a
334 forgiveness pursuant to the Pardon and Forgiveness law. An employee that receives
335 forgiveness shall not be eligible for re-hire for one (1) year after the date of
336 termination.

337
338 **202.12. Re-hire**
339 202.12-1. A former employee that was terminated due to violations of this law shall provide, along
340 with the former employee's application for employment, the following:

341 (a) Proof of completion of a certified Alcohol and Other Drug Abuse program; and

342 (b) A negative drug screening and alcohol test at a SAMHSA-certified facility completed
343 within the last thirty (30) days. This drug screening and alcohol test shall be done at the
344 former employee's own expense.

345
346 **202.13. Other Potential Consequences**
347 202.13-1. The violation of this law may result in consequences to the employee beyond any
348 discipline or corrective action that may be taken. Other potential consequences include the
349 following:

350 (a) *Disqualification of Unemployment Benefits.* An employee who is terminated as a result
351 of a violation of this law may be ineligible for unemployment benefits.

352 (b) *Reduction of Workers Compensation Benefits.* An employee who incurs an injury in a
353 work-related accident that occurred while engaged in a violation of this law may have any
354 workers compensation benefits reduced.

355 (c) *Criminal Penalties.* An employee whose conduct violates state or federal criminal laws
356 may be referred to appropriate law enforcement for criminal prosecution.

357 (d) *Liability for Accidents.* An employee whose conduct in violation of this law causes an
358 accident may be held personally responsible for losses associated with the accident, and the
359 employee may be required to pay for those losses.

360

361 **202.14. Confidentiality**

362 202.14-1. Information related to the application of this law is confidential. Access to this
363 information is limited to those who have a legitimate “need to know” in compliance with relevant
364 laws and personnel policies and procedures.

365 202.14-2. All drug and alcohol testing information shall be maintained at EHN in confidential
366 records which are separate from the employee’s clinical and personnel files. The employee may
367 request a copy of the employee’s records. The records may be requested by a third party in
368 accordance with the Oneida Nation’s laws, rules and policies governing employment.

369

370 **202.15. Communication**

371 202.15-1. HRD shall communicate this law to all employees to ensure all employees are aware of
372 their role in supporting this law:

373 (a) All employees shall be given information on how to access this law.

374 (b) This law shall be reviewed in new employee orientation and other means, as deemed
375 appropriate by HRD.

376 (c) All employees shall sign an acknowledgment form stating they have received a copy of
377 this law, have read and understand it, and agree to follow this law.

378

379 *End.*

380

381 See GTC-01-31-94-B

382 Adopted – BC-08-17-94

383 Emergency Amended - BC-04-20-95-C

384 Adopted - BC-10-25-95-A (repealed previous versions)

385 Amended - BC-10-20-99-A

386 Amended - BC-12-05-07-B

387 Amended - BC-12-11-13-F

388 Emergency Amended - BC-10-26-16-D

389 Amended - BC-04-12-17-C

390 Amended – BC- _ - _ - _ - _

391



MEMORANDUM

To: Legislative Operating Committee

From: Keith Doxtator

Date: January 16th, 2024

Subject: Fiscal Impact for: Drug and Alcohol Free Workplace Law Amendments

I. Estimated Fiscal Impact Summary:

Request: Amendments to Drug and Alcohol Free Workplace Law		
Implementing Agency	Employee Health Human Resources Grants	
Estimated Impact	Current Fiscal Year	Ten Year Estimate
Total Estimated Fiscal Impact	Minimal	Minimal

II. Background:

The Drug and Alcohol Free Workplace Law was adopted by the Oneida Business Committee in 1994 through resolution BC-10-25-95-A and then amended through resolutions BC-10-20-99-A, BC-12-05-07-B, BC-12-11-13-F, and BC-04-12-17-C. The purpose of the Drug and Alcohol Free Workplace law is to establish a drug and alcohol-free workplace program that balances respect for individuals with the need to maintain an alcohol and drug-free environment. [2 O.C. 202.1-2].

On August 30, 2022, the Legislative Operating Committee received a request from the Human Resources Department to add the Drug and Alcohol Free Workplace law amendments to its Active Files List. The Human Resources Department indicated that with the Benton – Pre-Employment Drug Testing petition currently pending – which requests to remove THC from the pre-employment drug testing requirements,

they were directed by the Oneida Business Committee to work with the Oneida Law Office on potential proposed language to address this petition. The Legislative Operating Committee added this item to its Active Files List on September 7, 2022.

The LOC is considering amendments to the Drug and Alcohol Free Workplace Law, summarized as:

- All external and internal applicants being subject to pre-employment drug screening.
- Adding an exemption for positive THC test results to the pre-employment drug screening, unless prohibited by an external licensing or grant requirement.

III. **Methodology and Assumptions:**

Not Part of the Amendments

Throughout the comment period and discussions for this amendment, there appeared to be many misassumptions or misunderstandings of what these amendments accomplish. The proposed exemption only applies to pre-employment drug screenings. Once employed, each employee will still be subject to the same prohibition from the use of prohibited drugs. In short, past use of THC is not indicative of future intent. In this fiscal impact review, there is not a change to drug use allowed during employment, and I will assume employees comply with our laws and regulations accordingly.

Grant Requirements

One of the first questions posed to the organization was what type of grant requirements are involved within the Nation that may factor into this decision.

Some of the grants received require Oneida to comply with the Drug Free Workplace Act of 1988. However, this was clarified by Chief Council to indicate that “the federal law and regulations require a policy, not a prohibition or testing. The Nation has a policy regarding use of alcohol or drugs in the workplace.” The drug-free certification required by some federal grant applications assures that *once hired*, an employee would not engage in unlawful manufacture, distribution, dispensation, possession, or use of a controlled substance in conducting any activity with such grant; our current policy complies with this requirement.

If there were a unique aspect to a specific grant detailing positive THC test results for an applicant, then further tracking would need to be developed, however no such instances requiring further tracking currently occur.

Insurance Implications

Risk inquired with our insurance carriers to determine is this amendment would impact any of our policy coverages or impacts. Short answer – no, it would not.

Additional comment from VP of Tribal First: In theory, liability exposure could extend to a circumstance where an employee who was actually under the influence and the employer knew or should have known were to cause harm to a claimant. However, the liability determination in such an event would depend on whether he or she was intoxicated at the time of the incident, not necessarily whether he or she had ever been under influence at any time. To the extent that claimant could allege negligent hiring practice because the employer had express knowledge of THC usage due to a positive screen, but nonetheless offered employment, I don't see that type of argument succeeding on its merit in most cases. Technology isn't advanced enough to determine when a prospective employee was under the influence. Plus, cannabis is mostly legal now across the states in some format, medically or recreationally if not both, and so it's hard to imagine an increase in potential EPLI exposure if they hired someone despite a positive output. I also don't think there is exposure related to prior candidates who may have been denied employment due to a positive screen. Those who test THC usage are not in and of themselves a stand-alone protected class, and so my guess is any such claim, however unlikely, would not succeed either.

IV. Financial Impact:

There does not appear to be a change to the amount, nor type of pre-employment screens done. There is not a difference to the standards we're holding our workforce accountable to. There does not appear to be any additional liability by widening the scope of our acceptable applicants.

While there doesn't appear to be any additional financial consideration, I cannot rule out the management anecdotes of hiring a THC user that does not comply with the Nation's drug policy as an employee. There may be additional turnover and related costs, although minimal.

Finance Administration Office

V. Recommendation:

Finance does not provide a recommendation for this request. Rather our aim is to disclose the financial impact and allow the BC to weigh the value to cost among all its priorities.

Please contact Finance with any follow up questions.

Adopt resolution entitled FY 2024 Community Opioid Intervention Prevention Program

Business Committee Agenda Request

1. Meeting Date Requested: 02/14/24

2. Session:

Open Executive – must qualify under §107.4-1.

Justification: *Choose or type justification.*

3. Requested Motion:

Accept as information; OR

Approval and adoption of a resolution.

4. Areas potentially impacted or affected by this request:

Finance

Programs/Services

Law Office

MIS

Gaming/Retail

Boards, Committees, or Commissions

Other: *Describe*

5. Additional attendees needed for this request:

Leslie Doxtater, TAP Manager

Name, Title/Entity OR Choose from List

Name, Title/Entity OR Choose from List

Name, Title/Entity OR Choose from List

6. Supporting Documents:

- Bylaws
- Fiscal Impact Statement
- Presentation
- Contract Document(s)
- Law
- Report
- Correspondence
- Legal Review
- Resolution
- Draft GTC Notice
- Minutes
- Rule (adoption packet)
- Draft GTC Packet
- MOU/MOA
- Statement of Effect
- E-poll results/back-up
- Petition
- Travel Documents
- Other: *Describe*

7. Budget Information:

- Budgeted – Tribal Contribution
- Budgeted – Grant Funded
- Unbudgeted
- Not Applicable
- Other: *Describe*

8. Submission:

Mark W. Powless

Digitally signed by Mark W. Powless
Date: 2024.02.06 13:14:47 -06'00'

Authorized Sponsor: Mark W. Powless, General Manager

Primary Requestor: Marsha Danforth, Grant Development Specialist

**MEMORANDUM**

TO: Oneida Business Committee
FROM: Marsha Danforth, Grant Development Specialist *Marsha Danforth*
DATE: February 6, 2024
RE: FY 2024 Community Opioid Intervention Prevention Program

The Oneida Tribal Action Plan Program will be submitting a grant application to the U.S. Department of Health and Human Services, Indian Health Services for the FY 2024 Community Opioid Intervention Prevention Program grant. The funding agency requires an approved and signed resolution as part of the grant guidelines.

The TAP Program plans to use grant funds to reduce opioid misuse among our Oneida Nation Community with culturally congruent programming. The TAP Program intends to increase awareness of the opioid epidemic and disseminate harm reduction materials. TAP is focused on creating safe, inclusive space(s) in the Oneida community to address stigma and promote healthy living.

Oneida Nation

Post Office Box 365

Phone: (920)869-2214



Oneida, WI 54155

BC Resolution # Leave this line blank FY 2024 Community Opioid Intervention Prevention Program

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25
26
27
28
29
30
31
32
33
34
35
36

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 has determined that the overall goal of the Oneida Nation is to protect, maintain and improve the standard of living and the environment in which the Oneida people live; and

WHEREAS, our Vision is a Nation of strong families build on Tsiʔniyukwalihotʔ (Our Ways) and a strong economy; and

WHEREAS, the Oneida Business Committee, in BC resolution # 05-10-17-C, has prioritized alcoholism and substance abuse as a primary issue to deal with; and

WHEREAS, the Oneida Nation has an approved Tribal Action Plan (TAP) that focuses on alcohol and substance misuse awareness, prevention, and intervention; and

WHEREAS, the Oneida Nation TAP identifies the goal of creating substance misuse awareness, and increasing access to services for the Oneida community; and

WHEREAS, the Oneida Nation TAP identifies the goal of establishing a connection to Oneida culture as comprehensive youth development, prevention, and intervention strategy; and

WHEREAS, the Oneida Business Committee recognizes the need to support Oneida youth and families who are affected by the opioid crisis; and

NOW THEREFORE BE IT RESOLVED, the Oneida Nation authorizes and submits a grant application to the Department of Health and Humans – Indian Health Service FY2024 Community Opioid Intervention Prevention Program grant for developing a collaborative approach to identify and respond to the impact that the opioid epidemic has had on Oneida children and their families.

Adopt resolution entitled Temporary Assistance to Needy Families (TANF) Grant Application

Business Committee Agenda Request

1. **Meeting Date Requested:** 2/14/24

2. **Session:**

Open Executive – must qualify under §107.4-1.

Justification: *Choose or type justification.*

3. **Requested Motion:**

Accept as information; OR Enter the requested motion related to this item.

Approval and Adoption of a resolution

4. **Areas potentially impacted or affected by this request:**

Finance

Programs/Services

Law Office

MIS

Gaming/Retail

Boards, Committees, or Commissions

Other:

5. **Additional attendees needed for this request:**

Name, Title/Entity OR Choose from List

Delia Smith, Community Resource and Economic Support Dir

Tina Jorgenson, Human Services

6. Supporting Documents:

- | | | |
|---|--|---|
| <input type="checkbox"/> Bylaws | <input type="checkbox"/> Fiscal Impact Statement | <input type="checkbox"/> Presentation |
| <input type="checkbox"/> Contract Document(s) | <input type="checkbox"/> Law | <input type="checkbox"/> Report |
| <input type="checkbox"/> Correspondence | <input type="checkbox"/> Legal Review | <input checked="" type="checkbox"/> Resolution |
| <input type="checkbox"/> Draft GTC Notice | <input type="checkbox"/> Minutes | <input type="checkbox"/> Rule (adoption packet) |
| <input type="checkbox"/> Draft GTC Packet | <input type="checkbox"/> MOU/MOA | <input type="checkbox"/> Statement of Effect |
| <input type="checkbox"/> E-poll results/back-up | <input type="checkbox"/> Petition | <input type="checkbox"/> Travel Documents |
| <input type="checkbox"/> Other: | | |

7. Budget Information:

- | | |
|---|--|
| <input type="checkbox"/> Budgeted – Tribal Contribution | <input type="checkbox"/> Budgeted – Grant Funded |
| <input type="checkbox"/> Unbudgeted | <input checked="" type="checkbox"/> Not Applicable |
| <input type="checkbox"/> Other: | |

8. Submission:

Mark W. Powless

Digitally signed by Mark W. Powless
Date: 2024.01.24 14:52:58 -06'00'

Authorized Sponsor: Mark W. Powless, General Manager

Primary Requestor: Marsha Danforth, Grant Development Specialist

MEMORANDUM

TO: Oneida Business Committee
FROM: Marsha Danforth, Grant Development Specialist *Marsha Danforth*
DATE: January 24, 2024
RE: 2024-2026 Tribal TANF Plan

The Oneida TANF Program will be submitting a grant application to the U.S. Department of Health and Human Services, Administration for Children and Families for the Tribal TANF Plan for Project Period 2024-2026. The funding agency requires an approved and signed resolution as part of the grant guidelines.

The TANF Program uses grant funds to provide assistance to needy families so that children may be cared for in their home or in the home of a relative; to reduce dependency on public benefits by promoting job preparation, work, and marriage; to prevent and reduce the incidence of unplanned pregnancies; and to encourage the formation and maintenance of two-parent families. These four actions meet the purpose and expectation of the personal responsibility and work Opportunities Reconciliation Act – the Federal Law created for States and Tribes to administer the TANF program.

Oneida Nation

Post Office Box 365

Phone: (920)869-2214



Oneida, WI 54155

**BC Resolution # Leave this line blank
Temporary Assistance to Needy Families (TANF) Grant Application**

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25
26
27
28

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 has determined that the overall goal of the Oneida Nation is to protect, maintain and improve the standard of living and the environment in which the Oneida people live; and

WHEREAS, the Oneida Business Committee recognizes and supports the efforts of the Tribal Temporary Assistance to Needy Families (TANF) Program to ensure the primary purposes of the Federal Personal Responsibilities and Work Opportunities Reconciliation Act; and

WHEREAS, the Oneida Business Committee hereby supports implementation of the proposed Tribal TANF Plan for the 2024-2026 Project Period; and

NOW THEREFORE BE IT RESOLVED, that upon approval by the Administration of Children and Families, the Oneida Nation TANF Program will be implemented according to the provisions set forth within the Tribal TANF Plan in the broadest manner possible, while meeting established standards.

BE IT FINALLY RESOLVED, that the Oneida Nation authorizes and supports the submission of a grant application to the U.S. Department of Health and Human Services, Administration for Children and Families for the Temporary Assistance to Needy Families (TANF) in the amount of \$835,924.00.

Accept the January 11, 2024, regular Finance Committee meeting minutes

Business Committee Agenda Request

1. Meeting Date Requested: 02/14/24

2. Session:

Open Executive – must qualify under §107.4-1.

Justification: *Choose or type justification.*

3. Requested Motion:

Accept as information; OR

Accept the FC Minutes for 1/11/24 & E-Poll

4. Areas potentially impacted or affected by this request:

Finance

Programs/Services

Law Office

DTS

Gaming/Retail

Boards, Committees, or Commissions

Other: All areas that require FC approval

5. Additional attendees needed for this request:

Name, Title/Entity OR Choose from List

Name, Title/Entity OR Choose from List

Name, Title/Entity OR Choose from List

Name, Title/Entity OR Choose from List

6. Supporting Documents:

- | | | |
|--|--|---|
| <input type="checkbox"/> Bylaws | <input type="checkbox"/> Fiscal Impact Statement | <input type="checkbox"/> Presentation |
| <input type="checkbox"/> Contract Document(s) | <input type="checkbox"/> Law | <input type="checkbox"/> Report |
| <input type="checkbox"/> Correspondence | <input type="checkbox"/> Legal Review | <input type="checkbox"/> Resolution |
| <input type="checkbox"/> Draft GTC Notice | <input checked="" type="checkbox"/> Minutes | <input type="checkbox"/> Rule (adoption packet) |
| <input type="checkbox"/> Draft GTC Packet | <input type="checkbox"/> MOU/MOA | <input type="checkbox"/> Statement of Effect |
| <input checked="" type="checkbox"/> E-poll results/back-up | <input type="checkbox"/> Petition | <input type="checkbox"/> Travel Documents |
| <input type="checkbox"/> Other: <i>Describe</i> | | |

7. Budget Information:

- | | |
|---|--|
| <input type="checkbox"/> Budgeted – Tribal Contribution | <input type="checkbox"/> Budgeted – Grant Funded |
| <input type="checkbox"/> Unbudgeted | <input checked="" type="checkbox"/> Not Applicable |
| <input type="checkbox"/> Other: <i>Describe</i> | |

8. Submission:

Authorized Sponsor: Lawrence Barton, Treasurer

Primary Requestor: Melissa Alvarado, Office Manager



INTERNAL MEMORANDUM

TO: FINANCE COMMITTEE
FROM: MELISSA ALVARADO, OFFICE MANAGER
SUBJECT: E-POLL RESULTS – FC MINUTES OF JANUARY 11, 2024
DATE: 01/11/24

An E-Poll vote of the Finance Committee was conducted to approve the Finance Committee meeting minutes of January 11, 2024. The E-Poll and minutes were sent out today and concluded today. The results of the completed E-Poll are as follows:

E-POLL RESULTS:

There was a Majority of 5 FC members voting to approve the January 11, 2024 Finance Committee Meeting Minutes. FC Members voting included: *Keith Doxtator, Lisa Liggins, Jennifer Webster, Jonas Hill, and Chad Fuss.*

These Finance Committee Minutes of January 11, 2024 will be placed on the next Finance Committee agenda to acknowledge this E-Poll action. Per the FC By-Laws all Minutes of the FC will be submitted to the Secretary's Office once a month for BC acceptance.



ONEIDA
FINANCE COMMITTEE
REGULAR MEETING
JANUARY 11, 2024 • Time: 8:30 A.M.
Business Committee Conference Room

REGULAR MEETING MINUTES

FC MEMBERS PRESENT:

Larry Barton, BC Treasurer/FC Chair

Keith Doxtator, CFO/FC Vice-Chair

Lisa Liggins, BC Secretary

Jennifer Webster, BC Council Member

Jonas Hill, BC Council Member

Chad Fuss, Asst. Gaming CFO

Sarah White, Purchasing Director

FC MEMBERS EXCUSED:

OTHERS PRESENT: Vanessa Miller, Bill VerVoort, Bridget John, Sam VanDen Heuvel, Henrietta Cornelius, Nicole Rommel, Maureen Perkins, and Melissa Alvarado taking notes

I. CALL TO ORDER: The FC Regular Meeting was called to order by the FC Chair at 8:29 A.M.

II. APPROVAL OF AGENDA: JANUARY 11, 2024

Motion by Keith Doxtator to approve the January 11, 2024 Finance Committee Meeting Agenda. Seconded by Chad Fuss. Motion carried unanimously.

III. FC MINUTES: December 28, 2023 (Approved via E-Poll on 12/28/23)

Motion by Lisa Liggins to acknowledge the FC E-Poll action taken on December 28, 2023 approving the December 28, 2023 Finance Committee Meeting Minutes. Seconded by Jonas Hill. Motion carried unanimously.

IV. TABLED BUSINESS: None

V. CAPITAL EXPENDITURES: None

VI. NEW BUSINESS:

1. Balance Studios Inc. – Service Contract
Vanessa Miller, EHSLA

Amount: \$269,900.00

Motion by Jennifer Webster to approve the Balance Studios Inc. – Service Contract in the amount of \$269,900.00. Seconded by Chad Fuss. Motion carried unanimously.

2. Midwest Meter Inc. – Water Meters & Supplies Amount: \$178,500.00
Bridget John, Utilities

Motion by Jennifer Webster to approve the Midwest Meter Inc. – Water Meters & Supplies in the amount of \$178,500.00. Seconded by Lisa Liggins. Motion carried unanimously.

3. Mission Support Services LLC – Pre-Construction Services Amount: \$78,720.00
Sam VanDen Heuvel, Engineering

Motion by Jennifer Webster to approve the Mission Support Services LLC – Pre-Construction Services in the amount of \$78,720.00. Seconded by Lisa Liggins. Motion carried unanimously.

VII. ONEIDA FINANCE FUND:

Report:

1. Oneida Finance Fund Report – January 2024
Melissa Alvarado, Office Manager

Motion by Lisa Liggins to accept the Oneida Finance Fund Report for January 2024. Seconded by Jennifer Webster. Motion carried unanimously.

Requests:

1. Hockey League fees Amount: \$500.00
Requester: Carla Castillo for Naat’aanii

Motion by Jennifer Webster to approve from the Oneida Finance Fund the request for Hockey League fees for the son of the requester in the amount of \$500. Seconded by Chad Fuss. Motion carried unanimously.

2. Volleyball Club fees Amount: \$500.00
Requester: William Cornelius for Mishun

Motion by Jennifer Webster to approve from the Oneida Finance Fund the request for Volleyball Club fees for the daughter of the requester in the amount of \$500. Seconded by

Lisa Liggins. Motion carried unanimously.

3. YMCA Family Membership
Requester: Nelson Ninham

Amount: \$500.00

Motion by Jennifer Webster to approve from the Oneida Finance Fund the request for YMCA Family Membership for the requester in the amount of \$500. Seconded by Chad Fuss. Motion carried unanimously.

Amendment to the main motion by Lisa Liggins to refer the Oneida Finance Fund SOP to a work session and for a report to be put together regarding the group requests. Seconded by Chad Fuss. Motion carried unanimously.

VIII. EXECUTIVE SESSION:

Motion by Jennifer Webster to go into Executive Session. Seconded by Keith Doxtator. Motion carried unanimously. Time: 8:41 A.M.

Motion by Jennifer Webster to come out of Executive Session. Seconded by Lisa Liggins. Motion carried unanimously. Time: 8:45 A.M.

1. Olm Orthodontics Services Contract 2023-0885
Henrietta Cornelius, CompHealth

Motion by Lisa Liggins to approve the Olm Orthodontics Service Contract 2023-0885 in the amount requested. Seconded by Jennifer Webster. Motion carried unanimously.

2. Property Management Contract 2023-1332
Nicole Rommel, Land Management

Motion by Chad Fuss to approve the Property Management Contract 2023-1332 in the amount requested. Seconded by Lisa Liggins. Abstained by Jennifer Webster. Motion carried.

IX. ADMINISTRATIVE /INTERNAL: None

X. FOLLOW UP: None

XI. FOR INFORMATION ONLY: None

XII. ADJOURN: Motion by Chad Fuss to adjourn. Seconded by Jonas Hill.

Motion carried unanimously. Time: 8:57 A.M.

Minutes submitted by:

Melissa Alvarado, Office Manager

& Finance Committee Contact/Recording Secretary

Finance Committee Approval Date of Minutes via E-Poll: January 11, 2024

Accept the January 17, 2024, regular Legislative Operating Committee meeting minutes

Business Committee Agenda Request

1. Meeting Date Requested: 02/14/24

2. Session:

Open Executive – must qualify under §107.4-1.

Justification: *Choose or type justification.*

3. Requested Motion:

Accept as information; OR

Accept the January 17, 2024, Legislative Operating Committee meeting minutes.

4. Areas potentially impacted or affected by this request:

- | | |
|---|---|
| <input type="checkbox"/> Finance | <input type="checkbox"/> Programs/Services |
| <input type="checkbox"/> Law Office | <input type="checkbox"/> MIS |
| <input type="checkbox"/> Gaming/Retail | <input type="checkbox"/> Boards, Committees, or Commissions |
| <input type="checkbox"/> Other: <i>Describe</i> | |

5. Additional attendees needed for this request:

- Name, Title/Entity OR Choose from List*
- Name, Title/Entity OR Choose from List*
- Name, Title/Entity OR Choose from List*
- Name, Title/Entity OR Choose from List*

6. Supporting Documents:

- | | | |
|---|--|---|
| <input type="checkbox"/> Bylaws | <input type="checkbox"/> Fiscal Impact Statement | <input type="checkbox"/> Presentation |
| <input type="checkbox"/> Contract Document(s) | <input type="checkbox"/> Law | <input type="checkbox"/> Report |
| <input type="checkbox"/> Correspondence | <input type="checkbox"/> Legal Review | <input type="checkbox"/> Resolution |
| <input type="checkbox"/> Draft GTC Notice | <input checked="" type="checkbox"/> Minutes | <input type="checkbox"/> Rule (adoption packet) |
| <input type="checkbox"/> Draft GTC Packet | <input type="checkbox"/> MOU/MOA | <input type="checkbox"/> Statement of Effect |
| <input type="checkbox"/> E-poll results/back-up | <input type="checkbox"/> Petition | <input type="checkbox"/> Travel Documents |
| <input type="checkbox"/> Other: <i>Describe</i> | | |

7. Budget Information:

- | | |
|---|--|
| <input type="checkbox"/> Budgeted – Tribal Contribution | <input type="checkbox"/> Budgeted – Grant Funded |
| <input type="checkbox"/> Unbudgeted | <input checked="" type="checkbox"/> Not Applicable |
| <input type="checkbox"/> Other: <i>Describe</i> | |

8. Submission:

Authorized Sponsor: Jameson Wilson, Councilmember

Primary Requestor: Clorissa N. Leeman, LRO Senior Staff Attorney



Oneida Nation
 Oneida Business Committee
 Legislative Operating Committee
 PO Box 365 • Oneida, WI 54155-0365
Oneida-nsn.gov



LEGISLATIVE OPERATING COMMITTEE MEETING MINUTES
 Oneida Business Committee Conference Room-2nd Floor Norbert Hill Center
 January 17, 2024
 9:00 a.m.

Present: Jameson Wilson, Jennifer Webster, Kirby Metoxen, Jonas Hill

Excused: Marlon Skenandore

Others Present: Clorissa N. Leeman, Melinda Danforth, Carolyn Salutz, Grace Elliott, Keith Doxtator, Brooke Doxtator, Maureen Perkins,

Others Present on Microsoft Teams: Jo Anne House, Katsitsiyo Danforth, Eric Boulanger, David P. Jordan, Fawn Billie, Maureen Metoxen, Nicole Rommel, Derrick King, Mark Powless, Tavia Charles, Todd Vandenheuvel, Kaylynn Gresham, Eric McLester, Rae Skenandore, Krystal John, Michelle Tipple

I. Call to Order and Approval of the Agenda

Jameson Wilson called the January 17, 2024, Legislative Operating Committee meeting to order at 9:00 a.m.

Motion by Jennifer Webster approve the agenda; seconded by Jonas Hill. Motion carried unanimously.

II. Minutes to be Approved

1. January 3, 2024 LOC Meeting Minutes

Motion by Kirby Metoxen to approve the January 3, 2024, LOC meeting minutes; seconded by Jennifer Webster. Motion carried unanimously.

III. Current Business

1. Clean Air Policy Amendments

Motion by Jennifer Webster to approve the updated public comment review memorandum, draft, and legislative analysis; seconded by Jonas Hill. Motion carried unanimously.

Motion by Jennifer Webster to approve the fiscal impact statement request memorandum and forward to the Finance Department directing that a fiscal impact statement be prepared and submitted to the LOC by January 31, 2024; seconded by Kirby Metoxen. Motion carried unanimously.



IV. New Submissions

1. Short Term Rental Regulations

Motion by Jennifer Webster to add the Short-Term Rental law to the Active Files List with Jonas Hill as the sponsor; seconded by Kirby Metoxen. Motion carried unanimously.

V. Additions

VI. Administrative Items

VII. Executive Session

VIII. Adjourn

Motion by Jennifer Webster to adjourn at 9:21 a.m.; seconded by Kirby Metoxen. Motion carried unanimously.

Approve the travel report - Vice-Chairman Brandon Yellowbird-Stevens - White House Tribal Nations...

Business Committee Agenda Request

1. Meeting Date Requested: 02/14/24

2. Session:

Open Executive – must qualify under §107.4-1.

Justification: *Choose or type justification.*

3. Requested Motion:

Accept as information; OR

Accept and close out Travel Report for Vice-Chairman Yellowbird-Stevens who was invited to attend the White House Tribal Nations Summit – Washington D.C. – December 6 – 7th, 2023

4. Areas potentially impacted or affected by this request:

Finance

Programs/Services

Law Office

MIS

Gaming/Retail

Boards, Committees, or Commissions

Other: *Describe*

5. Additional attendees needed for this request:

Name, Title/Entity OR Choose from List

Name, Title/Entity OR Choose from List

Name, Title/Entity OR Choose from List

Name, Title/Entity OR Choose from List

6. Supporting Documents:

- | | | |
|---|--|---|
| <input type="checkbox"/> Bylaws | <input type="checkbox"/> Fiscal Impact Statement | <input type="checkbox"/> Presentation |
| <input type="checkbox"/> Contract Document(s) | <input type="checkbox"/> Law | <input type="checkbox"/> Report |
| <input type="checkbox"/> Correspondence | <input type="checkbox"/> Legal Review | <input type="checkbox"/> Resolution |
| <input type="checkbox"/> Draft GTC Notice | <input type="checkbox"/> Minutes | <input type="checkbox"/> Rule (adoption packet) |
| <input type="checkbox"/> Draft GTC Packet | <input type="checkbox"/> MOU/MOA | <input type="checkbox"/> Statement of Effect |
| <input type="checkbox"/> E-poll results/back-up | <input type="checkbox"/> Petition | <input type="checkbox"/> Travel Documents |
| <input type="checkbox"/> Other: <i>Describe</i> | | |

7. Budget Information:

- | | |
|--|--|
| <input checked="" type="checkbox"/> Budgeted – Tribal Contribution | <input type="checkbox"/> Budgeted – Grant Funded |
| <input type="checkbox"/> Unbudgeted | <input type="checkbox"/> Not Applicable |
| <input type="checkbox"/> Other: <i>Describe</i> | |

8. Submission:

Authorized Sponsor: Brandon Yellowbird-Stevens, Vice-Chairman

Primary Requestor: *Name, Title/Entity*

BUSINESS COMMITTEE TRAVEL REPORT



Travel Report for:

Choose a Traveler Name
Vice-Chairman Brandon
Yellowbird-Stevens

Enter name(s) of other
Travelers OR [SPACE BAR] to
delete

Enter name(s) of other
Travelers OR [SPACE BAR] to
delete

Travel Event:

White House Tribal Leaders Summit

Travel Location:

Washington D.C.

Departure Date:

12/05/2023

Return Date:

12/07/2023

Projected Cost:

\$2607.50

Actual Cost:

\$2107.50

Date Travel was Approved by OBC:

12/23/2023

Narrative/Background:

The White House Tribal Nations Summit an event held annually in Washington D.C. with representation from Tribal Leaders from across the nation. The Summit allows for the opportunity to engage directly with officials on the highest level of the current Biden-Harris Administration. Vice-Chairman Yellowbird-Stevens attended on behalf of the Oneida Nation, only one Leader from each Nation were allowed to attend. One of the meetings attended was with Senator Baldwin and Congressman Gallagher to discuss legislation that would assist us in processing our land transactions more timely.

Item(s) Requiring Attention:

Verbal update

Requested Action:

Accept and close out Travel Report for Vice-Chairman Yellowbird-Stevens who was invited to attend the White House Tribal Nations Summit – Washington D.C. – December 6 – 7th, 2023

NATIVE ORGANIZATION POINTS OF CONTACT (Listed Alphabetically)



American Indian Higher Education Consortium (AIHEC)

About the American Indian Higher Education Consortium:

The American Indian Higher Education Consortium (AIHEC) is the collective spirit and unifying voice of our nation's Tribal Colleges and Universities (TCUs). AIHEC provides leadership and influences public policy on American Indian higher education issues through advocacy, research, and program initiatives; promotes and strengthens indigenous languages, cultures, communities, and Tribal Nations; and through its unique position, serves member institutions and emerging TCUs. For more information, visit www.aihec.org.

Contact:

Ahniwake Rose, *Vice-President of Congressional and Federal Relations*
arose@aihec.org



Association on American Indian Affairs (AAIA)

About the Association on American Indian Affairs:

The Association on American Indian Affairs is the oldest non-profit serving Native Country protecting sovereignty, preserving culture, educating youth and building capacity. The Association was formed in 1922 to change the destructive path of federal policy from assimilation, termination and allotment, to sovereignty, self-determination and self-sufficiency. Throughout its 100-year history, the Association has provided national advocacy on watershed issues that support sovereignty and culture, while working on the ground at a grassroots level with Tribes to support the implementation of programs that affect lives on the ground. The Association is governed by an all-Native American Board of Directors from across Native

Country. As a membership organization, the Association speaks with unified voices from all over the country, both Native and non-Native together, to protect sovereignty, preserve culture, educate youth and build capacity. For more information, visit www.indian-affairs.org/.

Contact:

Shannon O’Loughlin, *CEO & Attorney*

Shannon@indian-affairs.org

general@indian-affairs.org



Indian Gaming Association (IGA)

About the Indian Gaming Association:

The mission of the Indian Gaming Association is to protect and preserve the general welfare of tribes. IGA works with the Federal, State and Tribal governments to develop sound policies and practices and to provide technical assistance and advocacy on gaming-related issues. IGA works to maintain and protect tribal sovereignty. For more information, visit indiangaming.org/.

Contacts:

Jason Giles, *Executive Director*

jgiles@indiangaming.org

Danielle Her Many Horses, *Deputy Director/General Counsel*

dhermanyhorses@indiangaming.org

Chelsea Blake, *Legislative Director*

cblake@indiangaming.org



Intertribal Agriculture Council (IAC)

About the Intertribal Agriculture Council:

The Intertribal Agriculture Council is a national, Native-led nonprofit that was formed by several federally recognized Tribal Nations in 1987 and tasked with pursuing and promoting the conservation, development, and use of our agriculture resources for the betterment of our people. Since its founding, IAC has actively supported Tribal producers across the country through on-the-ground technical assistance and services, as well as advocacy for improvements in the policies that govern the landscape in which Tribal producers must operate. For more information, visit <https://www.indianag.org/>.

Contact:

Abi Fain, *Chief Legal & Policy Officers*

Abi@indianag.org



NAFOA

About NAFOA:

NAFOA was founded over four decades ago as the Native American Finance Officers Association to highlight the role of tribal finance in fostering economic opportunities. Since that time, NAFOA has grown along with tribal economies. We are committed to supporting tribal economies through sound economic and fiscal policy, innovative learning opportunities, convening thought leadership, and developing resources for tribes that strengthen governance and exercise sovereignty. For more information, visit <https://nafoa.org/>.

Contacts:

Nicholas Lovesee, *Director of Policy*

nicholas@nafoa.org

Kellen Moore, *Policy/Communications Specialist*
kellen@nafoa.org



National American Indian Housing Council (NAIHC)

About the National American Indian Housing Council:

The National American Indian Housing Council (NAIHC) is a member organization that represents the unified voice of tribal housing programs across the nation. Established in 1974, NAIHC has a long-respected history of providing effective advocacy and quality training and technical assistance as well as hosting annual events that showcase best practices from tribal housing programs across the country. NAIHC advocates for tribal self-determination and improving housing conditions in tribal communities by working with tribes, tribal housing authorities, and tribally-designated housing entities (TDHEs). Learn more at www.naihc.net.

Contacts:

Thomas Lozano, *Chairman of the Board of Directors*
thomasl@enterpriserancheria.org



National Congress of American Indians (NCAI)

About the National Congress of American Indians:

Founded in 1944, the National Congress of American Indians (NCAI) is the oldest, largest, and most representative American Indian and Alaska Native organization in the United States. NCAI advocates on behalf of tribal governments and communities, promoting strong tribal-federal government-to-government policies. NCAI promotes an understanding among the general public regarding American Indian and Alaska Native governments, people, and rights. For more information, visit www.ncai.org.

Contact:

Ryan Seelau, *Director of Policy and Legal*
rseelau@ncai.org



National Council on Urban Indian Health (NCUIH)

About the National Council on Urban Indian Health:

The National Council of Urban Indian Health (NCUIH) is the national non-profit organization devoted to the support and development of quality, accessible, and culturally competent health and public health services for American Indians and Alaska Natives (AI/ANs) living in urban areas. NCUIH is the only national representative of the 41 Title V Urban Indian Organizations (UIOs) under the Indian Health Service (IHS) in the Indian Health Care Improvement Act (IHCA). NCUIH strives to improve the health of the over 70% of the AI/AN population that lives in urban areas, supported by quality, accessible health care centers. For more information, visit www.ncuih.org.

Contact:

Meredith Raimondi, *Vice President of Policy and Communications*
mraimondi@ncuih.org



NICWA
National Indian Child Welfare Association

National Indian Child Welfare Association (NICWA)

About National Indian Child Welfare Association:

NICWA works to support the safety, health, and spiritual strength of American Indian and Alaska Native children along the broad continuum of their lives. We support tribes in building the capacity to prevent child abuse and neglect through positive systems change at the state, federal, and tribal levels. We are the most comprehensive source of information on American

Indian and Alaska Native child welfare. For more information, visit www.nicwa.org.

Contact:

Sarah Kastelic, *Executive Director*

skastelic@nicwa.org



National Indian Education Association (NIEA)

About the National Indian Education Association:

NIEA is the Nation's most inclusive advocacy organization working to advance comprehensive education opportunities for American Indians, Alaska Natives, and Native Hawaiians. Formed by Native educators in 1969 to encourage a national discourse on education, NIEA adheres to the organization's founding principles- to bring educators together to explore ways to improve schools and the educational systems serving Native children; to promote the maintenance and continued development of language and cultural programs; and to develop and implement strategies for influencing local, state, and federal policy and decision-makers. Through advocacy, capacity building, and education, NIEA helps Native students, and their communities, succeed. For more information visit www.niea.org.

Contact:

Julia Wakeford, *Director of Policy*

jwakeford@niea.org

National Indian
Health Board 

National Indian Health Board (NIHB)

About the National Indian Health Board:

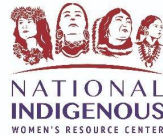
The National Indian Health Board (NIHB) serves all 574 federally recognized Tribal governments—both those that operate their own health care delivery systems through contracting and compacting, and those receiving health care directly from the Indian Health Service (IHS). Established by the Tribes to advocate as the united voice of federally recognized

American Indian and Alaska Native Tribes, NIHB seeks to reinforce Tribal sovereignty, strengthen Tribal health systems, secure resources, and build capacity to achieve the highest level of health and well-being for our People. For more information, visit www.nihb.org.

Contacts:

Caitrin Shuy, *Government Relations Director*
cshuy@nihb.org

A.C. Locklear, *Federal Relations Director*
alocklear@nihb.org



National Indigenous Women's Resource Center (NIWRC)

About the National Indigenous Women's Resource Center:

The National Indigenous Women's Resource Center, Inc. (NIWRC) is a Native-led nonprofit organization dedicated to ending violence against Native women and children. The NIWRC provides national leadership in ending gender-based violence in tribal communities by lifting up the collective voices of grassroots advocates and offering culturally grounded resources, technical assistance and training, and policy development to strengthen tribal sovereignty. Our staff and board of directors consist of Native women from throughout the United States with extensive experience and commitment to ending violence against Native women and their children. NIWRC's staff bring decades of expertise in building the grassroots movement to increase tribal responses to domestic violence and increase safety for Native women. For more information, visit <https://www.niwrc.org/>.

Contacts:

Kerri Colfer, *Director of Legislative Affairs*
kcolfer@niwrc.org



Native American Rights Fund (NARF)

About the Native American Rights Fund:

NARF is a non-profit 501c(3) organization focused on applying existing laws and treaties to guarantee that federal and state governments live up to their legal obligations to Native Americans. Since 1970, the Native American Rights Fund (NARF) has provided specialized legal assistance to Native American tribes, organizations, and individuals nationwide to assert and defend the most important Native rights. In hundreds of major cases, NARF has achieved significant results in critical areas such as tribal sovereignty, treaty rights, natural resource protection, voting rights, and Indian education. For more information, visit www.narf.org/

Contacts:

John Echohawk, *Executive Director*

jechohawk@narf.org

Samanta Kelty, *Managing Attorney*

Kelty@narf.org

Morgan Saunders, *Staff Attorney*

msaunders@narf.org



Native Farm Bill Coalition (NFBC)

About the Native Farm Bill Coalition:

The Native Farm Bill Coalition (NFBC) is a nationwide initiative to lift up the voices of Native American producers and Tribal governments to advance a common policy agenda. It works to ensure that Indian Country's priorities are acknowledged and included in the decision making process for the next Farm Bill, from farming and ranching to nutrition programs, rural

development and forestry. The NFBC is a joint project of the Intertribal Agriculture Council, the Shakopee Mdewakanton Sioux Community, the National Congress of American Indians, and the Indigenous Food and Agriculture Initiative, its official research partner. For more information, visit <https://www.nativefarmbill.com/>.

Contacts:

Abi Fain, *Chief Legal & Policy Officers, Intertribal Agriculture Council*

Abi@indianag.org

Erin Parker, *Executive Director, Indigenous Food & Agriculture Initiative*

esparker@uark.edu

Parker Reynolds, *Public Affairs Advisor, Holland & Knight LLP (on behalf of the Shakopee Mdewakanton Sioux Community)*

Parker.Reynolds@hklaw.com



Self-Governance Communication and Education Tribal Consortium (SGCETC)

About the Self-Governance Communication and Education Tribal Consortium:

The Self-Governance Communication and Education Tribal Consortium (SGCETC) is a non-profit 501(c)(3) consortium of Tribal nations that elected to use Self-Governance for the delivery of programs and services for their citizens and communities. SGCETC strives to assist all Tribal nations to achieve their own goals of self-government and seeks to ensure that the tenets and purpose of Self-Governance are accurately communicated and clearly understood by Congress, the Administration, Tribal nations and all other interested parties. For more information, visit <https://www.tribalselfgov.org>.

Contact:

Jay Spaan, *Executive Director*

jays@tribalselfgov.org



United South and Eastern Tribes Sovereignty Protection Fund (USET SPF)

About the United South and Eastern Tribes Sovereignty Protection Fund:

Established in 2014, the USET Sovereignty Protection Fund (USET SPF) is a non-profit, inter-Tribal organization advocating on behalf of thirty-three (33) federally recognized Tribal Nations from the Northeastern Woodlands to the Everglades and across the Gulf of Mexico. USET SPF is dedicated to promoting, protecting, and advancing the inherent sovereign rights and authorities of Tribal Nations and in assisting its membership in dealing effectively with public policy issues. For more information, visit <https://www.usetinc.org/>.

Contacts:

Kitcki Carroll, *Executive Director*

kcarroll@usetinc.org

Liz Malerba, *Director of Policy and Legislative Affairs*

LMalerba@usetinc.org

ACCESS to CAPITAL ECONOMIC DEVELOPMENT TAXATION

BACKGROUND

Improve Tribal Nation Access to Capital.

Content provided by NCAI.

Across Indian Country, Tribal Nations are forging impressive records of economic progress. From operating nation-owned enterprises to cultivating tribal citizen-owned businesses to preparing their people to access new job opportunities through workforce education and training, Tribal Nations are methodically building sustainable economies to support thriving Native communities. Driving this remarkable yet uneven renaissance is tribal self-determination, specifically the responsibility each Tribal Nation exercises to create a robust economy based on its cultural values, particular circumstances, and long-range priorities. To support Tribal Nations, the federal government must fulfill its binding trust and treaty obligations to take key actions to foster—and remove the barriers impeding—their economy-building efforts.

Since the 1970s, federal policies supporting tribal sovereignty and self-determination have provided Tribal Nations greater freedom to forge new pathways to rebuild their economies and communities. The evidence is clear and overwhelming: when the federal government removes the antiquated and/or unnecessary legal, regulatory, and bureaucratic barriers standing in the way, Tribal Nations have proven they can make significant, positive differences when it comes to jobs, incomes, revenues, quality of life, etc. When the federal government invests in the capacity of Tribal Nations and people to craft and implement comprehensive economic development approaches, it empowers tribal governments to set a solid foundation for economic prosperity in their communities

Create Equity in Tax Code.

Content provided by NCAI.

Across Indian Country, Tribal Nations are building sustainable tribal economies—including through nation-owned and tribal citizen owned businesses—to provide for the economic and social well-being of their growing communities. This development is grounded by tribal self-determination, which includes the ability of each tribal nation to create a viable, robust economy based on its cultural values, distinct challenges, particular circumstances, and short-and long-term community development priorities.

In the area of tribal taxation, state and local governments have been allowed by the federal courts to encroach upon tribal sovereignty and jurisdiction. Consistent with the Treaty and Trust Responsibility, the federal government must take action to protect tribal economies and prevent further escalation of the taxation problem.

Clarify Tax Status of Tribally-Chartered Corporations.

Content provided by USET SPF.

More information available at:

https://www.usetinc.org/wp-content/uploads/2023/12/TCC-Tax-Status-USET-SPF-One_pager-FINAL-11_30_23.pdf

Uncertainty regarding the tax status of Tribally-Chartered Corporations (TCCs) is one of the federal policy barriers faced by Tribal Nations as we seek to build our economies and generate our own governmental revenues. For well over two decades, Treasury and the Internal Revenue Service (IRS) have stated their intent to issue formal guidance on the tax status of TCCs, but have not done so. In large part, this appears to be because of differences between departments at IRS, where some have a belief that TCCs are tax shelters and the office of Indian Tribal Governments (ITG) has held back destructive guidance that would subject any TCC not wholly owned by a Tribal Nation to corporate taxation. Now, the Department of Treasury, via the Tribal Affairs Office, has initiated consultation with the intent of publishing guidance on the tax status of TCCs. This is particularly timely, as many Tribal energy corporations, which should be eligible for Direct Pay tax credits under the Inflation Reduction Act, are Tribally-chartered and not wholly-owned. If majority owned TCCs are ultimately taxable, not only would this inappropriately tax the instrumentalities of Tribal governments, but this would also impede many Tribal Nations from accessing Direct Pay tax credits, as intended.


TRIBAL LEADER TALKING POINTS

➤ *Improve Tribal Nation Access to Capital.*

- Increase Annual Native American CDFI Assistance (NACA) Program Funding to \$50 million: to address the capital needs of Native community development financial institutions (CDFIs) and the eightfold return on investment they produce in economic benefits.
- Increase Department of Interior (DOI) Indian Loan Guarantee and Insurance Program Annual Funding to at Least \$25 Million: to expand flexible private financing of tribally and Native-owned businesses, increase the allocation for administrative expenses so DOI can hire more staff with banking experience, and double the aggregate value of loans subject to this unique federal guarantee.
- Support the Small Business Administration (SBA) proposal for licensing new Small Business Lending Companies (SBLCs): to include at least one new license for a Mission-Based SBLC for Indian Country with eligible applicants to include Native CDFIs.

- Reclassify Contract Support Costs and Indian Self-Determination and Education Assistance Act of 1975 Section 105(l) Leases as Mandatory Spending: Mandatory, not discretionary, spending will provide greater funding resource certainty for Tribal Nations.
- Create Equity in Tax Code.
 - Develop new Interior Department regulations for the Indian Trader statutes to pre-empt state and local taxation of licensed Indian traders. 25 USC §261- 264.
 - Implement the Indian Country Economic Enhancement Act of 2020 by the Commerce, Interior, and Treasury Departments.
 - Implement the Indian Tribal Regulatory Reform Act of 2000.
 - Exempt from taxation all income earned by Indians on tribal lands from wages or self-employment taxes.
 - Expand the Indian Employment Tax Credit to promote work and investment.
 - Support tribal economies by allowing Indians to pay any federal taxes they may owe to their tribal governments with a 100% credit.
- Clarify Tax Status of Tribally-Chartered Corporations.
 - Urge Treasury to issue guidance affirming that TCCs (whether wholly, jointly or majority owned) share the same tax status as the Tribal government, and therefore, are not subject to federal tax on earned income regardless of the location where that income is earned.
 - Due to the onerous process associated with the establishment of Section 17 Corporations, Tribal Nations are often establishing LLCs. IRS must understand that these entities are simply generating revenue for government services to our people – not an opportunity for Tribal Nations to avoid taxation.
 - IRS must consult with Tribal Nations, as well as work with the Office of Tribal and Native Affairs, and familiarize itself with our unique circumstances in order to avoid the issuance of inappropriate guidance.
 - IRS should commit to interagency communication and coordination on this issue, as it has in the past with the General Welfare Exclusion Act. This will allow IRS to be consistent with other agencies in its approach to TCCs.

POINTS OF CONTACT

	<p>Indian Gaming Association (IGA) Jason Giles, <i>Executive Director</i> jgiles@indiangaming.org</p> <p>Danielle Her Many Horses, <i>Deputy Director/General Counsel</i> dhermanyhorses@indiangaming.org</p> <p>Chelsea Blake, <i>Legislative Director</i> cblake@indiangaming.org</p>
	<p>NAFOA Nicholas Lovesee, <i>Director of Policy</i> nicholas@nafoa.org</p> <p>Kellen Moore, <i>Policy/Communications Specialist</i> kellen@nafoa.org</p>
	<p>United South and Eastern Tribes (USET) Sovereignty Protection Fund (SPF) Kitcki Carroll, <i>Executive Director</i> kcarroll@usetinc.org</p> <p>Liz Malerba, <i>Director of Policy and Legislative Affairs</i> LMalerba@usetinc.org</p>
	<p>National Congress of American Indians (NCAI) Ryan Seelau, <i>Director of Policy and Legal</i> rseelau@ncai.org</p>

AGRICULTURE

BACKGROUND

Expand Self-Determination and Self-Governance Authority within USDA.

Content provided by NFBC, SGCETC.

For decades, Tribal Nations have demonstrated that using Self-Determination and Self-Governance authority for the delivery of federal programs has a profound positive impact on the health and well-being of their citizens and communities. In 2018, the Farm Bill established a Self-Determination Demonstration Project to provide Tribal Nations more control over the sourcing of food for the U.S. Department of Agriculture's (USDA) Food Distribution Program on Indian Reservations (FDPIR).

Yet, Self-Determination authority is limited to only a demonstration project within USDA's Food Distribution Program for Indian Reservations (FDPIR) and Self-Governance authority is not currently an option for any USDA programs. Limiting Self-Determination and Self-Governance authority hinders Tribal governments' ability to effectively provide comprehensive, efficient, and effective services to their citizens and communities. Seven Tribal Nations and one Tribal consortium participated in the first round of the FDPIR Self-Determination Demonstration Project and demonstrated its success in incorporating local, higher quality, and more nutritious foods into Tribal programs and boosting local economies.

Obtain Tribal Agriculture Educational Parity.

Content provided by AIHEC.

1994 Institutions receive fewer federal funds administered by the National Institute of Food and Agriculture (NIFA) than 1862 and 1890 Institutions and they are ineligible for certain grant types available to 1862 and 1890 Institutions. Whereas the 1862 and 1890 Institutions receive federal capacity funds specific to agricultural research and extension, 1994 Institutions do not. This is especially frustrating because 75 percent of what is left of Indian Country in the U.S. is agriculture or forested land. This land could be sustainably used if sufficient support existed for research, education, and training, but much of the land lies fallow.

Eliminate Required Land-grant "Partners" for Research Grants.

Content provided by AIHEC.

Currently, only the 1994 institutions are required to partner with other Land-grant institutions, research institutions, or USDA facilities under their research grant program. This requirement was enacted decades ago, when the 1994 research program was newly established by Congress, and TCUs were just beginning to develop research agendas. The requirement served its purpose

for 20 years or more. Now, it is time to allow the 1994 institutions the individual freedom to use their judgment, expertise, and network of partners and mentors to continue building their research capacity and working to solve regional, national, and global agriculture, land, and environmental challenges.

Update Agricultural Leasing Regulations in a Way that Works for Indian Country.

Content provided by IAC.

On October 16, 2023, the Bureau of Indian Affairs (BIA) published proposed revisions to 25 CFR Part 162 Subpart B – Agricultural Leases in a discussion draft format. The BIA held three consultations the week of November 13, 2023: Tulsa (no Tribal leaders present); Virtual; Bismarck (no Tribal leaders present). The BIA has indicated it will move forward with formally publishing the proposed revisions to the agriculture leasing regulations in the Spring of 2024 for the purpose of finalizing before the end of 2024. The comment deadline for the informal draft revisions is December 29, 2023.

According to the BIA’s Dear Tribal Leader Letter, the proposed revisions are intended “to promote the self-determination of Indian Tribes by providing for the management of Indian agricultural and related renewable resources consistent with Tribal goals and priorities for conservation, multiple use, and sustained yield. 25 U.S.C. § 3702(1).”

Despite the BIA’s stated goal of promoting self-determination, the BIA has not communicated about the lack of resources it currently commits to Tribal Nations that have pursued Agriculture Resource Management Plans (ARMPs) in line with 25 U.S.C. § 3701 *et seq.*, nor its inability to timely approve such plans. Further, the BIA outlines an approach that is specific to Tribal Nations interested in taking over their agriculture leasing regulations via ARMPs, but does not provide details around BIA accountability when: 1) a Tribal Nation does not have their own agriculture leasing code; 2) when a Tribal Nation is waiting on the BIA to approve their own ARMP; or 3) BIA discretion, generally.

Additionally, the BIA’s stated purpose for its proposed revisions is completely devoid of mention of the interests of the 80,000+ Tribal producers who utilize Tribal lands to provide food for their families and communities, and who offer critical input into Tribal economies. To date, the BIA has not shared whether it has completed an economic impact study to understand whether the proposed changes will have a positive or negative economic impact, and who will bear the brunt of an economic impact.

Some relevant statistics indicating the importance of these regulations include the following facts:

- About 46 million of the 56 million acres of the land that the federal government holds in trust for the benefit of Indian tribes and their members has an agricultural purpose.

- Native-owned/operated farms accounted for less than 1 percent of U.S. agriculture sales even though they represent more than 6 percent of U.S. farmland.
- American Indians/Alaska Natives account for at least 2.3 percent of the country's 3.4 million producers, with the majority in the western and Plains states.

The voice of Tribal leaders will be critical when the proposed revisions are formally published in the Federal Register and a final round of consultations are held.

TRIBAL LEADER TALKING POINTS

- Expand Self-Determination and Self-Governance Authority within USDA.
 - Make the FDPIR Self-Determination Demonstration Project permanent.
 - Add Self-Governance compacting as an option for FDPIR.
 - Expand Self-Determination and Self-Governance authority to the entirety of FDPIR, not just the sourcing opportunity.
 - Expand Self-Determination and Self-Governance authorities to other USDA programs and functions—including SNAP.
 - Proactively address agency reluctance to embrace self-determination to ensure federal agencies are fulfilling their government-to-government relationship with Tribal Nations.
- Obtain Tribal Agriculture Educational Parity.
 - Ensure that 1994 Institutions can receive federal capacity funds specific to agricultural research and extension.
- Eliminate Required Land-grant “Partners” for Research Grants.
 - Allow 1994 Institutions the individual freedom to use their judgment, expertise, and network of partners and mentors to continue building their research capacity and working to solve regional, national, and global agriculture, land, and environmental challenges.
- Update Agricultural Leasing Regulations in a Way that Works for Indian Country.
 - Engage in government-to-government consultation with Tribal Nations on any proposed updates to agricultural leasing regulations.
 - Commit resources to Tribal Nations that have pursued or are interested in pursuing Agriculture Resource Management Plans (ARMPs) in line with 25 U.S.C. § 3701 et seq. and approve plans in a timely fashion.
 - Conduct and share an economic impact study in relation to the proposed changes to the agricultural leasing regulations.

- Identify barriers to the development and growth of Tribal agriculture for Tribal Nations, individual Tribal producers, and Tribal landowners and explain how proposed changes to the agriculture leasing regulations address these barriers.

POINTS OF CONTACT

	<p>American Indian Higher Education Consortium (AIHEC) Ahniwake Rose, <i>Vice-President of Congressional and Federal Relations</i> arose@aihec.org</p>
	<p>Intertribal Agriculture Council (IAC) Abi Fain, <i>Chief Legal & Policy Officers</i> Abi@indianag.org</p>
	<p>Native Farm Bill Coalition (NFBC) Abi Fain, <i>Chief Legal & Policy Officer, Intertribal Agriculture Council</i> Abi@indianag.org</p> <p>Erin Parker, <i>Executive Director, Indigenous Food & Agriculture Initiative</i> esparker@uark.edu</p> <p>Parker Reynolds, <i>Public Affairs Advisor, Holland & Knight LLP (on behalf of the Shakopee Mdewakanton Sioux Community)</i> Parker.Reynolds@hklaw.com</p>
	<p>Self Governance Communication and Education Tribal Consortium (SGCETC) Jay Spaan, <i>Executive Director</i> jays@tribalselfgov.org</p>

 The logo for the United South and Eastern Tribes (USET) is circular. It features a central red tree with many smaller trees around it, all within a red border. The text "UNITED SOUTH AND EASTERN TRIBES, INC." is written around the top inner edge, and "Established 1969" is at the bottom.	<p>United South and Eastern Tribes (USET) Sovereignty Protection Fund (SPF) Kitcki Carroll, <i>Executive Director</i> kcarroll@usetinc.org</p> <p>Liz Malerba, <i>Director of Policy and Legislative Affairs</i> LMalerba@usetinc.org</p>
 The logo for the National Congress of American Indians (NCAI) features a stylized eagle with its wings spread, positioned to the left of the letters "NCAI". Below "NCAI" is the text "National Congress of American Indians".	<p>National Congress of American Indians (NCAI) Ryan Seelau, <i>Director of Policy and Legal</i> rseelau@ncai.org</p>

CHILD and FAMILY WELFARE

BACKGROUND

Strengthen Tribal Child Welfare Systems through Equitable Funding and Support for ICWA.

Content provided by NICWA.

The Indian Child Welfare Act (ICWA) was enacted in 1978 after decades of abuses by state and private child welfare agencies that removed large numbers of American Indian and Alaska Native (AI/AN) children from their families and communities, disconnecting them from their tribal communities and culture. It is estimated that between 25-35% of all Native children were removed and placed in out-of-home placements before ICWA's enactment, with 85% placed in non-Native homes. This mass removal of Native children through state child welfare systems followed generations of Native children being forcibly removed from their families and tribal communities and placed in federal boarding schools where many were traumatized and abused. The combined impact of over 150 years of boarding school and state child welfare system removals has contributed to high rates of social problems in many tribal communities that continue today, many of which are largely unaddressed and unresolved. Even after ICWA's enactment, state child welfare agencies continue to remove AI/AN children at disproportionate rates nationally, with Native children placed in out-of-home care at over two times their population rate, and in some states, as high as 5 to 14 times higher than their population rates.

Despite these challenges, many Tribal Nations have developed highly effective tribal child welfare systems in their communities and are assisting states as they implement the protections of ICWA for Native children and families in state child welfare systems. Many Tribal Nations have decolonized their child welfare programs and services by grounding their systems in tribal culture, beliefs, traditions, and customs. This approach shifts services and support for Native children from mainstream philosophy and practices focused on removing children from their families as the primary way to ensure child safety to an approach that is grounded in tribal values and prioritizes children's connection to extended family and community, acknowledging culture as a protective factor.

When tribal programs and services are culturally based, with families receiving services and support much earlier, in better coordination with other child and family serving programs, and in a manner that is aligned with tribal values, children and families experience improved outcomes. These tribal programs see significant reductions in removal of children from their homes and extended stays in out-of-home care, fewer repeated incidents that bring them to the attention of the child welfare system (where they are often not successfully addressed), and greater family stability and parenting capacity. While these results exceed those of state child welfare systems in almost all areas, tribal nations continue to receive some of the fewest dollars of any

government to support their child welfare system. While tribal children represent over two percent of the United States child population, tribal governments that serve them receive less than one half of one percent of the total amount of federal child welfare funds annually. This funding inequity affects the ability of tribes to develop and maintain highly effective programming and also reduces the ability of tribes to assist states with ICWA cases in state child welfare systems, where states depend upon tribes to assist them with finding appropriate placements, provide culturally appropriate services, and contribute important cultural and family information that informs effective decision-making in the state child welfare system process.

TRIBAL LEADER TALKING POINTS

- *Strengthen Tribal Child Welfare Systems through Equitable Funding and Support for ICWA.*
 - Increase Administration budget requests for the Bureau of Indian Affairs ICWA grant program to \$35 million and \$30 million each for the prevention and treatment grant programs under the Indian Child Protection and Family Prevention Act (P.L. 101-630).
 - Work with Congress to introduce and support legislation making tribal nations eligible to receive funding and administer directly the Social Services Block Grant, one of the funding streams states use to support child welfare services, by establishing a 10% set-aside for tribes within the authorizing statute.
 - Work with Congress to introduce amendments to the Title IV-E Foster Care, Relative Guardianship, Adoption and Prevention Services program to provide the Secretary of the Department of Health and Human Services (HHS) the authority to waive or modify non-federal match requirements for tribes that operate the Title IV-E program directly. The outsized match requirements for tribes are the biggest barrier to tribal participation in the federal government's largest child welfare funding source – Title IV-E.
 - Support H.R. 3461, the “Strengthening Tribal Families Act of 2023.” This legislation provides clarity and direction for HHS to collect data on ICWA's implementation and assist states and tribes to improve ICWA compliance. Because of their funding and statutory relationship with states, HHS is in the best position to help states with this task, addressing the decades of little to no oversight of ICWA implementation by states.

POINTS OF CONTACT

	<p>Association on American Indian Affairs (AAIA) Shannon O’Loughlin, <i>CEO & Attorney</i> Shannon@indian-affairs.org general@indian-affairs.org</p>
	<p>National Indian Child Welfare Association Sarah Kastelic, <i>Executive Director</i> skastelic@nicwa.org</p>
	<p>Native American Rights Fund John Echohawk, <i>Executive Director</i> jechohawk@narf.org</p> <p>Morgan Saunders, <i>Staff Attorney</i> msaunders@narf.org</p>
	<p>United South and Eastern Tribes (USET) Sovereignty Protection Fund (SPF) Kitcki Carroll, <i>Executive Director</i> kcarroll@usetinc.org</p> <p>Liz Malerba, <i>Director of Policy and Legislative Affairs</i> LMalerba@usetinc.org</p>
	<p>National Congress of American Indians (NCAI) Ryan Seelau, <i>Director of Policy and Legal</i> rseelau@ncai.org</p>

CIVIC ENGAGEMENT

BACKGROUND

Remove Barriers to Voting for Native Americans.

Content provided by NARF.

On March 7, 2021, President Biden issued an Executive Order (EO) on Promoting Access to Voting . Through the EO, the President documented the unique barriers to voting faced by Native people and directed federal agencies to do what they can to address these barriers, including offering voter registration and accepting designation under the National Voter Registration Act (NVRA) where possible. Offering voter registration services at federal agencies presents a critical opportunity for Native Americans who may not be located near a registration site or who may never proactively be asked to register to vote. Through designation of federal agencies under NVRA, Native Americans in underserved communities can access voter registration in a known and trusted space, facilitated by workers who understand the cultural and logistical barriers faced by Native voters attempting to register. Under the EO, both the Department of the Interior and Indian Health Service have designated NVRA pilot facilities and have begun to offer voter registration at these facilities.

The Department of the Interior (DOI) was the first agency to designate facilities and is a leader in the implementation of this EO. DOI accepted designations of the two tribal colleges it operates, Haskell Indian Nations University in Kansas and Southwestern Indian Polytechnic Institute in New Mexico.

President Biden committed to designating five Indian Health Service voter registration pilot sites by the end of 2023. In October, Native Health Phoenix was designated as an NVRA site. IHS is in the process of designating the remaining sites.

TRIBAL LEADER TALKING POINTS

➤ *Remove Barriers to Voting for Native Americans.*

- Improve access to voter registration opportunities and polling places throughout Indian Country.
- Offer registration at federal agencies, especially IHS, to reach Native people that are most underserved.
- The President’s Executive Order on Voting Access is appreciated and must continue to be implemented—for example, all IHS facilities should eventually offer voter registration.

POINTS OF CONTACT

	<p>Native American Rights Fund John Echohawk, <i>Executive Director</i> jechohawk@narf.org</p> <p>Samanta Kelty, <i>Managing Attorney</i> Kelty@narf.org</p>
	<p>United South and Eastern Tribes (USET) Sovereignty Protection Fund (SPF) Kitcki Carroll, <i>Executive Director</i> kcarroll@usetinc.org</p> <p>Liz Malerba, <i>Director of Policy and Legislative Affairs</i> LMalerba@usetinc.org</p>
	<p>National Congress of American Indians (NCAI) Ryan Seelau, <i>Director of Policy and Legal</i> rseelau@ncai.org</p>

CLIMATE ACTION

ENVIRONMENTAL SUSTAINABILITY

BACKGROUND

Address Tribal Nation Concerns about Offshore Wind Energy Development.

Content provided by USET SPF.

More information available at:

https://www.usetinc.org/wp-content/uploads/2023/12/Offshore-Wind-USET-SPF-One_pager-FINAL-11_30_23.pdf

In response to continued concerns voiced by Tribal Nations regarding the speed and trajectory of the permitting and development of offshore wind projects—currently, primarily in the waters off of the East and West Coasts—USET SPF, along with partners, National Congress of American Indians (NCAI) and Affiliated Tribes of Northwest Indians (ATNI) recently passed resolutions calling for the Secretary of the Interior to issue a temporary moratorium on the current Bureau of Ocean and Energy Management (BOEM) scoping and permitting process and allow time to enact a new Nationwide Programmatic Agreement for all currently proposed and future offshore wind projects and guide a new scoping and permitting process under BOEM.

The resolutions call for a moratorium on the permitting and development of offshore wind energy until the process can be restructured to be inclusive of avoidance measures, minimization of impacts, and the integration of Indigenous Knowledge for all Tribal Nations, as infrastructure development will impact us all. Consistent with the Administration’s commitment to Indian Country and “the whole of government” approach, the process must provide full mitigation through the completion of comprehensive and transparent procedures to appropriately protect Tribal Nation religious, cultural, environmental, and sovereign interests. We believe that the Administration’s goals of developing clean energy and increasing Tribal co-management opportunities can and must be harmonized. Indeed, Tribal Nations have extensive experience in navigating the deployment of federal infrastructure in a way where multiple interests are satisfied and our cultural heritage is preserved. We are committed to exploring solutions with our federal partners that will benefit both Tribal Nations and the Administration’s offshore wind deployment goals.

Following the passage of the resolutions, there have been several meetings between Tribal Nations, the Bureau of Ocean Energy Management, and the Department of the Interior, including Secretary Haaland. However, to date, we have not seen meaningful action from the Administration. We continue to support Tribal Nations as they navigate this issue and stand ready to compliment further efforts to ensure clean energy development occurs without negative impacts to our sovereignty, cultural sites, and ways of life.

Incorporate Traditional Ecological Knowledge) into the Production of Clean Energy.

Content provided by NCAI.

The planet is warming due to human activity. The primary drivers of climate change within human society are electrical generation, transportation, and manufacturing. Each of these three sectors currently releases “greenhouse gasses” into the atmosphere. These gasses act as a blanket, keeping heat trapped and warming the world’s lands and oceans. The United Nations estimates that unless humanity can keep average global temperatures under 1.5 degrees Celsius compared to pre-industrialization, life—human and otherwise—will be irreversibly harmed on a catastrophic scale. In 2016, the United States joined with other countries in committing to the Paris Climate Agreement, a series of goals and milestones for nations to meet to keep temperatures under that 1.5-degree threshold. In 2018, the United Nations estimated humanity was set to exceed the threshold by 2030 without drastic changes. We have seven years to tackle this crisis before the consequences become irreversible.

American Indians/Alaska Natives are entrusted by our ancestors with traditional ecological knowledge (TEK) that has been an accumulation of centuries of knowledge, practice, and belief, evolving by adaptive processes and handed down through generations by cultural transmission. There is increasing acknowledgement that Indian tribes possess traditional knowledge that is equivalent to the value of scientific knowledge in solving environmental problems caused by global environmental change and climate change, and that traditional tribal knowledge is a core part of our identity and ways of life, is highly spiritual and carries obligations for its appropriate use.

As described above, climate change is a threat to American Indians/Alaska Natives’ culture, resources, and well-being that is currently impacting hunting, fishing, gathering, economic infrastructure, reservation locations, usual and accustomed areas and natural resources. Traditional Ecological Knowledge—in all its forms—must be protected for the future of Tribal Nations and the planet.

TRIBAL LEADER TALKING POINTS

➤ *Address Tribal Nation Concerns about Offshore Wind Energy Development.*

- Urge the Secretary of the Interior to issue a temporary pause (moratorium) on the current Bureau of Ocean Energy Management scoping and permitting process and allow time to enact a new Nationwide Programmatic Agreement for all currently proposed and future offshore wind projects and guide a new scoping and permitting process under the Bureau of Ocean Energy Management.
- The new Nationwide Programmatic Agreement must be inclusive of avoidance measures, minimization of impacts, integration of Indigenous Knowledge, and


provide full mitigation through completion of comprehensive and transparent procedures to appropriately protect Tribal environmental, cultural, and sovereign interests.

- The Bureau of Ocean Energy Management and the Administration must support shared Tribal jurisdictional authority over and tribal management of offshore renewable energy activities, aimed at empowering Native communities through socio-economic benefits such as job opportunities, revenue sharing, power purchase agreements, and support for tribal energy development projects.

➤ *Incorporate Traditional Ecological Knowledge) into the Production of Clean Energy.*

- Expeditiously release funding for electrification and electric grid decarbonization and ensure funding for electrification and electric grid decarbonization has a Tribal set aside and is not grant-based.
- Ensure Tribal Nations with vehicle fleets have the resources to purchase electric cars, buses, and trucks.
- Direct each Cabinet Secretary implementing a portion of the infrastructure and inflation reduction laws to visit Indian Country annually to see implementation progress in Tribal communities.
- Recognize and respect Tribal traditions, ordinances and expectations regarding access to and use of traditional ecological knowledge, based on prior and informed consent.
- Provide adequate and proportional funding for Tribal climate change adaptation and mitigation.
- Consult with Native Sovereign Nations as decision makers with all policy, regulations and laws related to climate change effects on important tribal cultural, natural and sacred resources.
- Develop guidance on Recognizing Tribal Sovereign Jurisdiction over Traditional Knowledge.
- Recognize the sovereign rights of tribes to control access to and the use of their traditional knowledge and the right to free, prior and informed consent (FPIC) to give or deny access to it.

POINTS OF CONTACT

	<p>United South and Eastern Tribes (USET) Sovereignty Protection Fund (SPF) Kitcki Carroll, <i>Executive Director</i> kcarroll@usetinc.org</p> <p>Liz Malerba, <i>Director of Policy and Legislative Affairs</i> LMalerba@usetinc.org</p>
---	---

	<p>National Congress of American Indians (NCAI) Ryan Seelau, <i>Director of Policy and Legal</i> rseelau@ncai.org</p>
---	--

CULTURAL PROTECTION

BACKGROUND

Implement the STOP Act.

Content provided by AAIA.

The persistent trafficking in Native cultural heritage and the lack of meaningful federal movement to implement the Safeguard Tribal Objects of Patrimony (STOP) Act of 2021 (P.L. 117-258) is deeply troubling. This legislation represents an important step forward in prohibiting the export and sale of Native cultural heritage in other countries.

Though the Department of the Interior and Department of State have undertaken tribal consultation to obtain information about what Tribal Nations would like to see in the STOP Act's regulations, there is a long way to go for the final rulemaking to be published. In the meantime, U.S. dealers continue to export sensitive cultural heritage even though the law has passed. There is a current and urgent need to begin training among federal agencies, especially within the Department of Homeland Security, about how to spot items of cultural heritage and prevent their export based on the statute's terms. Regulations do not need to be finalized for this to happen.

The Association on American Indian Affairs monitors domestic and international auctions and has found several U.S. dealers selling sensitive cultural items at foreign auctions. So far in 2023, the Association has monitored the sale of 57 foreign auctions selling approximately 308 potentially sensitive items that were likely looted. This ongoing trafficking is illegal under the STOP Act and requires the federal government to act now. The reasoning provided by the DOI is that they must develop regulations first. But that is a choice by the DOI to sit on their hands and allow trafficking to continue despite the law. Even Native American Graves Protection and Repatriation Act (NAGPRA) was implemented before its regulations were passed in 1995 (five years after the law was passed). Will we have to watch thousands more of our sensitive cultural heritage leave the country to be sold illegally? The government must act now.

Publish the NAGPRA Final Rulemaking.

Content provided by AAIA.

Native Nation leadership should push for the immediate release of the new NAGPRA regulations from the Office of Management and Budget. The current regulations are to blame for the rampant institutional non-compliance with NAGPRA. For 33 years, institutions and federal agencies have failed to complete summaries and inventories, provide proper notice to Tribal Nations, and repatriate Ancestors, their burial belongings, and cultural and sacred items. Some institutions—including the Field Museum and the Harvard Peabody—have shamelessly pushed against the updated regulations to avoid any enhanced accountability and repatriation

requirements. This foot-dragging and obstructionism demonstrate precisely why enhanced regulations with more teeth are so necessary. The current regulations have been ineffective, resulting in an utter legislative failure that allows institutions to flagrantly disregard unambiguous Congressional legislative intent—to afford Ancestors their proper journey home. The Biden Administration must ensure that these regulatory updates are finalized and enacted before the end of this year, building trust, fostering cooperation, and working to overcome the legacy of violence against and exploitation of Native Peoples.

Commence Repatriation at Carlisle and all Indian Boarding Schools on Federal Land.

Content provided by AAIA.

Native children remain buried at boarding schools and other institutions, like the Carlisle Indian Industrial School. When Native Ancestors are buried (either pre or post contact) on what is currently federal land, then NAGPRA can be used to disinter and bring home those Ancestors. This is important because NAGPRA allows Native Nations to repatriate Ancestors based on cultural/tribal affiliation instead of going through a lengthy process to prove lineage. Finding lineage often requires time and resources for DNA testing or other family historical research; often such research is not possible because a child buried at a boarding school may not have any descendants remaining today.

The Army, through its Department of Cemeteries, refuses to facilitate respectful repatriation that comports with NAGPRA, requiring proof of lineal descendancy according to Army policies for repatriating soldiers who have died on foreign soil. Army argues that it does not have to comply with NAGPRA, and though some repatriations have occurred showing lineal descendancy, these have burdened Tribal Nations with lengthy research and other costs. The legal arguments Army has provided for their assertions are not supported by the law, and even the Department of the Interior has called them out in their NAGPRA Proposed Rulemaking (October 18, 2021). Furthermore, the Army has refused to consult with Tribal Nations potentially affected by their policies. Tribal Nations and descendants deserve better than bureaucratic runarounds interfering with their inherent sovereignty to bring home their relatives. The Executive branch could end this immediately by directing the Army to comply with NAGPRA repatriation requirements at Carlisle.

Funding for Tribal Historic Preservation.

Content provided by USET SPF.

More information available at:

https://www.usetinc.org/wp-content/uploads/2023/12/Infrastructure-USET-SPF-One_pager-FINAL-11_30_23.pdf

Due to chronic underfunding, many Tribal Historic Preservation Offices (THPOs) are currently operating without the necessary personnel to conduct National Historic Preservation Act Section 106 reviews. THPOs are the protectors of irreplaceable resources: our cultures and spirituality. The explosion in infrastructure development that will be funded by the Inflation Reduction Act

and Bipartisan Infrastructure Law is likely to overwhelm THPOs without additional funding and other resources. We urge the Administration to request and provide additional, increased resources for THPOs, so that we may protect our cultural and sacred sites.

TRIBAL LEADER TALKING POINTS

- *Implement the STOP Act.*
 - Train federal employees—particularly within the Department of Homeland Security—how to spot items of cultural heritage at the border and prevent their export based on the terms of the STOP Act now, instead of waiting for final regulations.
 - Call on the Administration to provide clarification as to precisely when the proposed rulemaking for the STOP Act will be published and what the plan is to achieve the final rulemaking before the end of this Administration.
- *Publish the NAGPRA Final Rulemaking.*
 - Call on the Administration to provide clarification as to precisely when the final rulemaking for NAGPRA will be published and urge the Administration to make this a top priority before the end of the year.
- *Commence Repatriation at Carlisle and all Indian Boarding Schools on Federal Land.*
 - Direct the Army to comply with NAGPRA repatriation requirements at Carlisle and all Indian Boarding Schools on federal lands.
 - Require the Army to engage in government-to-government consultation about implementing NAGPRA on federal lands.
- *Funding for Tribal Historic Preservation.*
 - Urge the Administration to request and provide additional, increased resources for THPOs, so that Tribal Nations may protect their cultural and sacred sites.

POINTS OF CONTACT

	<p>Association on American Indian Affairs (AAIA) Shannon O’Loughlin, <i>CEO & Attorney</i> Shannon@indian-affairs.org general@indian-affairs.org</p>
---	--

	<p>Native American Rights Fund John Echohawk, <i>Executive Director</i> jechohawk@narf.org</p> <p>Morgan Saunders, <i>Staff Attorney</i> msaunders@narf.org</p>
	<p>United South and Eastern Tribes (USET) Sovereignty Protection Fund (SPF) Kitcki Carroll, <i>Executive Director</i> kcarroll@usetinc.org</p> <p>Liz Malerba, <i>Director of Policy and Legislative Affairs</i> LMalerba@usetinc.org</p>
	<p>National Congress of American Indians (NCAI) Ryan Seelau, <i>Director of Policy and Legal</i> rseelau@ncai.org</p>

EDUCATION—Early Education, K-12

BACKGROUND

Content provided by NIEA.

Education is an essential component of the federal trust responsibility promised to Native people through a long history of treaties, cases, and statutes. Despite the long-recognized legal and fiduciary duty to Native students, schools serving Native communities continue to experience chronic underfunding. Today, it is critically important to bring our schools into the 21st century and ground them with all the tools of our ancestral knowledge. Over the past decade, there has been a rapid change in what constitutes safe, high-quality, culturally-relevant, holistic education. The United States has undergone a major technology boom, a global pandemic, and an unparalleled increase in school-related shooting incidents. All of this, alongside the untreated generational trauma of the federal Indian boarding school system that continues to wreak havoc on the cultural, mental, and emotional health of our children, means we are overdue for a strong investment in Native education. The investment in our children is an investment in the futures of our Tribal Nation's economic growth and cultural vitality.

TRIBAL LEADER TALKING POINTS

➤ *Fund Native Education.*

- Provide mandatory Native education funding for both the Department of Education – Title VI, Indian Education account and the Bureau of Indian Education, including Education Construction, Facilities and Maintenance, and Johnson O'Malley.
- Invest in construction of public schools that serve Native students—93% of all Native students attend public schools, which in rural, remote, or tribal areas must rely on Impact Aid funding to cover the gaps in their tax base. It is essential the Impact Aid Discretionary Construction Grants are increased.
- Invest in BIE Construction and Facilities and Maintenance—currently, 16 BIE schools are marked for full replacement, at least one of which has been on the list since 2004. The administration has increased the asks for facilities and maintenance funding for BIE schools by over double, and it is estimated that the needs of each of these schools still exceeds the current asks.
- Move Tribal Grant Support Costs (TGSC) to mandatory funding—Contract Support Costs (CSC) and Tribal Grant Support Costs function almost identically in nature, but so far only CSCs have been moved by federal appropriators to mandatory funding. If TGSCs are not mandatory funded, then any amount over what is appropriated must come from extremely limited discretionary funding accounts to cover them.

- Collect and publish meaningful and accurate data regarding program resources which support the holistic needs of children. Provide funding for professional training to educators to create safe classrooms where Native students can thrive.

➤ Address Critical K-12 Educational Needs.

- Although most states set many of their own policies governing charter schools, all public schools, including charter schools, are governed by the Every Student Succeeds Act (ESSA) and other relevant federal education policy. With this backdrop, the federal government must:
 - Advocate for funding and authorization of Native Charter schools including establishing Tribal Nations as authorizers;
 - Hold the Department of Education accountable to the ESSA provision authorizing tribally controlled schools to develop and use their own assessments
 - Ensure meaningful tribal consultation is occurring under ESSA, and that tribal input and voices are influencing policy;
 - Raise the status of tribal language classes, and ensure Native language teachers are paid commensurately with their teaching peers, and reimburse elder speakers for their time and commitments;
 - Support tribal teacher accreditation programs;
 - Engage with Native populations in an equitable way with respect to data—ensuring tribal communities can voice their needs and perspectives in data collection and disaggregation;
 - Promote authentic community engagement in creating accountability coupled with stewardship in creating remedies for low-performing and at-risk schools (which are deficit-based terms associated with many Native Local Education Agencies (LEAs)), in addition to increasing funding to these schools; and
 - Protect Native American Special Education students by creating capacity within school districts to create and implement 504 plans.
- Ensure a Native educator and leader pipeline is critical to address the current teacher shortages but also ensure representation in the field. Currently ED has begun their Native American Teacher Retention Initiative, which should be expanded within ED and extended to BIE. As part of this grant investment, there must be authorization for and an increase in funding for Grow Our Own educator programs that certify Native educators to teach through a cultural and linguistic lens.
- Increase funding for Wrap-around Services and Whole Child Approaches, which are critical to addressing trauma and mental health, and ensure cultural grounding by creating community based approaches to education.

- Include recommendations for increases in funding and services for Native education in the Federal Indian Boarding School Investigative Reports—the debt owed our children grew during the boarding school era, and while the federal government in uncovering the harm done and making recommendations for future steps, supporting our children now where the federal government has failed them in the past is essential.
- Support Early Childhood Education in Native Communities.
 - Authorize and provide funding for the development of culturally-based assessments in Early Childhood Education. Native-serving Early Childhood and Headstart programs should be utilizing alternative assessments that are more community oriented.
 - Authorize Tribal Nations to determine their own eligibility requirements for tribally-controlled Headstart programs—Currently, tribal Headstarts are not allowed to change or alter eligibility requirements for children based on local needs assessments or differences in cost of living in rural and remote areas compared with the rest of their states. This change, whether statutory or regulatory within ACF, would not change the federal formulas which fund Head Start, it would simply uphold the right to tribal self-determination.

POINTS OF CONTACT

	<p>National Indian Education Association Julia Wakeford, <i>Director of Policy</i> jwakeford@niea.org</p>
	<p>United South and Eastern Tribes (USET) Sovereignty Protection Fund (SPF) Kitcki Carroll, <i>Executive Director</i> kcarroll@usetinc.org</p> <p>Liz Malerba, <i>Director of Policy and Legislative Affairs</i> LMalerba@usetinc.org</p>

 <p>The logo for the National Congress of American Indians (NCAI) features a stylized eagle with its wings spread, positioned to the left of the acronym 'NCAI'. Below the acronym, the full name 'National Congress of American Indians' is written in a smaller font.</p>	<p>National Congress of American Indians (NCAI) Ryan Seelau, <i>Director of Policy and Legal</i> rseelau@ncai.org</p>
--	--

EDUCATION—Higher Education and Research

BACKGROUND

Content provided by AIHEC.

The 34 Tribal Colleges and Universities in the U.S. operate more than 90 campuses and sites in 16 states. TCU geographic boundaries encompass 80 percent of American Indian reservations and federal Indian trust lands. American Indian and Alaska Native (AIAN) TCU students represent more than 245 federally recognized Tribes and hail from more than 30 states. Nearly 80 percent of these students receive federal financial aid, and nearly half are first-generation students. Pre-pandemic, TCUs served more than 160,000 AIANs and other rural residents each year through academic and community-based programs. TCUs are public institutions, chartered by federally recognized Indian Tribes or the federal government.

TCUs provide culturally-based and place-based postsecondary education and workforce training opportunities. Additionally, TCUs serve as public, cultural, and community centers and as primary employers for their communities. TCUs are the keepers of tradition in our Tribal communities, conducting important Native languages research and education programs for community members and academic students. TCU students are often older than the traditional college students, including single heads of households who are seeking to provide a better future for their families. TCUs offer students a chance to develop the skills they need to succeed in the workforce while continuing to care for their family and communities.

Improve Infrastructure at Higher Education Facilities.

For TCUs to continue strengthening Tribes and building a 21st century Native workforce, TCUs must have the facilities and infrastructure capable of educating and training students in a safe environment. This cannot be accomplished in classrooms with leaking roofs and exposed and substandard electrical wiring, outdated computer labs without sufficient space to operate, and the slowest—yet most expensive—Internet access of any group of institutions of higher education in the country. A July 2021 AIHEC survey of TCUs revealed a long list of chronic facilities needs that remain unmet, including \$400 million in Deferred Maintenance and Rehabilitation and \$2.7 billion in uncompleted TCU master plans.

Fully Fund Tribal Higher Education Facilities.

In the 43 years since the Tribally Controlled Colleges and Universities Assistance Act (TCCUAA) was enacted, the number of TCUs has increased fivefold, and full-time Indian student TCU enrollments have increased by more than 300 percent. Despite this growth, TCUs remain chronically underfunded, causing persistent issues in recruiting and retaining qualified faculty and staff and maintaining accreditation. Additionally, support for the TCU institutional operation funding has not kept up with inflation and is still short of the authorized level of

\$9,937 per Indian student (\$8,000 adjusted for inflation). For the academic year 2021-2022, the TCCUAA Title I funded institutions received \$8,676 per Indian student towards operations.

Create Equity in Land-Grant System Funding.

The first Americans, American Indian and Alaska Natives (AIAN), and their respective Tribal Colleges and Universities did not gain land-grant status until 1994, roughly 26 years after the first Tribal college was established. At \$50,000 per institution from USDA, the initial funding for 1994 land-grant programs was modest. Nearly three decades later, USDA funding for the 1994 land-grant programs has only slightly increased. In FY 22, 1994 land-grant institutions received less than 2 percent of overall land grant research funding and less than 3 percent of overall land grant extension funding. These inequities cannot be justified or allowed to continue. The first Americans, last to join the nation's land-grant family, deserve parity.

TRIBAL LEADER TALKING POINTS

- *Improve Infrastructure at Higher Education Facilities.*
 - Establish a \$40 million annual fund in FY 24 for TCU Information Technology and Broadband Services.
 - Provide \$35 million in FY 24 for the BIE-TCU Construction and Facilities Improvement fund.
- *Fund Tribal Higher Education Facilities Fully.*
 - Provide at least \$93.3 million for BIE-TCU operational funding in FY 24.
- *Create Equity in Land-Grant System Funding.*
 - Take steps toward establishing equity in funding in FY 24 for the 1994 land-grant programs by providing:
 - \$17.5 million for 1994 land-grant Research;
 - \$17.5 million for 1994 land-grant Extension;
 - \$17.5 million for 1994 land-grant Equity Payments; and
 - \$17.5 million for 1994 land-grant Endowment fund.

POINTS OF CONTACT

 <p>AMERICAN INDIAN HIGHER EDUCATION CONSORTIUM</p>	<p>American Indian Higher Education Consortium (AIHEC) Ahniwake Rose, <i>Vice-President of Congressional and Federal Relations</i> arose@aihec.org</p>
--	--

	<p>National Indian Education Association Julia Wakeford, <i>Director of Policy</i> jwakeford@niea.org</p>
	<p>United South and Eastern Tribes (USET) Sovereignty Protection Fund (SPF) Kitcki Carroll, <i>Executive Director</i> kcarroll@usetinc.org</p> <p>Liz Malerba, <i>Director of Policy and Legislative Affairs</i> LMalerba@usetinc.org</p>
	<p>National Congress of American Indians (NCAI) Ryan Seelau, <i>Director of Policy and Legal</i> rseelau@ncai.org</p>

FEDERAL OFFICES, ACTIONS, and POLICIES

BACKGROUND

Preserve Gains Made Under the Biden Administration.

Content provided by USET SPF.

More information available at:

https://www.usetinc.org/wp-content/uploads/2023/12/Preserving-Admin-Gains-USET-SPF-TL-One_Pager-FINAL-11_30_23.pdf

Over the course of its tenure, the Biden Administration has initiated and expanded upon several important advancements in the U.S.-Tribal Nation diplomatic relationship. These advancements, in the form of federal positions, offices, and working groups contribute to the elevation of Tribal Nations in an unprecedented way. As the first term of the Biden Administration comes to a close, it must commit to preserving these gains.

Appoint More American Indians / Alaska Natives as Federal Judges.

Content provided by NARF.

As you likely are aware, many issues of historic import and daily life for people in Native communities are significantly affected by federal law, including federal common law. Legal cases involving Tribal Nations and their interests are heard primarily in federal courts. For these reasons, it is imperative that federal judges are well-versed in the unique political status, legal principles, and rights of Tribal Nations and Native individuals.

Despite the disproportionate impact of federal court decisions on Tribal Nations, Native individuals, and Tribal communities, Native Americans continue to be under-represented in the federal judiciary. Before the Biden administration, fewer than 10 American Indians, Alaska Natives, or Native Hawaiians total — out of thousands — ever served as lifetime judges. Today, of the more than 870 authorized federal judgeships, only seven judges serving on the federal bench are from American Indian, Alaska Native, and Native Hawaiian communities. There has never been a Native nominee to a federal appellate court, the U.S. Court of Federal Claims, or the U.S. Supreme Court.

At present, there are almost 100 federal court vacancies and many are in districts and circuits that serve Indian Country. Appointments to these vacancies are for life and present the opportunity to shape Indian law for generations to come. It is critical these vacancies are filled with candidates who reflect Tribal communities, or at least are familiar with the basic principles of tribal sovereignty and jurisdiction. Unfortunately, numerous vacancies in Indian Country have remained open, some for years, with no nominee including in South Dakota, Alaska, Montana, and California.

The Biden Administration has made it a priority to improve diversity and representation on the federal bench. Most recently, we applaud President Biden's nomination of Sara Hill, a Cherokee Citizen and former Cherokee Nation Attorney General, to the U.S. District Court for the Northern District of Oklahoma. Ms. Hill still awaits confirmation votes in the U.S. Senate.

TRIBAL LEADER TALKING POINTS

➤ Preserve Gains Made Under the Biden Administration.

- **Funding and Permanency for OMB's Tribal Affairs Advisor.** With the appointment of OMB's first-ever Tribal Affairs advisor, we are seeing the voices and guidance of Tribal Nations raised to new heights within the Administration's priorities and its Budget Requests. We celebrate this achievement and attribute it, in large part, to OMB's commitment to meaningful dialogue with Indian Country. Now, as the Administration enters its final year, it is critical that this progress be preserved. We ask OMB to include dedicated funding and permanency for this position in the FY 2025 Request, so that Tribal Nations can continue to guide the agency in delivering upon trust and treaty obligations.
- **Funding and Permanency for Treasury's Office of Tribal and Native Affairs.** We would like to register our support for dedicated funding and permanency for Treasury's newly established Office of Tribal and Native Affairs. Tribal Nations have long advocated for the creation of an Office of Tribal Affairs within the Treasury to improve the Department's delivery of federal trust and treaty obligations to Tribal Nations. Providing dedicated funding will assist Treasury with fulfilling this directive and ensure that the full array of Treasury's programs will help support Tribally driven economic development and investment in Indian Country.
- **Funding for the White House Council on Native American Affairs.** Presently, and throughout its short history, the White House Council on Native American Affairs (WHCNAA) has operated with virtually no dedicated staffing or financial resources. Traditionally, the work of the Council has been coordinated by an executive director on detail from the Department of the Interior (DOI). And under the Executive Order establishing the Council, DOI "shall provide funding and administrative support for the Council to the extent permitted by law and within existing appropriations." In practice, this has resulted in a lack of substantive support for the work of the body and the executive director, along with a restricting of the WHCNAA's scope and ability to provide meaningful contact between the Cabinet and Indian Country. Given the potential for WHCNAA to play a significant role in advancing the delivery of the federal government's delivery of trust and treaty obligations, as well as our diplomatic relationship, we urge this Administration to designate a dedicated funding stream for WHCNAA.

It is our belief that this will allow the WHCNAA’s work to be more substantive, productive, and meaningful for our evolving U.S.-Tribal Nation relationship.

➤ Appoint More American Indians / Alaska Natives as Federal Judges.

- Appoint and confirm Native candidates to current and upcoming federal judicial vacancies.
- Appoint and confirm judicial candidates who have experience in Federal Indian law and working with Tribal Nations and tribal communities.
- Quickly nominate candidates to all judicial vacancies, especially those in Indian Country.
- Prioritize appointing and confirming the first Native judicial candidate to a federal appellate court.
- Consult with Tribal Nations, tribal organizations and bar associations on potential judicial candidates.

POINTS OF CONTACT

	<p>Native American Rights Fund John Echohawk, <i>Executive Director</i> jechohawk@narf.org</p> <p>Morgan Saunders, <i>Staff Attorney</i> msaunders@narf.org</p>
	<p>United South and Eastern Tribes (USET) Sovereignty Protection Fund (SPF) Kitcki Carroll, <i>Executive Director</i> kcarroll@usetinc.org</p> <p>Liz Malerba, <i>Director of Policy and Legislative Affairs</i> LMalerba@usetinc.org</p>
	<p>National Congress of American Indians (NCAI) Ryan Seelau, <i>Director of Policy and Legal</i> rseelau@ncai.org</p>

HEALTH

BACKGROUND

Our ancestors paid in advance with their lives and their land for guarantees from the federal government in perpetuity. Among these guarantees is healthcare. As recently as 2010, Congress declared in law that: *It is the policy of this nation, in fulfillment of its special trust responsibilities and legal obligations to Indians, to ensure the highest possible health status for Indians and to provide all resources necessary to affect that policy.*

Federal appropriations for IHS have never been adequate to meet basic patient needs, and often health care is delivered far below national standards. The Indian health care delivery system faces significant funding disparities, notably in per capita spending between the Indian Health Service (IHS) and other federal health care programs. These funding disparities have severe consequences. The Centers for Disease Control and Prevention (CDC) recently reported in August that American Indian and Alaska Native (AI/AN) peoples' life expectancy has declined 6.6 years from 2019 to 2021. AI/AN people had a life expectancy at birth of 65.2 years in 2021 – equal to the life expectancy of the total U.S. population in 1944!

The underfunded status of the Indian healthcare system has resulted in a health crisis within Tribal communities. Infant mortality, suicides, and preventable deaths plague Tribal communities. Treatment of chronic diseases like diabetes, autoimmune deficiencies, cancer, and heart disease quickly erode our limited resources, leaving few dollars for prevention. Further, failing infrastructure creates unsafe and unsanitary living conditions and severely compromises the quality of care. Despite being enacted in statute, Congress is not appropriating funding that would lead to the “highest possible health status.” The United States can and should do better. And the solution begins with equitable funding.

Mandatory Funding for Indian Health Services (IHS).

Content provided by NIHB.

The Biden-Harris Administration's fiscal year 2024 budget was truly historic because it requested mandatory funding for the Indian Health Services (IHS) at a level that would fund IHS at \$288 billion over ten years. For that, we are truly grateful. Tribes look forward to continuing conversations with the Biden-Harris Administration to further develop this proposal and propose a full funding level endorsed by the IHS National Tribal Budget Formulation Workgroup. There continues to be structural challenges with the way the IHS budget is appropriated within discretionary funding caps. Medicare and Medicaid, which provide healthcare for seniors and low-income individuals, have no such caps. As Congress is finalizing its FY 2024 budget for IHS, we urge the White House to insist on exempting IHS from any across the board sequestration cuts or rescissions and getting IHS funding at its highest possible level.

Furthermore, obligations for Contract Support Costs and 105(I) leases should immediately be reclassified as mandatory spending to allow additional growth in the IHS services budget.

Obligate Indian Health Services' Unobligated Balances.

Content provided byNIHB.

Recently, IHS has received criticism from Congress and Tribes for its significant unobligated balances of appropriated funds. Unobligated balances refer to amounts of appropriations that still need to be committed or obligated by IHS. Many IHS unobligated balances are due to the suspension of healthcare services during the COVID-19 public health emergency, where referral activity decreased. Last June, after the enactment of the Fiscal Responsibility Act, the Department of the Treasury took back \$419 million originally allocated to help increase Tribal public health infrastructure in response to the COVID-19 pandemic. Further, Senate appropriators are proposing to rescind an additional \$350 million in unspent COVID funding given to IHS. With Congress looking for ways to trim the federal budget, it is critical that the IHS obligate all available appropriations in a timely way so that patients receive the care they need, and so that Congress is not left with a false impression that the Indian health system has more funding than necessary.

Permanently Reauthorize the Special Diabetes Program for Indians.

Content provided by NIHB..

The Special Diabetes Program for Indians (SDPI) is one of the most successful federal public health initiatives. Since 1997, SDPI has reduced the prevalence of diabetes, end-stage renal disease (ESRD), and diabetes-related eye disease and has lowered A1C levels in AI/ANs. This program has also resulted in significant savings in Medicare due to reduction in ESRD. SDPI is the only mandatory appropriation that the IHS receives annually, meaning that when the program expires, there is also no longer funding available. The SDPI funding expires on January 19, 2024. We urge the Administration to permanently reauthorize the program and support Tribal priorities for improvement. SDPI has been level-funded at \$150 million annually since 2004. We thank the Biden-Harris administration proposal for \$250 million for SDPI in FY 2024 with subsequent year increases (consistent with the Tribal request). Legislation is currently moving in both chambers that would reauthorize SDPI for 2 years at \$170 million per year.

Additionally, SDPI has been reduced by \$3 million annually due to annual mandatory sequestration in FY 2022 and FY 2023. The IHS previously covered the cost of the sequestration and avoided a reduction in annual funding amounts for grantees. However, at the June 2022 Tribal Leaders Diabetes Committee (TLDC) meeting, IHS noted that it is not sure how to hold grantees harmless if sequestration continues.

Expand Self-Governance Authority within the Department of Health and Human Services.

Content provided by NIHB.

For decades, Tribal nations have demonstrated that using self-governance authority for the delivery of federal health care programs has a profound positive impact on the health and well-being of their citizens and communities. Using self-governance authority, Tribal governments operate sophisticated health care systems that require the coordination of resources from many Department of Health and Human Services (HHS) agencies and programs and provide services for millions of people.

Despite how many people Tribes serve, self-governance authorities only apply to federal health care programs provided through IHS. This means that valuable federal funding is not getting to Tribal nations, because there is too much reliance on burdensome competitive grants or funding mechanisms excluding Tribal Nations. According to data from OMB's Native American Crosscut, only 0.5% of HHS funding went to programs that benefit Native Americans in 2022—a value that drops to 0.1% if you exclude IHS from that total. At some critical operating divisions—like CDC—it is less than 1%!

Limiting self-governance authority to only a portion of the federal resources that support tribal health care systems hinders the ability of Tribal governments to effectively develop and operate comprehensive, wraparound health care programs for their citizens and communities.

The Biden-Harris Plan for Tribal Nations states “One of Biden’s earliest votes as a senator was to support the Indian Self-Determination and Education Assistance Act, which honored tribal sovereignty by allowing Tribes to provide services for their members that the federal government had previously provided. A Biden Administration will work with Tribes to explore ways to expand self-governance opportunities.”

A tribal workgroup has identified 23 HHS programs that should be part of a demonstration project to show that self-governance authority can successfully expand to health care programs outside of IHS. The tribally developed legislation to authorize the proposed demonstration project has broad support across Indian Country. Full support and cooperation from the Administration and HHS will help ensure its success.

Provide More Direct Funding to Tribal Nation Health Services and Programs.

Content provided by NIHB.

While our priority continues to be full self-governance for programs outside of the IHS, in the short term it is critical that funding for critical health programs should flow to Tribal Nations directly. Too often, the federal government allocates funding through competitive grants or

formula-based grants. The competitive grant system allows those with the highest capacity to apply for and ultimately receive grants. This system does not honor the federal trust responsibility for health and does not allow funding to go to areas that need it the most. Indian Country is largely left out. States may receive block grant funding, but tribal communities do not typically receive that funding. The Administration must propose a new way of doing business with Indian Country. We need reliable and consistent funding that flows to all Tribal nations with minimal administrative burdens. We look forward to working with the Biden administration to create a new paradigm for federal funding to Tribal Nations.

Improve Access to Tribal Public Health Data.

Content provided by NIHB.

Despite clear public health authority, Tribes and Tribal Epidemiology Centers (TECs) continue to face immense barriers to accessing essential public health data. Because states govern most public health data systems, states become the de facto arbiters of access to public health data. Tribes often find themselves at the mercy of individual relationships between the Tribe and state government officials. Considering the often-fraught history between states and Tribes, this is not a recipe for data equity. Even in states with positive relationships with Tribes, challenges frequently result from state officials lacking the necessary understanding of Tribal sovereignty and the Tribal public health authority.

In some cases, federal agencies hold the data Tribal public health authorities need. However, a 2022 Government Accountability Office (GAO) report found that federal agencies have failed to comply with federal law by withholding health data from TECs. Little progress has resulted since. Two of the GAO report's recommendations concerned IHS, which holds critical health data needed by Tribal public health authorities. As of the most recent update from the GAO, these recommendations remain unfulfilled. With no mechanism to enforce the law, Tribes are left with little recourse.

These access issues are compounded by the federal underinvestment in tribal public health infrastructure, resulting in outdated health data systems and insufficient access to Tribal epidemiologists, data scientists, informaticists, and the legal counsel needed to establish necessary and beneficial data sharing agreements.

Federal inaction persists despite urgent needs and in violation of federal law. As Tribal Nations develop their public health systems, without timely access to public health data, Tribal Nations cannot adequately track the spread of disease, make data-informed decisions, identify those at high risk for severe illness or mortality, or evaluate public health interventions.

Improve Access to Traditional Healing Methods.

Content provided by NIHB.

Tribal Nations have each developed, refined, and stewarded their own unique bases of knowledge since time immemorial. Thus, AI/AN constructions of well-being and practices of healing are imbued with an inherent sovereignty. AI/AN access to traditional healing practices does more than simply provide culturally appropriate health care. Providing traditional healing services protects the right of AI/AN people to care for their health in its full, traditional breadth. There are already highly successful Tribally-supported health programs implementing traditional healing practices in areas including behavioral health, maternal health, and diabetes prevention, among many others.

Arizona, California, New Mexico, and Oregon have submitted Section 1115 waivers for Medicaid to cover traditional health practices furnished through IHS and Tribal facilities. In October of 2022, the Centers for Medicare and Medicaid Services (CMS) approved Arizona's 1115 Demonstration Waiver extension request but did not approve Arizona's traditional healing demonstration. Without a strong commitment from the White House—such as a government-wide policy to increase access to traditional healing services—these requests may not overcome existing barriers that are often cited by CMS and the Department of Justice (DOJ) as justification for refusing to reimburse for traditional healing services.

Provide Resources to Indian Country to Combat the Opioid Crisis.

Content provided by NIHB.

Opioids are the latest face of a mental health and substance use crisis in America that disproportionately impacts our tribal communities. AI/ANs experience some of the highest rates of substance use issues as compared to other racial and ethnic groups, which has been attributed—in significant part—to the ongoing impacts of historical trauma. The high rates of substance use naturally lead to high rates of overdose from illicit substances, like fentanyl. According to the CDC, AI/ANs have experienced the highest age-adjusted overdose death rates of any group for the past decade, with many of those deaths resulting from opioid use, including fentanyl and fentanyl-laced substances.

In the past year, several Tribal Nations issued emergency declarations over the rate of fentanyl deaths among their members. Accidental overdoses – where a person using drugs is unaware that a substance is mixed with fentanyl – are also on the rise among American Indians and Alaska Natives. CDC reports that AI/ANs had the highest overdose rate of any ethnic group for both 2020 and 2021, driven by a 33 percent rise in drug overdose deaths during the same period. The Alaska Native Tribal Health Consortium's (ANTHC) Alaska Native Epidemiology Center reported that the annual number of opioid deaths among Alaska Natives increased by 383 percent between 2018 and 2022, with the rate of opioid overdose mortality doubling during the COVID-19 pandemic. AI/AN adolescents experienced the highest overdose deaths from fentanyl in 2021. Those numbers are gravely concerning, and if we do not do more to prevent substance

use among our children, then our culture, heritage, and way of life are at risk. It is up to all of us to ensure that our children can carry on our traditions into the next generation.

Tribal Nations must see a substantial increase in funding to address the opioid crisis. Tribal Nations and organizations were glad to see the President's recognition of this crisis through the inclusion of funding in his recent supplemental budget request to Congress. The President's proposal to address the crisis would provide \$1.55 billion in additional funding to the Substance Abuse and Mental Health Services Administration (SAMHSA), including \$250 million that would be transferred to the IHS and made available for two years. Despite the clear need in Indian Country, few federal dollars have been solely dedicated for this purpose to Tribal nations. For example, in FY 2023, State Opioid Response (SOR) funding was \$1.575 billion, and the Tribal Opioid Response (TOR) Grants were \$55 million, which is roughly 3 percent of the total. Given the impact of the opioid crisis in Indian Country, \$250 million will be a long overdue investment that will save lives for generations to come.

Support Work Focused on the Indigenous Determinants of Health.

Content provided by NIHB.

Indigenous peoples worldwide continue to experience stark health inequities and shortened life expectancy. Reducing these inequities and protecting health will require renewed investment in the strengths, cultural resources, and communities of Indigenous peoples.

The report on Indigenous Determinants of Health adopted this year by the United Nations Permanent Forum on Indigenous Issues makes clear that complex protective and risk factors contribute to the health outcomes that Indigenous People experience. Indigenous frameworks, knowledge, and ways of being cannot simply be classified as social Determinants of health because they are not limited to social constructs. Although social systems have contributed, physical, spiritual, mental, emotional, transgenerational, and other factors also contribute to the unique determinants of Indigenous Peoples.

The Indigenous determinants of health describe not only factors of colonization that create health risks, but also the Indigenous cultural factors that protect health. Our mothers, fathers, elders, siblings, and children are safest and healthiest when they are protected by our Indigenous food systems, our sacred practices, our Indigenous cultures and languages, access to water sources and traditional plants, and our traditional medicines. These specifically Indigenous determinants are essential to making true progress on advancing Indigenous health equity.

BACKGROUND—Urban Indian Health Priorities

The Declaration of National Indian Health Policy in the Indian Health Care Improvement Act (IHCA) states that: “Congress declares that it is the policy of this Nation, in fulfillment of its special trust responsibilities and legal obligations to Indians to ensure the highest possible health

status for Indians and urban Indians and to provide all resources necessary to effect that policy.” Urban Indian Organizations (UIOs) play a critical role in fulfilling the federal government’s responsibility as part of the Indian health system, which consists of the Indian Health Service (IHS), Tribal facilities, and UIOs (collectively the I/T/U system). The trust responsibility to provide health care extends to all American Indians and Alaska Natives including the over 70% of American Indians and Alaska Natives in urban areas. The 41 UIOs contracting with IHS under IHCIA serve patients from over 500 Tribes in 38 urban areas in 11 of the 12 IHS Areas across the United States. By law (25. U.S.C. § 1603(29)), UIOs are Native-controlled non-profit healthcare organizations that provide critically needed healthcare services to American Indians and Alaska Natives living in urban areas. Services provided by UIOs include primary care, behavioral health services, social and community services, and traditional healing and medicine to American Indian and Alaska Natives living in urban areas.

UIO services are critical to improving the health of American Indians and Alaska Natives in urban areas because they face many of the same health disparities that IHS and Tribal patients face in rural areas. For example, a recent study by the Centers for Disease Control and Prevention (CDC) showed that American Indians and Alaska Natives in urban areas were just as likely to be in fair or poor health as their peers in rural areas and were also equally likely to suffer from hypertension and disabilities. Another CDC study showed that American Indians and Alaska Natives in urban and rural counties face similar rates of drug overdose deaths.

Additionally, according to a 2016 report published in the Journal of Hunger & Environmental Nutrition, American Indians and Alaska Natives living in urban areas were at least as likely to experience food insecurity as American Indians and Alaska Natives living in rural areas. UIOs help address these disparities because they are more than just healthcare providers, they also provide support services that address social determinants of health like housing, nutrition, and domestic violence and serve as cultural hubs for American Indians and Alaska Natives living in urban areas.

Fully Fund IHS and the Urban Health Line Item.

Content provided by NCUIH.

Despite the federal trust responsibility and Declaration of National Indian Health Policy, the United States has continuously failed to fund the Indian Health Service, including the Urban Health line item, at the level of need. For example, the Tribal Budget Formulation Workgroup (TBFWG), which provides a budget recommendation to IHS on behalf of all 574 Tribal Nations, recommended that the FY 2023 budget fully fund the IHS at \$49.8 billion and appropriate \$949.8 million for the Urban Health line item, but the President's Budget requested just \$9.1 billion and \$112 million, respectively. Eventually, Congress enacted just \$6.96 billion to fund the IHS and \$90.42 million for the Urban Health line item. The United States Commission on Civil Rights found, in a briefing report titled *Broken Promises: Continuing Federal Funding Shortfall*

for Native Americans, that “the low funding federally appropriated for urban Indian health care is concerning, and likely fails to meet the obligations of the federal government under the trust relationship.”

Because UIOs generally receive direct funding only from the Urban Health line item and generally do not receive direct funds from other distinct IHS line items, including the Hospital and Health Clinics, Indian Health Care Improvement Fund, Health Education, and Indian Health Professions line items, or any of the line items under the IHS Facilities account, only an increase to the Urban Health line item ensures that UIOs will actually receive more funding so that they can continue to provide high-quality, culturally competent care to their patients. The National Tribal Budget Formulation Workgroup recommended \$965.3 million for the Urban Health line item in FY 2025, as part of an overall request of \$53.8 billion for the IHS.

Set the Federal Medical Assistance Percentage at 100% for UIO Services.

Content provided by NCUIH.

In addition to failing to fully fund the Urban Health line item, the United States also fails to provide necessary supplemental funding for urban Indian health through the Medicaid program. The Federal Medical Assistance Percentage (FMAP) is the percentage of Medicaid costs covered by the federal government, through reimbursement to state Medicaid programs. In recognition of the United States’ trust responsibility to provide health services to American Indians and Alaska Natives, states receive 100% FMAP for Medicaid services provided at IHS and Tribal facilities. Tribal Nations are able to use the financial flexibility provided by 100% FMAP to negotiate improvements in the Medicaid program for beneficiaries who visit Tribal facilities.

However, states do not receive 100% FMAP for Medicaid services provided to IHS-beneficiaries at UIOs (100% FMAP for UIOs). As a result, the federal government is not paying its fair share for Medicaid-IHS beneficiaries and is skirting the trust responsibility. This also means that states are less amenable to working with UIOs to improve the Medicaid program for American Indians and Alaska Natives who are treated at UIOs. Permanent 100% FMAP for UIO services is the United States’ obligation under the trust responsibility and will allow UIOs to work with states to improve health services for American Indian and Alaska Native beneficiaries who are treated at UIOs. This issue has broad support across Indian Country. This year, the Centers for Medicare and Medicaid Services Tribal Technical Advisory Group (TTAG) listed 100% FMAP for UIOs on its list of legislative priorities and both the National Congress of American Indians and the National Indian Health Board have adopted resolutions in support of 100% FMAP for UIOs.

TRIBAL LEADER TALKING POINTS



- *Mandatory Funding for Indian Health Services (IHS).*

- Guarantee the Administration continues to work with Tribal nations to develop reasonable and fair estimates of full mandatory funding for the IHS.
 - Continue to protect Advance Appropriations for future years and expand to all areas of IHS budget, including increases from year to year that adjust for inflation, population growth, and necessary program increases, until full, mandatory appropriations are achieved. Continue to protect Advance Appropriations for future years and advocate for increased funding for IHS.
 - Advocate to Congress now to make sure that IHS—and all other Indian programs—are not subject to sequestration and rescissions in FY 2024 and beyond.
- *Obligate Indian Health Services' Unobligated Balances.*
- Continue working to spend down unobligated balances for Tribal programs AND protect those balances from being up for grabs in the budget negotiations.
 - Educate Congress on IHS accounting policies, including the PRC program, to prevent any misinformation about obligation of funds.
- *Permanently Reauthorize the Special Diabetes Program for Indians.*
- Urge Congress to pass the two-year renewal of SDPI at \$170 million per year. Both chambers have legislation out of committee to do this.
 - Allow Tribal Nations to exercise their self-determination right to deliver the program themselves, just as they do for most of the rest of the IHS budget—this can be achieved through structural changes allowing Tribal Nations to receive funds through self-determination and self-governance contracts and compacts;
 - Exclude IHS from sequestration moving forward as SDPI has been reduced by \$3 million annually due to annual sequestration in FY 2022 and FY 2023 and continued sequestration will lead to reduced funding to SDPI community-directed programs.
- *Expand Self-Governance Authority within the Department of Health and Human Services.*
- Formally support expanding Self-governance at the Department of Health and Human Services outside of the Indian Health Service. Self-governance promotes efficiency, improved outcomes, and program coordination.
- *Provide More Direct Funding to Tribal Nation Health Services and Programs.*
- Provide additional support to IHS to address the staffing shortages and technology shortfalls that negatively impact the PRC claims process.

- Establish a 10% set-aside, non-competitive, direct funding for Tribal Nations in all available HHS operating divisions and funding streams and eliminate federal match requirements for all federal programs serving Indian Country.
- Improve Access to Tribal Public Health Data.
 - Data sharing across jurisdictions is a best practice for disease monitoring and prevention. It is vital that states and localities work with Tribes and do not prevent Tribes from accessing Tribal public health data.
 - Require states and localities receiving federal public health funding to recognize the Tribes' inherent public health authority status and grant them access to the infectious disease reporting systems based upon the boundaries of the Tribe.
 - Issue a communication from the Administration stating unequivocally that Tribal Nations are public health authorities with the rights and responsibilities to provide public health services to their people to avoid confusion over tribal status as public health authorities.
 - Support Senator Tina Smith's re-introduction of the Tribal Health Data Improvement Act, which amends the Public Health Service Act and aims to improve Tribal access to data.
- Improve Access to Traditional Healing Methods.
 - Implement an administration-wide policy supporting traditional healing services and the reimbursement of traditional healing practices and services and remove all barriers that inhibit the integration of traditional practices. The implementation of this policy will help overcome barriers that exist outside of CMS. Reimbursement of traditional healing services will enhance the ability of IHS and Tribal facilities to provide culturally appropriate care that is responsive to community needs.
 - Approve the outstanding 1115 waivers with provisions on reimbursement of traditional healing services.
- Provide Resources to Indian Country to Combat the Opioid Crisis.
 - Advance comprehensive tribal prevention, treatment, and recovery services and an establish continuum of care to address the opioid, fentanyl, and suicide crisis in Indian country.
 - Increase funding for Tribal Opioid Response grants and allow these grants to be received through self-governance contracts and compacts.
 - Provide tribal access and dedicated funding to the Alcohol and Substance Abuse Block grant; allow it to be received under 638 contracts and compacts.
 - Provide Indian health care providers equal access to Medicaid services no matter what State they are in by authorizing them to bill Medicaid for a new set of Qualified Indian Provider Services.

- Support developing priorities that include evidence-based practices and culturally respectful practice-based evidence to support healing for tribal members from historical and intergenerational trauma.
 - The Substance Abuse and Mental Health Services Administration (SAMHSA) should conduct Tribal consultation with Tribes on burdens of 42CFR Part 2 on IHS and tribal facilities and ensure tribal input on any changes to Part 2.
- Support Work Focused on the Indigenous Determinants of Health.
- Adopt the Indigenous Determinants of Health as a guiding framework for pursuing health equity for Indigenous peoples.
 - Support the AI/AN global leadership to ensure the rights of Indigenous Peoples are protected by:
 - providing a staff dedicated to technically assisting and guiding the WHO on conducting proper consultations and engagement with Indigenous Peoples; and
 - creating an Ingenious Fellows program to provide representation in key institutions at U.N. agencies.
- Fully Fund IHS and the Urban Health Line Item.
- Provide funding to IHS and the Urban Indian Health Line. Specifically, appropriate \$965.3 million for the Urban Health line item in FY 2025, as part of an overall request of \$53.8 billion for the Indian Health Service.
- Set the Federal Medical Assistance Percentage at 100% for UIO Services.
- Ensure that UIO services are eligible for 100% FMAP.

POINTS OF CONTACT

	<p>National Council of Urban Indian Health (NCUIH) Meredith Raimondi, <i>Vice President of Policy and Communications</i> mraimondi@ncuih.org</p>
<p>National Indian Health Board </p>	<p>National Indian Health Board (NIHB) Caitrin Shuy, <i>Government Relations Director</i> cshuy@nihb.org</p> <p>A.C. Locklear, <i>Federal Relations Director</i> alocklear@nihb.org</p>

	<p>Self Governance Communication and Education Tribal Consortium (SGCETC) Jay Spaan, <i>Executive Director</i> jays@tribalselfgov.org</p>
	<p>United South and Eastern Tribes (USET) Sovereignty Protection Fund (SPF) Kitcki Carroll, <i>Executive Director</i> kcarroll@usetinc.org</p> <p>Liz Malerba, <i>Director of Policy and Legislative Affairs</i> LMalerba@usetinc.org</p>
	<p>National Congress of American Indians (NCAI) Ryan Seelau, <i>Director of Policy and Legal</i> rseelau@ncai.org</p>

INFRASTRUCTURE

BACKGROUND

Fund Tribal Priorities for Infrastructure.

Content provided by USET SPF.

More information available at:

https://www.usetinc.org/wp-content/uploads/2023/12/Infrastructure-USET-SPF-One_pager-FINAL-11_30_23.pdf

For generations, the federal government – despite abiding moral and legal trust and treaty obligations – has both chronically failed to invest in and support Tribal Nation infrastructure, as well as committed hostile acts against Tribal governments, leading to the shameful conditions we face across Indian Country today. While the United States faces crumbling infrastructure nationally, there are many in Indian Country who lack even basic running water and passable roads. Indeed, there are hundreds of billions of dollars in unmet infrastructure obligations across Indian Country to include housing, education, transportation, judicial, health care, communication, among other forms that directly affect the safety, health, and wellness of Tribal citizens. In its 2018 Broken Promises report, the U.S. Commission on Civil Rights found that, “the funding of the federal trust responsibility and obligations remains “grossly inadequate” and a “barely perceptible and decreasing percentage of agency budgets.”

Under recently enacted federal infrastructure packages, including the Inflation Reduction Act (IRA) and the Infrastructure Investment and Jobs Act, Tribal Nations will now have access to over \$14 billion in direct funding and are eligible for billions more in funding through competitive grants, loans, loan guarantees, tax credits and contracts. With proper implementation, funding from these recent laws could be transformative for Tribal Nations and our infrastructure. However, it is critically important that Tribal Nations have awareness and access to these resources, and that our interests are represented as funding and reporting mechanisms are implemented.

In addition, the implementation of these new laws must be reflective of trust and treaty obligations to Tribal Nations, especially as these laws stand to spur infrastructure development across the United States, much of which will occur on our ancestral homelands, but outside currently held territories. Tribal Nations, along with our cultural preservation and natural resources departments, need to be prepared for the considerable increase in infrastructure projects requiring cultural and environmental review. While these reviews are legally mandated, Tribal Nations lack access to sufficient funding.

Address the Housing Need in Native Communities.

Content provided by NAIHC.

Tribal housing funding has remained stagnant for decades and has failed to keep pace with inflation, as the cost of housing soars on and off tribal lands. The Department of Housing and Urban Development (HUD) budget grew 250% in the past 20 years, going from \$26 billion in 2001 to \$65 billion today. During that time, tribal funds only increased 28%, from \$600 million to \$772 million. Current funding only builds 2,000 units per year while a 2017 HUD report found that 68,000 units are needed in Indian Country. Tribal Nations are building as many new units as possible, maxing out new housing construction grants each year. Autonomy over Indian Housing Block Grant (IHBG) funds allows Tribal Nations to leverage private investments alongside federal dollars to create more affordable housing for tribal citizens and families. However, higher construction costs and land acquisition remains the largest hurdle for Tribal Nations.

Remove Barriers to Telecommunications Development (including Broadband Access) and Promote Tribal Sovereignty Over Data.

Content provided by NCAI.

Tribal communities still lag behind the rest of the United States in access to radio, wireless, and broadband services. This disparity underscores the critical opportunity to ensure the advancement of telecommunications access throughout Indian Country. Funding is needed throughout Indian Country for rapid deployment, adoption, affordability, and access to broadband internet. According to a 2019 Federal Communications Commission (FCC) report, individuals residing on tribal lands are nearly 4.5 times as likely to lack any terrestrial broadband internet access as those on non-tribal lands. Even when examining fixed broadband deployment at speeds lower than “broadband,” only six percent of homes on non-tribal lands lack coverage by any wired provider, while 25 percent of homes on tribal lands have no wired option for 10/1 Mbps service. Societal and market behaviors are changing rapidly and everyday tasks and activities are being driven more online. An immediate robust investment into tribal communities is critical to ensure that tribal communities are not entirely left behind as our education, healthcare, government services, and commerce undergo years of changes in a short time.

Invest in Broadband Infrastructure at TCUs.

Content provided by AIHEC.

The COVID-19 pandemic exacerbated the digital divide and underscored the lack of broadband access across Indian Country. To address these deficiencies that could leave Indian Country – and AI/AN students – behind the rest of the U.S. for generations, Congress must act to establish a *permanent* TCU Broadband Service Fund within the USDA-Rural Utilities Service. An annual \$40 million set-aside for TCUs, which are 1994 Land-grant institutions served by USDA, would help cover rapidly increasing network, connectivity, and equipment costs, maintenance, infrastructure expansion, and IT staffing. Congress recognized this need during the pandemic and attempted to provide support to TCUs by including them in the new NTIA Tribal Connectivity

Broadband program. Unfortunately, due to the design and focus of the new program TCUs have largely been excluded from receiving funding.

TRIBAL LEADER TALKING POINTS

- *Fund Tribal Priorities for Infrastructure.*
 - Tribal priorities for infrastructure funding include:
 - Access to IRA and other infrastructure funding, which necessarily includes implementing programs in ways that work for Tribal Nations;
 - Equity in the distribution of funding between Tribal Nations and with other units of government;
 - Flexibility to respond to local conditions;
 - Streamlining in application and reporting processes; and
 - Protection for Tribal sovereignty, sacred/cultural sites, and public health.

- *Address the Housing Need in Native Communities.*
 - Permanently reauthorize the Native American Housing Assistance and Self-Determination Act (NAHASDA).
 - Allow Tribal Nations access to the Section 8 Voucher Program.
 - Establish Tribal set-up for Low Income Housing Tax Credit Program.
 - Expand access to USDA Section 502 Single Family Housing Loan Program & VA Native American Direct Loan Program.
 - Utilize Native CDFIs to expand access to USDA Section 502 Single Family Housing Loans & VA Native American Direct Loans on trust lands.
 - Pass the Native American Rural Home-ownership Improvement Act, S. 1941 Utilizes Native CDFIs to deploy USDA Section 502 Single Family Home Loan funds to Native Americans.
 - Pass the VA Native American Direct Loan Improvement Act, S. 185 Increases the number of home loans to Native Veterans returning home.
 - Support the Tribal Trust Land Homeownership Act, S. 70 Improves the BIA land title procedures for trust land home loans on trust lands.

- *Remove Barriers to Telecommunications Development (including Broadband Access) and Promote Tribal Sovereignty Over Data.*
 - Promote data sovereignty. There is an increased need for accurate data regarding broadband connectivity and infrastructure on Tribal Lands. Poor data collection and bias has led to a severe lack of reliable data and broadband mapping for Tribal Lands and surrounding areas. While the Federal government should take action to develop baseline measurements for gathering meaningful and accurate broadband data in Tribal Nations, the emphasis should be on empowering and

funding Tribal Nations to develop and collect their own broadband data.

- Recognize Tribal Sovereignty over Spectrum. The National Telecommunications and Information Administration (NTIA) recently released its National Spectrum Strategy, wherein Tribal Nations were identified as a major stakeholder in issues related to national spectrum management. We must take this further, and recognize Tribal Nations' inherent sovereignty over this vital natural resource that exists on and around Tribal Lands. Spectrum frequencies are finite and as the internet and technology continues to permeate everyday life, these frequencies will be obtained and held onto by industry because of its intrinsic value. The federal government, as trustee to Tribal Nations, must also understand and address the historical and present-day barriers that prevent tribal participation in spectrum auctions and the inability of Tribal Nations to access spectrum through secondary market mechanisms. Tribal Nations should have the first rights to spectrum that exists over their lands.
- Remove barriers for Tribal Nation entry into the Broadband Equity Access and Deployment (BEAD) Program at NTIA. The administration should work in tandem with NTIA should waive and remove barriers to entry for Tribal Nations, such as funding match and letter of credit requirements, thus ensuring that every Tribal Nation has access to BEAD funding
- Extend the Affordable Connectivity Program at the Federal Communications Commission. This program is already helping over 21 million households save over \$500 million per month on their monthly internet bills. The program is also critical for the Administration's high-speed internet deployment programs for rural, remote, and tribal communities. Without this funding, tens of millions of people would lose this benefit and would no longer be able to afford high-speed internet service without sacrificing other necessities. The Administration must advocate strongly for additional funds to strengthen the program by extending free and discounted high-speed internet for eligible households through December 2024 or later.
- Make the National Tribal Broadband Connectivity Grant Program at NTIA a permanent program funded at \$1 billion dollars annually, and should be expanded to include other programmatic funding such as feasibility, affordability, and funding to help maintain and update existing broadband networks in Indian Country.

➤ *Invest in Broadband Infrastructure at TCUs.*

- Establish a permanent TCU Broadband Service Fund within the USDA-Rural Utilities Service.

POINTS OF CONTACT

 <p>The logo for the National American Indian Housing Council (NAIHC) features two crossed tomahawks with their heads pointing upwards. Above the tomahawks are several small stars, and below them is a stylized mountain range. The acronym "NAIHC" is printed in a bold, sans-serif font at the bottom.</p>	<p>National American Indian Housing Council (NAIHC) Thomas Lozano, <i>Chairman of the Board of Directors</i> thomasl@enterpriserancheria.org</p>
 <p>The logo for the United South and Eastern Tribes (USET) is circular. It features a central red tree with many branches. The text "UNITED SOUTH AND EASTERN TRIBES, INC." is written around the top inner edge of the circle, and "Established 1969" is at the bottom. The background of the circle is filled with many small, stylized trees.</p>	<p>United South and Eastern Tribes (USET) Sovereignty Protection Fund (SPF) Kitcki Carroll, <i>Executive Director</i> kcarroll@usetinc.org</p> <p>Liz Malerba, <i>Director of Policy and Legislative Affairs</i> LMalerba@usetinc.org</p>
 <p>The logo for the National Congress of American Indians (NCAI) features a stylized eagle with its wings spread, facing right. To the right of the eagle is the acronym "NCAI" in a large, bold, sans-serif font. Below "NCAI" is the full name "National Congress of American Indians" in a smaller font.</p>	<p>National Congress of American Indians (NCAI) Ryan Seelau, <i>Director of Policy and Legal</i> rseelau@ncai.org</p>

NATIVE LANGUAGES

BACKGROUND

Support Native Language Revitalization Among Native Youth.

Content provided by NIEA.

Native languages are fundamental to Tribal nations, histories, cultures, and traditions and Native language instruction in educational and community settings is crucial to Native language revitalization, and Tribal Nations and schools serving Native students across the United States have identified Native language instruction as a priority for students and community members. Data shows us that there is a direct link between cultural identity and the cognitive success of Native students. Due to over a century of assimilative policy, followed by unprecedented loss of Native elders during the COVID-19 pandemic, many of our languages face extinction today. Tribal Nations and schools often lack the capacity and educational resources to develop comprehensive language instruction curriculums on their own. As a result, tribal communities frequently must turn to federal resources and partner with non-profit organizations to develop Native language materials, including curricula, dictionaries, technological apps, and other resources to promote the learning and transmission of Native languages, to revitalize Native languages for Native peoples, and communities. The federal government has a unique obligation to supporting language revitalization in Native communities, not just due to the federal trust and treaty responsibility, but also due to the active role the federal government historically played in language loss through its assimilative policies.

Develop Plan to Support and Fund Native Language Curriculum and Preservation in Higher Education.

Content provided by AIHEC.

Language is one of the most fundamental expressions of culture. The emergency situation of Native Languages is well known and the federal Executive Branch has copious data on the dire state of myriad heritage languages, and is aware that there is a need:

- 1) to strengthen and support the ability of Native Peoples to effectively engage in Native Languages revitalization;
- 2) to highlight the importance of Native Languages and take critical steps to identify federal action that could be taken to support, revitalize, and protect Native Languages;
- 3) to create an interagency working group to help coordinate efforts to support Native Languages; and
- 4) to empower a board of advisors to engage leaders on Native Languages, which are foundational to the continuum of Native sovereignties and to the education of future generations.

Schools and programs that utilize Native language medium and immersion as the medium of instruction are critical to student success and language preservation in Native communities. Language immersion provides a foundation to build academic and cognitive skills for future success in a positive learning environment where Native students can thrive. Due to limited funding and resources, some Tribal Nations and communities lack the resources to replicate and expand successful models for language medium and immersion and reclamation.

TCUs are aggressively working to preserve and sustain Tribal languages and cultures; and in many cases, they are the only academic institutions in the world where specific Native languages are taught. Together, the TCUs are engaged in an extensive Native languages research and strategic planning effort funded by private foundations.

TRIBAL LEADER TALKING POINTS

➤ Support Native Language Revitalization Among Native Youth.

- Use the 10-Year Native Language plan as a jumping off point for legislative action to create a comprehensive generational approach to revitalizing Native Languages.
- Address language and culture loss in any future reports regarding the Boarding School Initiative;
- Urge the Department of Education to publish the “Report on Native American Language Medium Education”.
- Increase support and access to resources for Indigenous language learners
- Align Native Language programs across the government to meet the needs of tribal communities, including:
 - Phase out of all grant-matching requirements;
 - Lower and streamline reporting requirements;
 - Blueprint for joint economic development and language work;
 - Grants for language program planning and implementation;
 - Support increases for capacity building and technical assistance support;
 - Funding for fluent speakers and elders to be directly engaged with language programs; and
 - Unequivocal support for data and intellectual sovereignty for tribal Native Language work.
- Ensure adequate funding for all Native languages programs.
- Identification of current and potential research areas and how the Federal Government can support tribal based research—with strategic federal funding, we can phase out the amount of outsiders/non-Natives who have to do the work for our communities due to funding and education restrictions. Support funding for

the development of Native researchers, linguists, teachers, speech therapists and digitize older recordings and platform them to showcase or house the materials to use for learning/teaching.

- Establish a \$40 million annual fund within the BIE or Department of Education, beginning in FY2024, for TCU Native Languages research and programs.
- Simplify the process to integrate Native Languages into nationwide educational settings in the following ways:
 - Early Childhood Education and all Pre-age 8 schooling should allow for English literacy flexibilities for Native children to allow for focus on development of Native language skills;
 - Technical assistance to support bilingual literacy assessments for children learning a Native language alongside English;
 - Combination Teaching Assistants who are Native speakers with certified teachers allows for quality education alongside culturally and linguistically relevant education;
 - Support of NL liaisons and tribal liaisons in public school settings;
 - Technical assistance for public schools with large Native populations;
 - Afterschool, summer school programs in Native languages for all ages; and
 - Support NLS as fulfillment of foreign language/ world language requirements in states.

➤ *Develop Plan to Support and Fund Native Language Curriculum and Preservation in Higher Education.*

- Work with Tribal Colleges and Universities and other Tribal language experts to develop a coordinated (government-wide) plan for:
 - Aligning federal Native languages support to the unique needs of Native languages programs;
 - Assisting Native languages programs in prioritizing and implementing activities, including sequential pathways, curriculum development, and resource sharing;
 - Ensuring adequate funding for all Native languages programs;
 - Providing targeted funding for Native languages sequential program and assessment; and
 - Establishing a \$40 million annual fund within the BIE or Department of Education, beginning in FY 24, for TCU Native Languages research and programs.

POINTS OF CONTACT

	<p>American Indian Higher Education Consortium (AIHEC) Ahniwake Rose, <i>Vice-President of Congressional and Federal Relations</i> arose@aihec.org</p>
	<p>National Indian Education Association Julia Wakeford, <i>Director of Policy</i> jwakeford@niea.org</p>
	<p>United South and Eastern Tribes (USET) Sovereignty Protection Fund (SPF) Kitcki Carroll, <i>Executive Director</i> kcarroll@usetinc.org</p> <p>Liz Malerba, <i>Director of Policy and Legislative Affairs</i> LMalerba@usetinc.org</p>
	<p>National Congress of American Indians (NCAI) Ryan Seelau, <i>Director of Policy and Legal</i> rseelau@ncai.org</p>

PUBLIC SAFETY and JUSTICE

BACKGROUND

Recognize Full Tribal Criminal Jurisdiction.

Content provided by NCAI.

Tribal communities continue to be plagued by the highest crime victimization rates in the country. A recent study by the National Institute of Justice found that more than 80 percent of AI/AN people will be a victim of intimate partner violence, sexual violence, or stalking in their lifetime. The study also found that 90 percent of these victims were victimized by a non-Indian perpetrator. The complicated jurisdictional framework at play in Indian Country, which limits tribal authority to prosecute non-Indians, continues to undermine safety for victims of violence in tribal communities. Tribal Nations are the only governments in America whose authority to protect their communities from domestic and sexual violence, child abuse, stalking, and trafficking is limited by federal law based on the political status/race of the defendant.

The Supreme Court's decision last year in *Oklahoma v. Castro-Huerta* overturned the long-held understanding that states do not have authority to prosecute non-Indians who commit crimes against Indians in Indian country. In that case, the Supreme Court held that "the Federal Government and the State have concurrent jurisdiction to prosecute crimes committed by non-Indians against Indians in Indian country" which strikes against tribal sovereignty and jurisdiction to protect tribal citizens. The reality is that a number of Supreme Court decisions over the past 50 years—not just the *Castro-Huerta* decision—have made Indian Country less safe and now is the time to defend tribal sovereignty and restore full criminal jurisdiction so that Tribal Nations can protect their citizens and the people living within their borders.

Address Domestic Violence in Native Communities.

Content provided by NIWRC.

The Family Violence Prevention and Services Act (FVPSA) has been up for reauthorization since 2015. FVPSA is the only federal grant program solely dedicated to domestic violence shelter and supportive services and is the primary funding source for these services for Indian Tribes. The current FVPSA bills up for reauthorization (S. 1275/H.R. 2119) would provide support for shelters, coalitions, training and technical assistance centers, children's services, emergency response hotlines, and prevention initiatives. It would also increase the funding Tribes receive from 10% to 12.5%, in addition to providing funding for Tribal coalitions and codifying the Alaska Native Tribal Resource Center on Domestic Violence, the national Indian domestic violence hotline, and the Native Hawaiian Resource Center on Domestic Violence.

Ensure Funding for Victim Services.

Content provided by NIWRC.

The Victims of Crime Act (VOCA) is currently facing a proposed 40% (\$700 million) cut for FY24. A cut to VOCA would cause programs that serve millions of victims of crime throughout the country to close their doors, jeopardizing the safety and well-being of Native survivors and Tribal communities.

Implement the Not Invisible Act Commissions Recommendations.

Content provided by NIWRC.

On November 1, 2023, the Not Invisible Act Commission transmitted its report to address the crisis of Missing, Murdered, and Trafficked Indigenous Women to the U.S. Department of Justice (DOJ) and U.S. Department of the Interior (DOI). DOJ and DOI have 90 days to submit a written response to the report.

TRIBAL LEADER TALKING POINTS

➤ Recognize Full Tribal Criminal Jurisdiction.

- Amend 18 U.S.C. § 1152 to expressly preempt state jurisdiction over non-Indian crime within Indian Country.
- Amend Pub.L. 83-280 to ensure that states, other than those six states with mandatory criminal jurisdiction under 18 U.S.C. 1162 (a), have no criminal jurisdiction in Indian country unless they have first obtained tribal consent to that state criminal jurisdiction.
- Amend the Indian Civil Rights Act (ICRA) to relax restrictions regarding tribal authority over non-Indian criminal activity and to remove sentencing limitations.
- Appoint an Associate Deputy Attorney General in the U.S. Department of Justice to work exclusively on Indian law and policy issues.

➤ Address Domestic Violence in Native Communities.





- Reauthorize the Family Violence Prevention and Services Act (FVPSA) with improvements that would increase funding for Tribal Nations, provide funding for Tribal coalitions, and permanently fund the Alaska Native Tribal Resource Center on Domestic Violence, national Indian domestic violence hotline, and the Native Hawaiian Resource Center on Domestic Violence.

➤ Ensure Funding for Victim Services.

- Establish a permanent set-aside under for Tribal Nations within the Crime Victims Fund to ensure that victims of crime in Indian Country receive assistance regardless wherever they live.

- Maintain adequate funding for VOCA in the FY24 Appropriations budget without cutting other critical Department of Justice grant programs that provide vital services and promote safety in Tribal communities and throughout the nation.
- Implement the Not Invisible Act Commissions Recommendations.
 - Respond to and implement the Not Invisible Act Commission recommendations in a timely manner.

POINTS OF CONTACT

 <p>NATIONAL INDIGENOUS WOMEN'S RESOURCE CENTER</p>	<p>National Indigenous Women's Resource Center (NIWRC) Kerri Colfer, <i>Director of Legislative Affairs</i> kcolfer@niwrc.org</p>
 <p>NARF</p>	<p>Native American Rights Fund John Echohawk, <i>Executive Director</i> jechohawk@narf.org</p> <p>Morgan Saunders, <i>Staff Attorney</i> msaunders@narf.org</p>
 <p>UNITED SOUTH AND EASTERN TRIBES, INC. Established 1967</p>	<p>United South and Eastern Tribes (USET) Sovereignty Protection Fund (SPF) Kitcki Carroll, <i>Executive Director</i> kcarroll@usetinc.org</p> <p>Liz Malerba, <i>Director of Policy and Legislative Affairs</i> LMalerba@usetinc.org</p>
 <p>NCAI National Congress of American Indians</p>	<p>National Congress of American Indians (NCAI) Ryan Seelau, <i>Director of Policy and Legal</i> rseelau@ncai.org</p>

TRIBAL HOMELANDS

BACKGROUND

Improve Tribal Land Acquisition and Land-into-Trust Process.

Content provided by USET SPF.

More information available at:

https://www.usetinc.org/wp-content/uploads/2023/12/PILT-USET-SPF-One_pager-FINAL11_30_23.pdf

The restoration of Tribal homelands remains a top priority for Tribal Nations. We continue to work to reacquire our homelands, which are fundamental to our existence as sovereign governments and our ability to thrive as vibrant, healthy, self-sufficient communities. The federal government's objective in the trust responsibility and obligations to our Nations must be to support healthy and sustainable self-determining Tribal governments, which fundamentally includes the restoration of lands to all federally-recognized Tribal Nations, as well as the legal defense of these land acquisitions.

Since 1977, the Department of the Interior (DOI) has issued billions in Payments in Lieu of Taxes (PILT) to local governments that help offset losses in property taxes due to the existence of nontaxable federal lands within their boundaries. However, while PILT payments are made for lands administered by the Bureau of Land Management, the National Park Service, the U.S. Fish and Wildlife Service, and the U.S. Forest Service (part of the U.S. Department of Agriculture) and for Federal water projects and some military installations, lands held in trust for Tribal Nations are not currently eligible. PILT (or a PILT-like mechanism) for lands put into trust could remove barriers to the restoration of Tribal homelands while also easing the perceived burdens of and impacts to local government as a result of lost tax revenue.

TRIBAL LEADER TALKING POINTS

➤ *Improve Tribal Land Acquisition and Land-into-Trust Process.*

- Secure the federal funding required for DOI to fulfill its responsibilities in the Fee to Trust process, including staffing infrastructure and any funding for PILT to state and local governments. This means providing a full accounting of its financial needs to the Office of Management and Budget and Congress. We further request DOI's support in making Tribal trust land acquisition eligible for PILT in order to facilitate the expeditious and continued restoration of Tribal homelands.
- Urge parity for all federally recognized Tribal Nations within the land-into-trust process through the Administrations active and continued support for a fix to the Supreme Court's 2009 decision in *Carciere v. Salazar*. We call upon DOI to work with Congress to enact legislation that: (1) reaffirms the status of current trust

lands; and (2) confirms that the Secretary has authority to take land into trust for all federally recognized Tribal Nations.

POINTS OF CONTACT

	<p>Association on American Indian Affairs (AAIA) Shannon O’Loughlin, <i>CEO & Attorney</i> Shannon@indian-affairs.org general@indian-affairs.org</p>
	<p>Native American Rights Fund John Echohawk, <i>Executive Director</i> jechohawk@narf.org</p> <p>Morgan Saunders, <i>Staff Attorney</i> msaunders@narf.org</p>
	<p>United South and Eastern Tribes (USET) Sovereignty Protection Fund (SPF) Kitcki Carroll, <i>Executive Director</i> kcarroll@usetinc.org</p> <p>Liz Malerba, <i>Director of Policy and Legislative Affairs</i> LMalerba@usetinc.org</p>
	<p>National Congress of American Indians (NCAI) Ryan Seelau, <i>Director of Policy and Legal</i> rseelau@ncai.org</p>

TRIBAL SOVEREIGNTY

TREATY AND TRUST RELATIONSHIP

BACKGROUND

Do Not Apply Laws of General Applicability Created for the Public to Tribal Nations.

Content provided by USET SPF.

More information available at:

https://www.usetinc.org/wp-content/uploads/2023/12/LGA-USET-SPF-One_pager-FINAL-11_30_23.pdf

Tribal Nations' status as inherently sovereign political entities and our unique relationship with the United States permits the United States to treat us differently from others and for Tribal Nations to enact and apply our own legal standards for our people and lands. Thus, the federal government must not enact or apply laws and requirements of general applicability created for the public to Tribal Nations.

Concerns were raised by recent efforts by the Biden Administration to condition receipt of federal funds on Tribal Nations' compliance with anti-discrimination laws and other instances of the application of 'laws of general applicability' to Tribal Nations. While we understand and appreciate this Administration's focus on racial equity and justice, we underscore that Tribal Nations have inherent sovereignty to set our own anti-discrimination laws under our own jurisdiction, and general federal laws should not be applied to us. Additionally, with regard to different treatment for Native people, the relationship between Tribal Nations and the United States is not race-based, but rather a political, diplomatic relationship. Compliance with certain laws of general applicability, including non-discrimination laws, that have never been applied to Tribal Nations due to our unique sovereign, political status as a condition of receipt of federal funds is completely inappropriate.

The following are examples of the Biden Administration taking actions that either attempted to apply or created confusion regarding the applicability to Tribal Nations of laws and other requirements otherwise generally applicable to the public:

- The Administration issued standards and regulations requiring some business entities and health care facilities to comply with COVID-19 vaccine and other COVID-19 mandates for employees and health care workers and to create exemptions to accommodate medical and religious objections under the Americans with Disabilities Act and Title VII of the Civil Rights Act. 86 Fed. Reg. 61,402 (Nov. 5, 2021) (Occupational Safety and Health Administration Emergency Temporary Standard); 86 Fed. Reg. 61,555 (Nov. 5, 2021) (Centers for Medicare & Medicaid Services Interim Final Rule). Tribal Nations' business

entities and health care facilities were not exempted from these obligations, and Administration officials said that at least some of these obligations applied to Tribal Nations in some circumstances.

- The Administration required that, in order to receive certain COVID-19 funding, Tribal Nations had to sign a form stating they agreed to comply with applicable federal statutes, regulations, and executive orders and listing Title VI of the Civil Rights Act as a statute applicable to the award. Section 9, OMB Approved Form No. 1505-0271.
- The Department of Health and Human Services Office of Civil Rights is currently consulting with Tribal Nations on a rulemaking that would require grant recipients to comply with federal statutory nondiscrimination provisions.

Enact a Marshall Plan for Tribal Nations.

Content provided by USET SPF.

More information available at:

https://www.usetinc.org/wp-content/uploads/2023/12/USET-SPF-Marshall-Plan-for-Tribal-Nations-Proposal-Summary-FINAL-4_20_23.pdf.

Tribal Nations are inherently sovereign political entities that have been recognized and acknowledged by the United States through the U.S. Constitution, Treaties, federal statutes, and judiciary decisions by the Supreme Court. Through the exchange and taking of our lands and resources, the U.S. established solemn, legal agreements that established trust and treaty obligations to Tribal Nations and Native people. However, the U.S. has consistently failed to live up to these obligations—both by failing to deliver on the funding it owes to Tribal Nations in exchange for its resource takings, and by restricting Tribal Nations’ full exercise of our inherent sovereign governmental authorities.

What is a “Marshall Plan for Tribal Nations”? At the end of World War II, the U.S. was willing to make a substantial investment in a Marshall Plan for European nations for the purposes of nation rebuilding. As the U.S. begins to discuss similar aid to Ukraine, the concept of a Marshall Plan-like investment for Tribal Nations draws on the same restorative justice, political, and economic principles that underlay the European Marshall Plan. Further, the federal government’s trust and treaty obligations make it morally and legally bound to make such an investment. In developing and implementing a Marshall Plan for Tribal Nations, all branches of the U.S. federal government, including independent federal entities, authorities, and agencies, must:

- Recognize and take responsibility for trust and treaty obligations arising out of its permanent occupation of Tribal homelands and our massive cession of resources that built the foundation of today’s America; and
- Adopt a domestic diplomacy model that is based on mutual respect and recognizes the full exercise of Tribal Nations’ rights and authorities that inherently belong to us.

Issue an Executive Order Executive Order Affirming the United States of America’s Commitment to Treaties, Indian Sovereignty, Self-Determination, Self-Government, and Territorial Integrity.

Content provided by IGA, NCAI.

Tribal Nations are the original American sovereigns, and for thousands of years, Native sovereign nations were independent sovereign nations prior to the formation of the United States of America. When Europeans first landed on American shores, the Dutch, French, English and others sought out Native sovereign nations to enter into treaties defining colonial territory and boundaries and Tribal Nations reserved our sovereignty, self-determination, and our lands as permanent homelands.

When the United States of America was founded, it recognized the prior rights of Tribal Nations—under the Articles of Confederation, the Delaware, Six Nations Confederacy, Cherokee, Wyandot, and other nations entered into treaties with America on a Nation-to-Nation basis, guaranteeing Native territory, reserving self-determination and self-government; and after the Revolutionary War, the United States of America established the Constitution with the authority of “We, the People ... Excluding Indians Not Taxed”, which demonstrates the Constitution’s continued recognition of the original Nation-to-Nation relationship between the United States and Indian nations. In the U.S. Constitution, there are several provisions relating to Indian affairs:

- In the Supremacy Clause, prior Indian treaties were affirmed, recognizing Indian nation as sovereigns, and treaties, along with the Constitution and statutes, are the Supreme Law of the Land;
- In the Treaty Clause, the President with the advice and consent of the Senate, was empowered to enter into treaties;
- The President and Congress were vested with War powers, including the power to make peace;
- Congress was vested with power to regulate foreign commerce, interstate commerce, and “Commerce ... with the Indian Tribes;”
- In the Apportionment Clause, “Indians Not Taxed” were excluded from Apportionment of Congress and Direct Taxation; and
- In the 14th Amendment, the Citizenship Clause acknowledges that Tribal Nation citizens are primarily subject to the jurisdiction of Indian nations while the Apportionment Clause “Excluding Indians not Taxed” affirms the original understanding of the Constitution that Indian nations are prior sovereigns with authority over Native citizens and territory.

In total, more than 375 treaties with Indian nations were ratified on a Nation-to-Nation relationship based on mutual consent, securing original inherent sovereignty, rights to self-determination and self-government, and territorial integrity and the Constitution of the United States vested with the President and Congress with authority to manage the U.S. Nation-to-Nation relations with Native peoples. Now is time for the U.S. to reaffirm its commitment to Tribal Nations and tribal sovereignty and a Presidential Executive Order would be a significant and meaningful step in accomplishing that goal.

TRIBAL LEADER TALKING POINTS

- *Do Not Apply Laws of General Applicability Created for the Public to Tribal Nations.*
 - Ensure that all federal department and agency actions are consistent with the President's expectation that Tribal sovereignty is respected to the fullest extent. We call upon the Biden Administration to begin its consideration of whether to apply any laws and other requirements that are generally applicable to the public to Tribal Nations by first assuming they do not and should not apply to Tribal Nations.

- *Enact a Marshall Plan for Tribal Nations.*
 - Make a significant one-time payment (in addition to existing trust and treaty obligations to provide full and mandatory funding to Tribal Nations) on the U.S.'s debt to Tribal Nations to bring us up to a baseline of economic and social stability. As an example, in FY 2021 the U.S. appropriated just \$25.2 billion to Tribal Nations, while the U.S. invested at least 1-2% of Gross Domestic Product in just the first year of the European Marshall Plan. In total, the U.S. spent \$43 billion in historical dollars on the Plan, which amounts to over \$750 billion in today's dollars.
 - Establish a Commission comprised of Tribal Nations, federal partners, and others to determine funding distribution methodologies.
 - Establish a cabinet-level U.S. Department of Tribal Nation Relations designated to carry out the diplomatic trust relationship with Tribal Nations and streamline and facilitate the delivery of federal funds.
 - Evolve consultation to consent and standardize and codify consultation requirements on a Nation-to-Nation, Leader-to-Leader basis.
 - Reforms to how federal funding is allocated and utilized by Tribal Nations, including:
 - Move funding for all Tribal Nation programs from discretionary to the mandatory side of the federal budget;
 - Eliminate grantmaking and competitive award models, program reporting requirements, and limitations on funding utilization;
 - Change the federal award process so that Tribal Nations receive funds directly;
 - Expand Self-Determination and Self-Governance authorities across the entirety of the federal government; and

- Expand 477 Program capabilities across all federal programs to empower Tribal Nations to consolidate federal funds into a single plan with a single reporting requirement.
- Issue an Executive Order *Executive Order Affirming the United States of America's Commitment to Treaties, Indian Sovereignty, Self-Determination, Self-Government, and Territorial Integrity.*
 - Call on the President of the United States to issue an Executive Order reaffirming Native sovereign nations, sovereignty and self-determination with the following elements:
 - Affirmation of the Nation-to-Nation relations with Native sovereign nations as reflected in the U.S. Constitution, treaties, statutes, agreements and Executive Orders;
 - Affirmation of the United States' recognition of Native sovereign nations' permanent Indian country homelands;
 - Establishment of a permanent White House Council with Native Nations co-chaired by the Vice President and the Secretary of the Interior to work with Native sovereign nations in furtherance of the Nation-to-Nation relationship based on mutual consent, and concerning Indian self-determination, self-government, treaties, statutes, Executive Orders and Agreements, Indian Country, and Indian lands, tribal jurisdiction, and tribal economic self-sufficiency; and
 - Preemption of contrary state taxation, regulation, and jurisdiction that would interfere with Indian sovereignty, self-government, treaty rights and the Trust Responsibility.

POINTS OF CONTACT

 <p>INDIAN GAMING ASSOCIATION</p>	<p>Indian Gaming Association (IGA) Jason Giles, <i>Executive Director</i> jgiles@indiangaming.org</p> <p>Danielle Her Many Horses, <i>Deputy Director/General Counsel</i> dhermanyhorses@indiangaming.org</p> <p>Chelsea Blake, <i>Legislative Director</i> cblake@indiangaming.org</p>
---	---

	<p>Self Governance Communication and Education Tribal Consortium (SGCETC) Jay Spaan, <i>Executive Director</i> jays@tribalselfgov.org</p>
	<p>United South and Eastern Tribes (USET) Sovereignty Protection Fund (SPF) Kitcki Carroll, <i>Executive Director</i> kcarroll@usetinc.org</p> <p>Liz Malerba, <i>Director of Policy and Legislative Affairs</i> LMalerba@usetinc.org</p>
	<p>National Congress of American Indians (NCAI) Ryan Seelau, <i>Director of Policy and Legal</i> rseelau@ncai.org</p>

VETERANS

BACKGROUND

Background on Veterans Health

Consult with Tribal Nations on Veterans Health Issues to Improve Service Delivery.

Content provided by NIHB.

Since 2012, the U.S. Department of Veterans Affairs (VA) and the Indian Health Service (IHS) have implemented a reimbursement agreement for the VA to reimburse IHS and Tribal health facilities for direct care provided to American Indian and Alaska Native Veterans. This venture has proven to be highly successful by improving access to care for Veterans with services provided at IHS and Tribal health facilities. The VA is currently renegotiating three separate reimbursement agreement templates for direct care provided to American Indian and Alaska Native Veterans at Indian healthcare facilities.

These templates are critical for Indian Country as they allow IHS and the VA to coordinate payment and ensure we continue to have an increased focus on timely access to health care services for AI/AN Veterans. Tribal leaders are expressing concerns over the current templates such as reimbursement rates for prescription medication and the ability to reimburse for travel expenses incurred when seeking care. Often, our veterans travel hundreds of miles to receive care at IHS facilities when they cannot access care at a VA facility.

Another challenge facing our veterans is the distance it takes to reach health care facilities operated by the VA. This is especially true for American Indians and Alaska Natives living in Indian country, which is often a rural setting. Veterans residing in rural areas, especially in Indian Country, don't always have the same access to VA health care as those in more suburban and urban areas.

Address Homelessness Among the Native Veteran Population.

Content provided by NCAI.

American Indians and Alaska Natives (AI/AN) have served in the United States Armed Forces at a greater number per capita than any other ethnic group in the nation. Native veterans have never wavered and always stepped forward to fight to protect the legacy of Native peoples through serving as members of the armed forces. Native veterans have shown exceptional valor and heroism on battlefields from the American Revolution to Iraq and Afghanistan. Native American service members are younger as a cohort than all other service members, serve at a higher rate than other ethnic groups, and have a higher concentration of female service members. It is unfortunate that despite their distinguished service, AI/AN veterans have lower incomes, lower

educational attainment, and higher employment than veterans of other races. They also are more likely to lack health insurance, and to have a disability, service-connected or otherwise, than veterans of other races. And when it comes to housing—a fundamental human right—there remains a crisis in our communities and it is hitting Native veterans hardest. Despite their service to our country, they face homelessness and housing insecurity at alarming rates, nearly ten times their representation in the veteran population. This is unacceptable for any population, but is downright disgraceful for the men and women who have served our country in the military and now is the time to take action.

TRIBAL LEADER TALKING POINTS

➤ *Consult with Tribal Nations on Veterans Health Issues to Improve Service Delivery.*

- Consult with Tribal Nations when determining new VA facility locations. This ensures Tribal Nations maintain authority and control over how health care is carried out in their communities. Tribal representation and consultation are essential in advisory committees, planning bodies, and governance functions.
- Engage in tribal consultation and collaborate with Indian Health Services, Tribe Health, and Urban Indian Health facilities to identify ways to expand Culturally Informed Services at VA facilities.
- Continue to engage, evaluate, and support Tribal Veterans Treatment Courts (VTC) nationwide, including engaging in Tribal nations about how to continue to provide services in a culturally competent manner.
- Address data collection on suicide among AI/AN Veterans, which the VA acknowledges is a nation health crisis, but also omits suicide data each year specific to AI/AN Veterans.
- As negotiations continue on the VA-IHS MOU, Tribal Nations must be consulted to ensure that Indian Country is included in the decision-making process and Tribal sovereignty is recognized. We ask that the Administration support and hold the VA accountable for engaging in meaningful tribal consultation.

➤ *Address Homelessness Among the Native Veteran Population.*

- Permanently reauthorize Tribal HUD-VA Supportive Housing (Tribal HUD-VASH) program and expand it to all Native veterans living on tribal lands—this program has been a nationwide success because it combines rental assistance, case management, and clinical services for at-risk and homeless veterans.
- Permanently reauthorize the Native American Housing Assistance and Self-Determination Act (NAHASDA).
- Pass the VA Native American Direct Loan Improvement (NADL) Act, which, among other things, will modify the VA NADL Program by making it more

accessible to Native American veterans living on trust land to access financing for housing as well as education and housing counseling for Native American veterans looking to qualify for mortgage financing.

POINTS OF CONTACT

 <p>National Indian Health Board</p>	<p>National Indian Health Board (NIHB) Caitrin Shuy, <i>Government Relations Director</i> cs Huy@nihb.org</p> <p>A.C. Locklear, <i>Federal Relations Director</i> alocklear@nihb.org</p>
	<p>United South and Eastern Tribes (USET) Sovereignty Protection Fund (SPF) Kitcki Carroll, <i>Executive Director</i> kcarroll@usetinc.org</p> <p>Liz Malerba, <i>Director of Policy and Legislative Affairs</i> LMalerba@usetinc.org</p>
	<p>National Congress of American Indians (NCAI) Ryan Seelau, <i>Director of Policy and Legal</i> rseelau@ncai.org</p>

Approve the travel report - Councilwoman Jennifer Webster - Administration of Children & Families (ACF)

Business Committee Agenda Request

1. Meeting Date Requested: 02/28/24

2. Session:

Open Executive – must qualify under §107.4-1.

Justification: *Choose or type justification.*

3. Requested Motion:

Accept as information; OR

Accept Travel Report- Jennifer Webster, Administrationfor Children & Families Tribal Advisory Committee (ACF -TAC) Washington D.C. 10/23/2023 – 10/26/2023

4. Areas potentially impacted or affected by this request:

Finance

Programs/Services

Law Office

DTS

Gaming/Retail

Boards, Committees, or Commissions

Other: Adminitration Children & Families Tribal Advisory Committee

5. Additional attendees needed for this request:

Name, Title/Entity OR Choose from List

Name, Title/Entity OR Choose from List

Name, Title/Entity OR Choose from List

Name, Title/Entity OR Choose from List

6. Supporting Documents:

- | | | |
|---|--|---|
| <input type="checkbox"/> Bylaws | <input type="checkbox"/> Fiscal Impact Statement | <input type="checkbox"/> Presentation |
| <input type="checkbox"/> Contract Document(s) | <input type="checkbox"/> Law | <input checked="" type="checkbox"/> Report |
| <input type="checkbox"/> Correspondence | <input type="checkbox"/> Legal Review | <input type="checkbox"/> Resolution |
| <input type="checkbox"/> Draft GTC Notice | <input type="checkbox"/> Minutes | <input type="checkbox"/> Rule (adoption packet) |
| <input type="checkbox"/> Draft GTC Packet | <input type="checkbox"/> MOU/MOA | <input type="checkbox"/> Statement of Effect |
| <input type="checkbox"/> E-poll results/back-up | <input type="checkbox"/> Petition | <input type="checkbox"/> Travel Documents |
| <input type="checkbox"/> Other: <i>Describe</i> | | |

7. Budget Information:

- | | |
|---|---|
| <input type="checkbox"/> Budgeted – Tribal Contribution | <input checked="" type="checkbox"/> Budgeted – Grant Funded |
| <input type="checkbox"/> Unbudgeted | <input type="checkbox"/> Not Applicable |
| <input type="checkbox"/> Other: Special Projects | |

8. Submission:

Authorized Sponsor: Jennifer Webster, Councilwoman

Primary Requestor: (Name, Title/Entity)

BUSINESS COMMITTEE TRAVEL REPORT



Travel Report for: Jennifer Webster
Travel Event: Administration for Children & Families Tribal Advisory Committee (ACF-TAC)
Travel Location: Washington DC
Departure Date: 10/23/2023 **Return Date:** 10/26/2023
Projected Cost: \$1183.50 **Actual Cost:** \$1286.70
Date Travel was Approved by OBC: 09/27/2023

Narrative/Background:

The ACF-TAC primary purpose is to seek consensus, exchange views, share information, provide advice and/or recommendations and facilitate other interaction related to intergovernmental responsibilities and administration of ACF Programs.

Of note we received updates on: Office of Child Care, Office of Head Start, Office of Early Childhood Development, Office of Child Support Services.

Office of Planning, Research & Evaluation and and Update from the Navajo Nation-Rainbow Bridge Report. We also received an update from the Administration for Native Americans (ANA). A session from MMIP on how to Increase collaborations between Federal Agencies and Tribes to address MMIP in Tribal Communities with a review of the ACF-TAC MMIP Framework.

Items specific to Oneida were shared: Our ICW Title IV B funds serve as our only source of funding for supportive services for families however the application process is overwhelming + time consuming for limited staff with assistance from our enrollment office, statistician, accounting and Child Welfare to complete, with a narrative of over 60 pages with the supporting documents.

Our ask: simplify grant applications reduce reporting requirements and maximize flexibility for all funding.

We also expressed our support for expansion of Self-Governance to all of HHS, including ACF to provide maximum flexibility to tribes. Oneida strongly supports the development of and ACF Self-Governance Demonstration Project (or "Pilot Project") and is happy to work with ACF. Self Gov has made a huge difference for Oneida Nation especially for our HIS funding thru 638 ISDEAA. Self-Governance provides stable base funding, and allows us to plan for long term. It also eliminates grant applications and

reduces the administration burden on our staff. It gives greater flexibility to redesign programs to fit our unique needs (Example: Tornado Storm of June 2019) incorporate our culture and address challenges, allowing us to be more responsive to our community. Tribal Self-Governance is the best funding mechanism for tribes, and tribes have demonstrated this thru decades of success with the ISDEAA. It also upholds the federal government's trust and treaty obligations while recognizing our sovereignty and inherent right to self-governance. I have included the roster and agenda. Should you have any questions please contact me for more information.

Item(s) Requiring Attention:

Click here to enter text.

Requested Action:

Approve Travel Report

Note: All travel costs are reimbursed.



**U.S. Department of Health and Human Services (HHS)
Administration for Children and Families (ACF)
Triannual ACF Tribal Advisory Committee Meeting**

October 23, 2023 | 5:00 pm – 6:00 pm EST
October 24, 2023 | 11:00 am – 6:00 pm EST
October 25, 2023 | 11:00 am – 6:00 pm EST

ALL TIMES ARE LISTED IN EASTERN STANDARD TIME (EST)

Meeting Location:

- HHS Building (200 Independence Avenue, S.W. Washington, D.C. 20201 – Room 705A)
- Zoom link:
<https://acf-hhs.gov.zoomgov.com/j/1613221515?pwd=c3lzdkFEZFlubGooaogDUUFlakpDUT09>

PRE-MEETING | MONDAY, October 23, 2023

5:00 PM ACF Tribal Advisory Committee (TAC) Caucus—CLOSED SESSION FOR TRIBAL REPRESENTATIVES (Zoom only; link will be provided by TAC Chair)

DAY 1 | TUESDAY, OCTOBER 24, 2023

Note: In support of the ACF TAC's communication efforts, photos will be taken. Please ensure that you've completed the waiver release posted on the smartsheet link.

10:00 AM In-Person Only: ACF TAC Meet & Greet—TRIBAL & FEDERAL OFFICIALS

11:00 AM Call Meeting to Order
Loni Greninger, Vice Chair, Jamestown S'Klallam Tribe and ACF TAC Chair

Tribal Opening and Welcome (10 minutes)
[TAC Delegate]

11:10 AM Roll Call of TAC Delegates (5 minutes)
Jordan Dionne

11:15 AM Opening Remarks (15 minutes)
Loni Greninger, Vice Chair, Jamestown S'Klallam Tribe and ACF TAC Chair
Jeff Hild, Acting Assistant Secretary, ACF

11:30 AM ACF TAC Business (60 minutes)
Loni Greninger, Vice Chair, Jamestown S'Klallam Tribe and ACF TAC Chair

- ACF Tribal Child Welfare Convenings Update (10 minutes)
Leanne Murphy, Senior Advisor, ACF



**U.S. Department of Health and Human Services (HHS)
Administration for Children and Families (ACF)
Triannual ACF Tribal Advisory Committee Meeting**

October 23, 2023 | 5:00 pm – 6:00 pm EST
October 24, 2023 | 11:00 am – 6:00 pm EST
October 25, 2023 | 11:00 am – 6:00 pm EST

Questions to ACF from TAC:

- What Regions have convened?
- What is being learned?

- Update on AFCARS NPRM (10 minutes)
Rebecca Jones-Gaston, Commissioner, ACYF, ACF

Question to ACF from TAC:

- Where are we in the process?

- Tribal Service Areas for Child Care and Development Fund (5 minutes)
Ruth Friedman, Director, OCC, ACF

Questions to ACF from TAC:

- What direction does OCC HQ give to regional offices about tribal service areas?

- Tribal Systems for Child Support (15 minutes)
Melissa Johnson, Director, Division of Regional Operations, OCSS

Questions to ACF from TAC:

- When will a Tribal Consultation be scheduled?
- What follow up has occurred with Commissioner Gray since the August 2023 TAC Meeting?
- When can we expect additional dialogue on this item?

- Federal Debt Ceiling Bill – Interpretation of Legislation by ACF (5 minutes)
Ann Flagg, Director, Office of Family Assistance

Feedback to ACF:

- Tribes do not want this legislation to apply to Indian Country; we do not want increased reporting requirements and burden. However, if it should apply, tribes should have the ability to create pilot projects to set our own reporting requirements on TANF.

- TAC Reference Handbook (15 minutes)

- What would be most helpful to include in the updated version?

12:30 PM LUNCH

1:30 PM Child Welfare Administrative Support for ICW Programs (40 minutes)



**U.S. Department of Health and Human Services (HHS)
Administration for Children and Families (ACF)
Triannual ACF Tribal Advisory Committee Meeting**

October 23, 2023 | 5:00 pm – 6:00 pm EST
October 24, 2023 | 11:00 am – 6:00 pm EST
October 25, 2023 | 11:00 am – 6:00 pm EST

This session is a follow up from the Region 8 Child Welfare Convening. A conversation started about administrative support that ACF could provide to tribes. The Tribal TAC Delegates would like to explore this conversation further.

Loni Greninger, Vice Chair, Jamestown S’Klallam Tribe and ACF TAC Chair
Rebecca Jones Gaston, Commissioner, ACYF

Feedback/Questions for ACF from TAC (20-minute presentation):

We want to have an open discussion/brainstorm about this. Tribes can describe what kind of administrative support they need. There is current legislative language on reducing administrative burden/expenses and allowing tribes to use their FDIR (Title IV-B). From what ACF heard from tribes, what can ACF support?

1:50 PM Open dialogue regarding session presentation (20 minutes)

2:10 PM Funds for Title IV-E Tribes for Attorneys in ICW Case (40 minutes)

This session is a dialogue and expressed need within Indian Country—the ability to have funds to pay for attorneys to represent tribes in ICW cases.

Loni Greninger, Vice Chair, Jamestown S’Klallam Tribe and ACF TAC Chair
Dorothy Wait, Councilwoman, Tolowa-Dee-Ni’ Nation, TAC Primary Delegate, California
Rebecca Jones Gaston, Commissioner, ACYF

Questions for ACF (20-minute presentation):

Where are we in the NPRM process?
Tribes need clarification on interpretation of the rules: Do those funds come from the State IV-E dollars or from the tribes IV-E dollars?
How can non-Title IV-E tribes access funds for attorneys?

2:30 PM Open dialogue regarding session presentation (20 minutes)

2:50 PM Updates from ACF’s Office of Planning, Research and Evaluation (40 minutes)

The purpose of this session is to provide a brief overview of the Office of Planning, Research and Evaluation (OPRE) and share updates on recent products and new projects. (20 minutes)

Lauren Supplee, Deputy Assistant Secretary, Office of Planning, Research and Evaluation

3:10 PM Open dialogue regarding session presentation (20 minutes)



**U.S. Department of Health and Human Services (HHS)
Administration for Children and Families (ACF)
Triannual ACF Tribal Advisory Committee Meeting**

October 23, 2023 | 5:00 pm – 6:00 pm EST
October 24, 2023 | 11:00 am – 6:00 pm EST
October 25, 2023 | 11:00 am – 6:00 pm EST

3:30 PM Office of Child Care – RFI discussion (30 minutes)

Ruth Friedman, Director, Office of Child Care

The Office of Child Care (OCC) recently released a formal request for information (RFI) on the child care requirements, regulations, and processes for Tribal Nations that administer the Child Care and Development Fund (CCDF) program ([link to RFI](#)). During this session, OCC is interested in hearing from the TAC on how the requirements, regulations, and processes for the Tribal CCDF program could be changed to better support the needs of children and families in Tribal Nations. OCC will provide a brief overview but will spend the majority of this session hearing from TAC members.

4:00 PM BREAK (10 minutes)

4:10 PM Early Childhood Development (60 minutes)

This session is a continuation of the sessions from June 2023 and August 2023 ACF TAC Meetings (20-minute presentation)

Katie Hamm, Deputy Assistant Secretary for Early Childhood Development
Khari Garvin, Director, Office of Head Start
Ruth Friedman, Director, Office of Child Care

Questions to ACF from TAC:

Would ACF support starting an ACF-Tribal Workgroup on Early Childhood workforce issues?
Can tribes use EC funding to build/buy housing, or buying/rental assistance?
What are the next steps to increase EC/HS/CC grant amounts?
How do we get to allowing tribes to set the teacher qualifications?

4:30 PM Open dialogue regarding session presentation (40 minutes)

5:10 PM ANA Native Early Childhood Development Initiative and ANA’s 50th Anniversary (20 minutes)

This session will provide and update on 2 special ANA initiatives (20-minute presentation)

Patrice Kunesch, Commissioner, ANA

5:30 PM Review of Recommendations

Loni Greninger, Vice Chair, Jamestown S’Klallam Tribe and ACF TAC Chair



**U.S. Department of Health and Human Services (HHS)
Administration for Children and Families (ACF)
Triannual ACF Tribal Advisory Committee Meeting**

October 23, 2023 | 5:00 pm – 6:00 pm EST
October 24, 2023 | 11:00 am – 6:00 pm EST
October 25, 2023 | 11:00 am – 6:00 pm EST



**U.S. Department of Health and Human Services (HHS)
Administration for Children and Families (ACF)
Triannual ACF Tribal Advisory Committee Meeting**

October 23, 2023 | 5:00 pm – 6:00 pm EST
October 24, 2023 | 11:00 am – 6:00 pm EST
October 25, 2023 | 11:00 am – 6:00 pm EST

5:45 PM Closing for the Day

DINNER ON YOUR OWN - See list of restaurant options in the smartsheet link.

DAY 2 | WEDNESDAY, OCTOBER 25, 2023 [Insert Zoom Link]

11:00 AM **Opening and Review of the Day**
Loni Greninger, Vice Chair, Jamestown S’Klallam Tribe and ACF TAC Chair
Jeff Hild, Acting Assistant Secretary, ACF

11:20 AM **Self-Governance Expansion within ACF (60 minutes)**
This is a follow up from discussions at the June 2023 and August 2023 ACF TAC meetings. In this session, ACF will lay out highlights from the concept paper and legislative proposal, (2) share the HHS resource page, and (3) announce the ACF Native American Affairs Advisory Council (NAAAC) working group on self-governance.
Loni Greninger, Vice Chair, Jamestown S’Klallam Tribe and ACF TAC Chair
Patrice Kunesh, Commissioner, ANA

Questions from TAC to be addressed in the NAAAC working group:
What are the known barriers at this point? (i.e., administrative costs, etc.)
Will ACF support a demonstration project?
What technical drafting assistance has the agency already engaged in?
Where are we in the process to get toward self-governance within ACF?

11:40 PM Open dialogue regarding session presentation (40 minutes)

12:00 PM **Navajo Nation – Rainbow Bridge Report Update (50 minutes)**
This session is at the request of the Navajo Nation. The Nation will give an update on the Rainbow Bridge Project from the June 2023 ACF TAC meeting, and an update on the Arizona sober living facilities fraud crisis. Navajo Nation will present for 25 minutes, and then there will be open dialogue for 20 minutes).
Thomas Cody, Executive Director of Division of Social Services, Navajo Nation, TAC Alternate Delegate

12:20 PM Open dialogue regarding session presentation (25 minutes)
Questions for ACF:

The Arizona facilities lured AI/ANs into their buildings and services. What ACF Programs can help in this crisis? FVPSA? Human trafficking? Homeless youth?

12:50 PM LUNCH

2:00 PM **Murdered & Missing Indigenous Persons Multi-Agency Panel (2 hours)**
This session will consist of a dialogue between the TAC and various federal agencies that have a role in MMIP work.
Loni Greninger, Vice Chair, Jamestown S’Klallam Tribe and ACF TAC Chair (5 minutes)
Wizipan Garriott, Principal Deputy Assistant Secretary – Indian Affairs in the U.S. Department of the Interior (15 minutes) (Invited)
Marlys Big Eagle, National Native American Outreach Services Liaison, Department of Justice (15 minutes)
Marisa Miakonda Cummings, Senior Advisor and MMIP Subject Matter Expert, Administration for Native Americans (15 minutes)

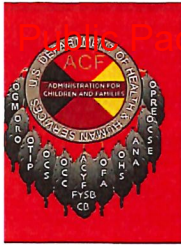
1. On a high-level, what do your services or other resources focus on?
2. How does your agency collaborate with other agencies on MMIP work?
3. Does your agency collect information on violent crimes against American Indian/Alaska Native people? If not, what data related to MMIP does your agency collect?
4. What are the next steps for the Federal Implementation Guide?

2:50 PM Open dialogue regarding session presentation (60 minutes)

3:50 PM **Update: Durbin Feeling Survey (30 minutes)**
The purpose of this session is to provide an update on the implementation of the [Durbin Feeling Native American Languages Act](#) of 2022. ACF will provide a brief review of the purpose of the legislation, community outreach, engagement conducted, and input garnered so far. (10-minute presentation)
Michelle Sauve, Acting Deputy Commissioner, ANA
Aleta Meyer, Lead for Prevention and Resilience, Office of Planning, Research, and Evaluation

4:00 PM Open dialogue regarding session presentation (20 minutes)

4:20 PM **Proposed Dates for 2024 ACF TAC Meetings**
Loni Greninger, Vice Chair, Jamestown S’Klallam Tribe and ACF TAC Chair



U.S. Department of Health and Human Services (HHS)
 Administration for Children and Families (ACF)
Triannual ACF Tribal Advisory Committee Meeting
 October 23, 2023 | 5:00 pm – 6:00 pm EST
 October 24, 2023 | 11:00 am – 6:00 pm EST
 October 25, 2023 | 11:00 am – 6:00 pm EST

Do the following dates work for Tribal TAC Delegates?
 February 7th-8th (2-day, Washington DC or Indian Country)
 April 18th (90 mins, virtual)
 June 11th-12th (2-day, Indian Country)
 August 7th (90 mins, virtual)
 October 9th-10th (2-day, Washington DC)
 December 4th (90 mins, virtual)

4:45 PM Closing Remarks & Review of TAC Recommendations
 Loni Greninger, Vice Chair, Jamestown S’Klallam Tribe and ACF TAC Chair
 Jeff Hild, Acting Assistant Secretary, ACF

The next virtual TAC meeting is scheduled for Thursday, December 14th from 1:00 - 2:30pm est.

5:00 PM Meeting Adjourned

DRAFT

ACF TRIBAL ADVISORY COMMITTEE

<p>ALASKA PRIMARY (12/2023)</p> <p>Vivian Korthis Chief Executive Officer Association of Village Council Presidents Board Member, Alaska Federation of Natives P. 907.543.7304 vkorthis@avcp.org</p> <p>Mary K. Henry Executive Assistant P. 907 543 7304 mhenry@avcp.org</p> <p>Technical Advisors Alberta Unok – President/CEO Alaska Native Health Board ANHB aunok@anhb.org Zoe Merculieff – Legislative & Policy Advisor zmerculieff@anhb.org</p>	<p>ALASKA ALTERNATE (12/2023)</p> <p>Mary David ✓ Executive Vice President Kawerak, Inc. P.O. Box 948 Nome, AK 99762 P. 907.443.4330 C. 907-434-1898 mdavid@kawerak.org</p>
<p>ALBUQUERQUE PRIMARY (12/2023)</p> <p>Vacant</p>	<p>ALBUQUERQUE ALTERNATE (12/2023)</p> <p>Vacant</p>
<p>BEMIDJI PRIMARY (12/2023)</p> <p>Jennifer Webster ✓ Councilwoman Oneida Nation of Wisconsin P.O. Box 365, Oneida WI 54155 P. 920.869.4457 jwebste1@oneidanation.org</p> <p>Brandon M. Wisneski Technical Advisor Manager bwisnesk@oneidanation.org</p>	<p>BEMIDJI ALTERNATE (12/2023)</p> <p>Michael McKerchie Tribal Board of Directors Member Sault Ste. Marie Tribe P. 906.635.6050 (Tribal Office main #) P. 906.440.7768 (direct) mmckerchie@saulttribe.net</p>

ACF TRIBAL ADVISORY COMMITTEE

<p>BILLINGS PRIMARY (12/2025)</p> <p>Lee Spoonhunter Councilman Northern Arapaho Business Council 533 Ethete Road, Ethete, WY 82520 P. 307.349.4324 lee.spoonhunter@northernarapaho.com</p> <p>Vincent Redhouse Technical Advisor Associate Hobbs Straus Dean & Walker, LLP P. 202.822.8282 VRedhouse@hobbsstraus.com</p> <p>Nora Willow Administrative Assistant Nora.willow@northernarapaho.com</p>	<p>BILLINGS ALTERNATE (12/2025)</p> <p>Vacant</p>
<p>CALIFORNIA PRIMARY (12/2025)</p> <p>Dorothy L. Wait ✓ Councilwoman Tolowa Dee-Ni' Nation 12801 Mouth of Smith River Rd Smith River, CA 95567 P. (707) 487-9255 dwait@tolowa.com</p> <p>Technical Advisor Blair Kreuzer, MSW Co-Executive Director California Tribal Families Coalition P. (916) 583-8289 Blair.Kreuzer@caltribalfamilies.org</p> <p>Technical Advisor Michelle Castagne Co-Executive Director California Tribal Families Coalition Michelle.Castagne@caltribalfamilies.org</p>	<p>CALIFORNIA ALTERNATE (12/2025)</p> <p>Alice Langton-Sloan ✓ HSA Director Cahto Tribe P.O. Box 1239 Laytonville, CA 95454 P. (707) 984-6197 icwa@cahtotribe-nsn.gov</p>

ACF TRIBAL ADVISORY COMMITTEE

<p>GREAT PLAINS PRIMARY (12/2025)</p> <p>Janet Alkire Chairwoman Standing Rock Sioux Tribe P.O. Box D, 1 Standing Rock Avenue Fort Yates, ND 58538 P. 701.854.8500 (Tribal Office) janet.alkire@standingrock.org</p> <p>Technical Advisor Chelsea Randall Director of Maternal and Child Health Great Plains Tribal Leaders Health Board P. 605-721-1922 chelsea.randall@gptchb.org</p>	<p>GREAT PLAINS ALTERNATE (12/2025)</p> <p>Gale Spotted Tail Program Director Child Care Services Program Rosebud Sioux Tribe P.O. Box 130, Rosebud, SD 57570 P. 605.747.5264 gale.spottedtail@rst-nsn.gov</p>
<p>NASHVILLE PRIMARY (12/2025)</p> <p>Germain L. Smith ✓ General Council Secretary Shinnecock Indian Nation P.O. Box 5006 Southampton, NY 11969-5006 P. 631.987.7517 germainsmith@shinnecock.org</p> <p>Denise Williams P. Technical Advisor P. 516.941.7115 Denisewilliams@shinnecock.org</p>	<p>NASHVILLE ALTERNATE (12/2025)</p> <p>James Craig III Councilman Tunica-Biloxi Tribe P.O. Box 1589 Marksville, LA 71351 P. (318) 561-0400 JamesCraig@tunica.org</p>
<p>NAVAJO PRIMARY (12/2025)</p> <p>Buu Vann Nygren President Navajo Nation 100 Parkway PO Box 7440 Window Rock, AZ 86515 P. (928) 871-7000 president.buuvnygren@navajo-nsn.gov</p>	<p>NAVAJO ALTERNATE (12/2025)</p> <p>Thomas Cody ✓ Executive Director Navajo Nation Division of Social Services 2296 Administration Building #2 Second Floor North PO Box 704 Window Rock, AZ 86515 P. (928) 871-6685 Thomas.cody@nndss.org</p> <p>Valentina S. Redhorse Administrative Assistant P. (928) 871-6833 C. (505) 339-9497 Valentina.Redhorse@nndss.org</p>



ACF TRIBAL ADVISORY COMMITTEE

<p>OKLAHOMA PRIMARY (12/2023)</p> <p>Sonya K. Diggs ✓ Senior Policy Analyst Choctaw Nation, Office of Self-Governance 1802 Chukka Hina Durant, OK 74702 P. 580.924.8280 X 2351 C. 580.916.1606 sdiggs@choctawnation.com</p>	<p>OKLAHOMA ALTERNATE (12/2023)</p> <p>Kasie Nichols ✓ Director, Office of Self-Governance Citizen Potawatomi Tribal Nation 1601 Gordon Cooper Dr. Shawnee, OK 74801 P. 405.275.3121 X 1132 kasie.nichols@potawatomi.org</p>
<p>PHOENIX PRIMARY (12/2023)</p> <p>Vacant</p>	<p>PHOENIX ALTERNATE (12/2023)</p> <p>Vacant</p>
<p>PORTLAND PRIMARY (12/2025)</p> <p>Vacant</p>	<p>PORTLAND ALTERNATE (12/2025)</p> <p>Loni Greninger ✓ ACF TAC CHAIR Vice Chair Jamestown S'Klallam Tribal Council 1033 Old Blyn Highway Sequim, WA 98382 P. 360.681.4660 lgreninger@jamestowntribe.org</p> <p>David Simmons, MSW Technical Advisor Director, Government Affairs and Advocacy National Indian Child Welfare Association P. 503.222.4044, ext. 119 C. 503.806.9355 desimmons@nicwa.org</p>

NATIONAL AT-LARGE PRIMARY (12/2025)	NATIONAL AT-LARGE ALTERNATE (12/2025)
<p style="text-align: center;">Vacant</p>	<p style="text-align: center;">Vacant</p>
NATIONAL AT-LARGE PRIMARY (12/2025)	NATIONAL AT-LARGE ALTERNATE (12/2023)
<p style="text-align: center;">Gail Hatcher Vice Chair ✓ The Klamath Tribes 501 Chiloquin Blvd Chiloquin, OR 97624 P. 541.783.2219 ext.102 P. 541.205.8758 (mobile) gail.hatcher@klamathtribes.com</p> <p style="text-align: center;">Laura Platero Technical Advisor Executive Director Northwest Portland Indian Health Board lplatero@npaihb.org</p> <p style="text-align: center;">George B. López Technical Advisor Tribal General Manager P. 541.783.2219 george.lopez@klamathtribes.com</p>	<p style="text-align: center;">Elizabeth Neptune Tribal Council Passamaquoddy Tribe Box 301 Princeton, ME 04668 P. 207.214.6524 elizabeth@neptuneadvantage.com elizabeth.neptune@ihs.gov</p>

Approve the travel report - Councilwoman Jennifer Webster - Bemidji Area Budget Formulation - Prior...

Business Committee Agenda Request

1. Meeting Date Requested: 02/14/24

2. Session:

Open Executive – must qualify under §107.4-1.

Justification: *Choose or type justification.*

3. Requested Motion:

Accept as information; OR

Accept Travel Report Councilwoman Jennifer Webster Bemidji Area Budget Formulation
Prior Lake, MN 11/06/2023 – 11/08/2023

4. Areas potentially impacted or affected by this request:

Finance

Programs/Services

Law Office

DTS

Gaming/Retail

Boards, Committees, or Commissions

Other: Bemidji Area Budget

Formulation

5. Additional attendees needed for this request:

Name, Title/Entity OR Choose from List

Name, Title/Entity OR Choose from List

Name, Title/Entity OR Choose from List

Name, Title/Entity OR Choose from List

6. Supporting Documents:

- | | | |
|---|--|---|
| <input type="checkbox"/> Bylaws | <input type="checkbox"/> Fiscal Impact Statement | <input type="checkbox"/> Presentation |
| <input type="checkbox"/> Contract Document(s) | <input type="checkbox"/> Law | <input checked="" type="checkbox"/> Report |
| <input type="checkbox"/> Correspondence | <input type="checkbox"/> Legal Review | <input type="checkbox"/> Resolution |
| <input type="checkbox"/> Draft GTC Notice | <input type="checkbox"/> Minutes | <input type="checkbox"/> Rule (adoption packet) |
| <input type="checkbox"/> Draft GTC Packet | <input type="checkbox"/> MOU/MOA | <input type="checkbox"/> Statement of Effect |
| <input type="checkbox"/> E-poll results/back-up | <input type="checkbox"/> Petition | <input type="checkbox"/> Travel Documents |
| <input type="checkbox"/> Other: <i>Describe</i> | | |

7. Budget Information:

- | | |
|---|---|
| <input type="checkbox"/> Budgeted – Tribal Contribution | <input checked="" type="checkbox"/> Budgeted – Grant Funded |
| <input type="checkbox"/> Unbudgeted | <input type="checkbox"/> Not Applicable |
| <input type="checkbox"/> Other: Special Projects | |

8. Submission:

Authorized Sponsor: Jennifer Webster, Councilwoman

Primary Requestor: (Name, Title/Entity)

BUSINESS COMMITTEE TRAVEL REPORT



Travel Report for: Jennifer Webster

Travel Event: Bemidji Area Budget Formulation

Travel Location: Prior Lake, MN

Departure Date: 11/06/2023 Return Date: 11/08/2023

Projected Cost: \$860 Actual Cost: \$529.40

Date Travel was Approved by OBC: 10/11/2023

Narrative/Background:

The Great Lake Area Health Board (GLAHB) brings together tribal leaders from tribes in the Bemidji Area (Minnesota, Wisconsin, Michigan) to gather and make decisions on what are the priorities from our area to be submitted to the Federal Budget Group.

Line Items include: Hospitals & Health Clinics, Electronic Health Record, Dental, Mental Health, Alcohol & Substance Abuse, Purchased/Referred Care, Indian Health Care Improvement Fund, Public Health Nursing, Health Education, Community Health Representatives, Urban Health, Indian Health Professions, Tribal Management Grants, Direct Operations, Self-Governance, Maintenance & Improvement, Sanitation Facilities Construction, Health Care Facilities Construction, Facilities & Envir. Health Support, and Equipment.

Special Thanks to Oneida's Self-Governance Data Analyst- Melissa Nuthals who consolidated all of Bemidji Area's (34 Tribes in total) for the report. Saving time, money & energy for an additional meeting for the Bemidji Area.

Item(s) Requiring Attention:

Click here to enter text.

Requested Action:

Approve Travel Report



2026 Budget Formulation

TUESDAY, NOVEMBER 7, 2023

<i>Time</i>	<i>Topic</i>	<i>Presenter</i>
8:00 AM - 9:00 AM	Registration	Front table - GLTC/IHS
9:00 AM - 9:30 AM	Posting the Colors, Honor Song & Prayer	Drum Group & Prayer TBD
9:30 AM - 9:45 AM	Welcome & Housekeeping	Daniel Frye, IHS Bemidji Area Director
9:45 AM - 10:45 AM	National Budget Updates	Jillian Curtis, IHS Chief Financial Officer, Director, Office of Finance and Accounting
10:45 AM - 11:00 AM	Break	
11:00 AM - 11:30 AM	HQ Shares	Jillian Curtis, IHS Chief Financial Officer, Director, Office of Finance and Accounting
11:30 AM - 12:00 PM	Great Lakes Area Tribal Health Board Update	Phyllis Davis, Tribal Council Member, Match-E-Be-Nash-She-Wish Pottawatomi, Bemidji Area
12:00 PM - 1:00 PM	Lunch Break (On Your Own)	

Tuesday Afternoon Sessions

<i>Time</i>	<i>Topic</i>	<i>Presenter</i>
1:00 PM - 1:30 PM	National Indian Health Board Update	Samuel Moose, NIHB Treasurer and Bemidji Representative, Commissioner of Administration, Mille Lacs Band of Ojibwe
1:30 PM - 2:30 PM	Indian Health Service ISDEAA - P.L. 93-638 Section 105(l) Leases	Todd M. Scofield, P.E., M.S.E., IHS Bemidji Area Director Division of Facility Management, OEH&E
2:30 PM - 2:45 PM	Break	
2:45 PM - 3:30 PM	Contract Support Costs	Dr. Chris Poole, DHA, LCSW, Director of Tribal and Urban Services, Bemidji Area Lead Negotiator & Johanna Sanchez-Zoeller, CPA, IHS Financial Manager, Office of Finance and Accounting
3:30 PM - 4:30 PM	EHR Modernization	Mitchell Thornbrugh, IHS Chief Information Officer, Office of Information Technology
4:30 PM	Closeout - Adjourn	Daniel Frye, IHS Bemidji Area Director



2026 Budget Formulation

WEDNESDAY, NOVEMBER 8, 2023

<i>Time</i>	<i>Topic</i>	<i>Presenter</i>
8:00 AM - 9:00 AM	Registration	Front table - GLTC/HIS
9:00 AM - 9:15 AM	Welcome back & Review of Agenda	Daniel Frye, IHS Bemidji Area Director
9:15 AM - 9:30 AM	FY2026 Budget Formulation Process, Timelines, & Deliverables	Shelly Korbel, IHS Bemidji Area Financial Management Officer
9:30 AM - 10:00 AM	FY 2026 Budget Priorities and Election of National Budget Formulation Representatives	Laura DeGroat, IHS Bemidji Area Executive Officer
10:00 AM - 10:15 AM	Break	
10:15 AM - 10:30 AM	Review FY 2025 - Budget Priorities and Feedback	Phyllis Davis, Tribal Council Member, Match-E-Be-Nash-She-Wish Pottawatomi, Bemidji Area & IHS Bemidji Area Staff
10:30 AM - 11:00 AM	Review FY 2026- Survey Results of Hot Topics & Budget Priorities	Phyllis Davis, Tribal Council Member, Match-E-Be-Nash-She-Wish Pottawatomi, Bemidji Area & IHS Bemidji Area Staff
11:00 AM - 12:00 AM	Tribal Caucus - Determine 2026 budget priorities, elect representatives & discuss hot topics	Phyllis Davis, Tribal Council Member, Match-E-Be-Nash-She-Wish Pottawatomi, Bemidji Area
12:00 PM - 1:00 PM	Lunch Break (On Your Own)	

Wednesday Afternoon Sessions

<i>Time</i>	<i>Topic</i>	<i>Presenter</i>
1:00 PM - 2:00 PM	FY 2025 Budget Worksheet	Phyllis Davis, Tribal Council Member, Match-E-Be-Nash-She-Wish Pottawatomi, Bemidji Area & IHS Bemidji Area Staff
2:00 PM - 2:45 PM	FY 2025 Budget Worksheet	
2:45 PM - 3:00 PM	Break	
3:00 PM - 4:00 PM	FY 2025 Budget Worksheet	
4:00 PM - 4:15 PM	Closing Comments & Review of next steps- Feedback Survey	Laura DeGroat, IHS Bemidji Area Executive Officer & Daniel Frye, IHS Bemidji Area Director
4:15 PM - 4:30 PM	Retire the Colors	

Here are the descriptions of each IHS budget line item:

Line Item	Description
Hospitals & Health Clinics	Supports essential personal health services and community based disease prevention and health promotion services. Health services include: inpatient care, routine and emergency ambulatory care; and medical support services including laboratory, pharmacy, nutrition, diagnostic imaging, medical records, physical therapy, and other services. Specialized programs are conducted to address: diabetes; maternal and child health; youth services; communicable diseases including human immunodeficiency virus (HIV)/acquired immune deficiency syndrome, tuberculosis, and hepatitis; women's and men's health; geriatric health; disease surveillance; and healthcare quality improvement.
Electronic Health Record	holds an extremely high degree of mission criticality given the ability to provide much-anticipated clinical and administrative capabilities used in modern systems for the delivery of timely and impactful healthcare. Expected benefits from adopting and implementing a modernized or new system include but are not limited to improved patient safety, improved patient outcomes, better disease management, enhanced population health, improved clinical quality measures, opioid tracking, patient data exchange, third party revenue generation, agency performance reporting, etc. By identifying and properly selecting the best match for proposed system capabilities, the system will support the IHS mission. Additionally, the IHS will obtain interoperability with the Department of Veterans Affairs, Department of Defense, tribal and urban Indian health programs, academic affiliates, and community partners, many of whom are on different Health Information Technology platforms. The IHS must consider an integrated EHR system solution that will allow for a meaningful integration to create a system that serves IHS/Tribal/Urban beneficiaries in the best possible way.
Dental	Supports preventive care, basic care, and emergency care, with approximately 90 percent of services covering basic and emergency care. Basic services are prioritized over more complex rehabilitative care such as root canals, crowns and bridges, dentures, and surgical extractions. The demand for dental treatment remains high due to a high dental caries rate in American Indian and Alaska Native (AI/AN) children; however, a continuing emphasis on community oral health promotion and disease prevention is essential to impact long-term improvement of the oral health of AI/AN people.
Mental Health	Supports a community-oriented clinical and preventive mental health service program that provides outpatient mental health and related serv

Alcohol & Substance Abuse	Supports an integrated behavioral health approach to collaboratively reduce the incidence of alcoholism and other drug dependencies in AI/AN communities.
Purchased/Referred Care	Supports the purchase of essential health care services not available in IHS and Tribal healthcare facilities including inpatient and outpatient care, routine emergency ambulatory care, transportation, specialty care services (mammograms, colonoscopies, etc.), and medical support services (e.g., laboratory, pharmacy, nutrition, diagnostic imaging, physical therapy, etc.). The demand for PRC remains high as the cost of medical care increases. The PRC program continues to emphasize adherence to medical priorities, enrolling patients in alternate resources available to them (such as Medicare, Medicaid and private insurance), negotiating discounted rates with medical providers, and implementing improvements recommended by Tribes and oversight authorities.
Indian Health Care Improvement Fund	Appropriates funds to the sites with the greatest need, as compared to the benchmark of National Health Expenditure Data, which is maintained by CMS. The formula is the product of longstanding consultation with Tribes. The IHS uses the Level of Need Funded percentage to allocate IHCIF appropriations increases to IHS and Tribal facilities. The methodology allocates funds to sites with the lowest Level of Need Funded percentages
Public Health Nursing	Supports prevention-focused nursing care interventions for individuals, families, and community groups as well as improving health status by early detection through screening and disease case management. The PHN Program home visiting service provides primary, secondary, and tertiary prevention focused health interventions.
Health Education	Supports the provision of community health, school health, worksite health promotion, and patient education.
Community Health Representatives	Help to bridge the gap between AI/AN individuals and health care resources through outreach by specially trained indigenous community members.
Urban Health	Provide unique access to quality health care and culturally appropriate services for Urban AI/AN people. The 41 UIOs are an integral part of the Indian health care system and serve as resources to both tribal and Urban AI/AN communities. Urban AI/AN people are often invisible in the urban setting and face unique challenges when accessing health care. A large proportion of Urban AI/AN people live in or near poverty and face multiple barriers such as the lack of quality and culturally relevant health care services in cities. UIOs are an important support to Urban AI/AN people seeking to maintain their tribal values and cultures and serve as a safety net for Urban AI/AN patients.

Indian Health Professions	Supports a variety of activities to improve recruitment and retention, including compensation and hiring initiatives, bolstering the personnel security program, and streamlining human resources information systems.
Tribal Management Grants	Assists all federally recognized Indian Tribes and tribally-sanctioned tribal organizations (T/TO) to plan, prepare, or decide to assume all or part of existing Indian Health Service (IHS) programs, functions, services, and activities (PFSA) and to further develop and enhance their health program management capability and capacity.
Direct Operations	Supports the provision of Agency-wide leadership, oversight, and executive direction for the comprehensive public and personal health care provided to American Indians and Alaska Natives. Each year, additional tribal shares are taken from the Direct Operations budget by tribes who choose to contract or compact their health care programs.
Self-Governance	Supports further implementation of the IHS Tribal Self-Governance program, continues funding for Planning and Negotiation Cooperative Agreements to assist Indian Tribes to prepare and enter into the IHS Tribal Self-Governance program, and continues to fund performance projects and Tribal share needs in IHS Areas and Headquarters for any AI/AN Tribes that have decided to participate in the IHS Tribal Self-Governance program.
Maintenance & Improvement	Providing routine maintenance and repairs to upkeep facilities at their current conditions; Achieving compliance with buildings and grounds accreditation standards of the Joint Commission or other applicable accreditation bodies; Providing improvements to facilities for enhanced patient access and care through larger M&I projects to reduce the Backlog of Essential Maintenance, Alteration and Repair (BEMAR), which is estimated at \$1 billion for all IHS and reporting Tribal facilities; Ensuring that health care facilities meet building codes and standards; Ensuring compliance with executive orders and public laws relative to building requirements, e.g., sustainability, energy conservation, seismic, environmental, handicapped accessibility, and security; and Demolishing facilities when excess to the needs of the Service and/or a liability to health and safety.
Sanitation Facilities Construction	These funds provide for water supply, sewage disposal, and solid waste disposal facilities, including: Projects to serve new or like-new housing, such as Indian homes being constructed or rehabilitated by the BIA-Home Improvement Program, Tribes, individual homeowners, or other nonprofit organizations; Projects to serve existing AI/AN housing; and Special projects (e.g., studies, training, or other needs related to sanitation facilities construction) and emergency projects.

Health Care Facilities Construction	This funding level for the construction of new and replacement healthcare facilities will allow IHS to continue/complete specific projects.
Facilities & Envir. Health Support	This total includes funding for leadership and staffing to manage and implement all aspects of the Facilities Appropriation and shared operating costs at existing, new and replacement health care facilities. FEHS funds provide for personnel who provide facilities and environmental health services and for operating costs associated with provision of those services and activities.
Equipment	Routine replacement of medical equipment to over 1,500 federally and tribally-operated health care facilities allocated on workload using a standard formula; New medical equipment in tribally-constructed health care facilities; and TRANSAM, a program under which IHS acquires and distributes surplus Department of Defense medical equipment

Approve the travel report - Councilwoman Jennifer Webster - Child Care Development Fund (CCDF) Tribal

Business Committee Agenda Request

1. Meeting Date Requested: 02/14/24

2. Session:

Open Executive – must qualify under §107.4-1.

Justification: *Choose or type justification.*

3. Requested Motion:

Accept as information; OR

Accept Travel Report- Jennifer Webster CCDF Tribal Consultation Albuquerque, NM
11/29/2023 -12/01/2023

4. Areas potentially impacted or affected by this request:

Finance

Programs/Services

Law Office

DTS

Gaming/Retail

Boards, Committees, or Commissions

Other: CCDF Tribal Consultation

Albuquerque, NM 11/29/2023 -
12/01/2023

5. Additional attendees needed for this request:

Name, Title/Entity OR Choose from List

Name, Title/Entity OR Choose from List

Name, Title/Entity OR Choose from List

Name, Title/Entity OR Choose from List

6. Supporting Documents:

- | | | |
|---|--|---|
| <input type="checkbox"/> Bylaws | <input type="checkbox"/> Fiscal Impact Statement | <input type="checkbox"/> Presentation |
| <input type="checkbox"/> Contract Document(s) | <input type="checkbox"/> Law | <input checked="" type="checkbox"/> Report |
| <input type="checkbox"/> Correspondence | <input type="checkbox"/> Legal Review | <input type="checkbox"/> Resolution |
| <input type="checkbox"/> Draft GTC Notice | <input type="checkbox"/> Minutes | <input type="checkbox"/> Rule (adoption packet) |
| <input type="checkbox"/> Draft GTC Packet | <input type="checkbox"/> MOU/MOA | <input type="checkbox"/> Statement of Effect |
| <input type="checkbox"/> E-poll results/back-up | <input type="checkbox"/> Petition | <input type="checkbox"/> Travel Documents |
| <input type="checkbox"/> Other: <i>Describe</i> | | |

7. Budget Information:

- | | |
|---|---|
| <input type="checkbox"/> Budgeted – Tribal Contribution | <input checked="" type="checkbox"/> Budgeted – Grant Funded |
| <input type="checkbox"/> Unbudgeted | <input type="checkbox"/> Not Applicable |
| <input type="checkbox"/> Other: Special Projects | |

8. Submission:

Authorized Sponsor: Jennifer Webster, Councilwoman

Primary Requestor: (Name, Title/Entity)

BUSINESS COMMITTEE TRAVEL REPORT



Travel Report for: Jennifer Webster

Travel Event: CCDF Tribal Consultation

Travel Location: Albuquerque, NM

Departure Date: 11/29/2023 Return Date: 12/01/2023

Projected Cost: \$1910.20 Actual Cost: \$1332.29

Date Travel was Approved by OBC: 10/25/2023

Narrative/Background:

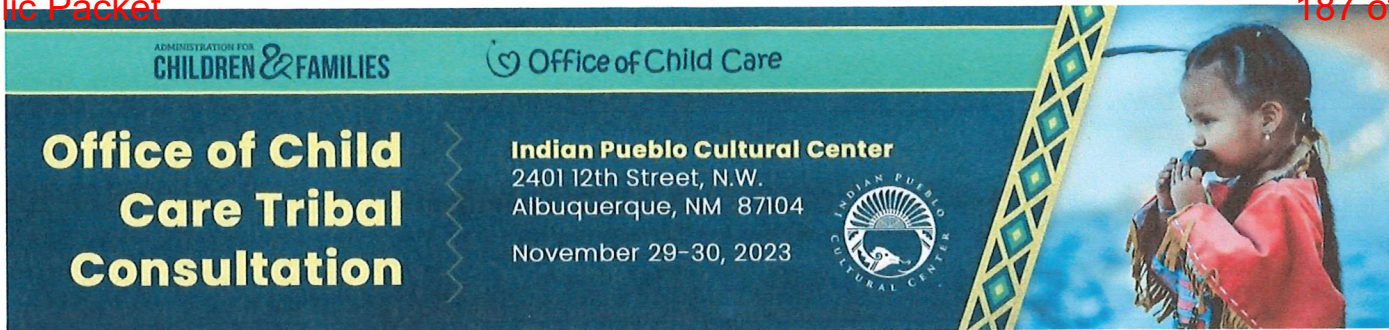
The Administration for Children and Families' Office of Child Care (OCC) Tribal Consultations Request for Information-Meeting the Child Care Needs in Tribal Nations in Albuquerque, NM. I along with Delia Smith had the opportunity to share our concerns with the Child Care Development Fund (CCDF) requirements and regulations in what best meets the need of the children, families and child care providers in our community. We also noted issues with Early Childhood Workforce Compensation and Early Childhood Workforce Qualifications, Spending requirements, deadlines and reporting. It was a pleasure to have our director there as well and she was able to delve much further into regulation issues and give a front line view of the issues CCDF is faced with. The benefits of Self Governance along with the flexibilities for tribes was also shared with CCDF. As you know we are pushing Self Governance from the top down and bottom up and now with Executive Order 14112 Promoting the Next Era of Tribal Self-Determination this was an excellent opportunity to share our needs with the Office of Child Care. Note: Travel was originally scheduled for 11/28 but do to flight issues unable to leave till 11/29.

Item(s) Requiring Attention:

Click here to enter text.

Requested Action:

Approve travel report. (Travel funded by CCDF)



**Office of Child Care Tribal Consultation
Request for Information: Meeting the Child Care Needs in Tribal Nations**

**Indian Pueblo Cultural Center
November 29–30, 2023**

Wednesday, November 29	Thursday, November 30
<p>8:00–8:45 a.m. Check-In/Registration</p> <p>8:45–9:00 a.m. Welcome and Invocation</p> <p>9:00–10:00 a.m. Technical Overview and Question & Answer (Q&A)</p> <p>Topic 1</p> <ul style="list-style-type: none"> • Child Count • Service Area • Consortia • Allocation Size and Tiered Requirements • CCDF Plan • Discretionary Base Amount <p>10:00–10:15 a.m. <i>Break</i></p> <p>10:15–11:30 a.m. Tribal Leader Testimony</p> <p>11:30 a.m.–1:00 p.m. <i>Lunch (On your own)</i></p> <p>1:00–2:00 p.m. Technical Overview and Q&A</p> <p>Topic 4</p> <ul style="list-style-type: none"> • Early Childhood Workforce Compensation ✓ • Early Childhood Workforce Qualifications ✓ • Eligible Providers ✓ • Background Checks • Other <p>2:00–2:15 p.m. <i>Break</i></p> <p>2:15–4:30 p.m. Tribal Leader Testimony</p> <p>4:30 p.m. <i>Adjourn for the Day</i></p>	<p>9:00–10:00 a.m. Technical Overview and Q&A</p> <p>Topic 2</p> <ul style="list-style-type: none"> • Early Childhood Systems Coordination • Spending Requirements • Construction • Deadlines • Reporting <p>10:00–10:15 a.m. <i>Break</i></p> <p>10:15–11:30 a.m. Tribal Leader Testimony</p> <p>11:30 a.m.–1:00 p.m. <i>Lunch (On your own)</i></p> <p>1:00–2:00 p.m. Technical Overview and Q&A</p> <p>Topic 2 continued, and Topic 3</p> <ul style="list-style-type: none"> • Quality Activities • State System Impacts on Tribal Sovereignty • Consumer Education • Eligibility <p>2:00–2:15 p.m. <i>Break</i></p> <p>2:15–4:30 p.m. Tribal Leader Testimony</p> <p>4:30 p.m. <i>Adjournment</i></p>

Approve the travel report - Councilwoman Jennifer Webster - Indian Health Services (IHS) Tribal Self...

Business Committee Agenda Request

1. Meeting Date Requested: 02/14/24

2. Session:

Open Executive – must qualify under §107.4-1.

Justification: *Choose or type justification.*

3. Requested Motion:

Accept as information; OR

Accept the travel report- Councilwoman Jennifer Webster IHS Tribal Self Governance
Advisory Committee Washington DC 12/12/2023 – 12/14/2023

4. Areas potentially impacted or affected by this request:

Finance

Programs/Services

Law Office

DTS

Gaming/Retail

Boards, Committees, or Commissions

Other: IHS Tribal Self Governance

Advisory Committee

5. Additional attendees needed for this request:

Name, Title/Entity OR Choose from List

Name, Title/Entity OR Choose from List

Name, Title/Entity OR Choose from List

Name, Title/Entity OR Choose from List

6. Supporting Documents:

- | | | |
|---|--|---|
| <input type="checkbox"/> Bylaws | <input type="checkbox"/> Fiscal Impact Statement | <input type="checkbox"/> Presentation |
| <input type="checkbox"/> Contract Document(s) | <input type="checkbox"/> Law | <input checked="" type="checkbox"/> Report |
| <input type="checkbox"/> Correspondence | <input type="checkbox"/> Legal Review | <input type="checkbox"/> Resolution |
| <input type="checkbox"/> Draft GTC Notice | <input type="checkbox"/> Minutes | <input type="checkbox"/> Rule (adoption packet) |
| <input type="checkbox"/> Draft GTC Packet | <input type="checkbox"/> MOU/MOA | <input type="checkbox"/> Statement of Effect |
| <input type="checkbox"/> E-poll results/back-up | <input type="checkbox"/> Petition | <input type="checkbox"/> Travel Documents |
| <input type="checkbox"/> Other: <i>Describe</i> | | |

7. Budget Information:

- | | |
|---|---|
| <input type="checkbox"/> Budgeted – Tribal Contribution | <input checked="" type="checkbox"/> Budgeted – Grant Funded |
| <input type="checkbox"/> Unbudgeted | <input type="checkbox"/> Not Applicable |
| <input type="checkbox"/> Other: Special Projects | |

8. Submission:

Authorized Sponsor: Jennifer Webster, Councilwoman

Primary Requestor: (Name, Title/Entity)

BUSINESS COMMITTEE TRAVEL REPORT



Travel Report for: Jennifer Webster
Travel Event: IHS Tribal Self Governance Advisory Committee
Travel Location: Washington DC
Departure Date: 12/12/2023 **Return Date:** 12/14/2023
Projected Cost: \$2394.50 **Actual Cost:** \$1887.77
Date Travel was Approved by OBC: 12/13/2023

Narrative/Background:

The Indian Health Service (IHS) Tribal Self-Governance Advisory Committee (TSGAC) provides a forum for Tribal and Federal officials to discuss issues related to Tribal Administration of Federal programs and services, exchange ideas, and develop solutions intended to improve Self-Governance and enhance the Tribal-Federal partnership. Pls see attached agenda where both Kasie Nichols/Citizen Potawatomi Nation and I presented on priorities of the ACF-TAC (Administration for Children & Families) in relation to Self-Governance. With ACF being the home of dozens of programs that are critical to tribes including Tribal Head Start, Tribal Child Support, Child Welfare, Tribal TANF, CCDF, LIHEAP, ANA Language Grants and many more. The need for more flexibility (Self-Governance) in these areas is critical. We also presented on ACF's Strategic Plan. Also attached is a picture with the IHS Director Roselyn Tso.

Note: Travel is reimbursed by IHS-TSGAC

Item(s) Requiring Attention:

Click here to enter text.

Requested Action:

Approve Travel Report

Agenda

IHS Tribal Self-Governance Advisory Committee (TSGAC)

December 13-14, 2023

Location: Embassy Suites, 900 10th St NW, Washington, DC 20001

ZOOM Information

<https://us02web.zoom.us/j/83198229977?pwd=cCtBbDARNm1BQnJqMVJ2NEFIZm9udz09>

Meeting ID: 831 9822 9977

Passcode: 331597

+1 301 715 8592

WEDNESDAY, DECEMBER 13, 2023**8:00-9:00: Tribal Caucus****9:00- 9:30: Roll Call & Introductions****9:30-9:35: Opening Prayer****9:35-9:45: TSGAC Committee Business**

- August 2023 minutes
- Ysleta del Sur Nomination
- Area processes for nominations

9:45 – 10:05: Opening Remarks*Chris Anoatubby, Lt. Governor, Chickasaw Nation and TSGAC Chair**Roselyn Tso, Director, Indian Health Service (IHS)***10:05 – 10:45: Deputy Director for Intergovernmental Affairs (DDIGA) Update***Stacey Ecoffey, DDIGA, IHS*

- Update on Tribal Consultation Activities
- Indian Self-Determination and Education Assistance Act (ISDEAA) Activities

10:45 – 10:50: Office of Tribal Self-Governance (OTSG) Update*Jennifer Cooper, Director, OTSG, IHS***10:50-11:15: Discussion with IHS and OMB****Topics for discussion include:**

- Excluding ARPA SLRF Money from Indirect Cost Rate Negotiations- The Office of Management and Budget (OMB) approved an exception to 2 C.F.R. § 200.405(b), Allocable Costs, that allow Tribal governments to exclude from the direct cost base any CARES Act funds that deny indirect cost recovery.

Status of Indian Healthcare Improvement Act Fund (IHCIF), CSC and 105(I) Funds- IHCIF, CSC and 105(I) were not included as advance appropriations; therefore, the IHS distributed pro-rata amount based on term of the CR (12%). The IHS reported that since there is an indefinite discretionary

appropriation for CSC and 105(l), that it was requesting approval from OMB to allocate the entire CSC amount needed on the advanced appropriations line items, and the 105(l) amounts.

11:15-12:00: IHS Budget Related Discussions

Topics for discussion include:

- Unobligated Funds and Balances- An IHS DTLL dated June 30, 2023, explained that the Fiscal Responsibility Act (FRA) helped to protect certain COVID-19 funds, but also reported that the IHS lost access to \$419 million that it was holding for direct service Tribes. This discussion will focus on the status of additional unobligated funds, and what steps are being taken to distribute the funds to ensure that additional funds are not returned to Treasury.
- Mandatory Funding Workgroup - The IHS Mandatory Funding Workgroup is to identify key questions and topics where additional analysis is necessary to bolster current and future mandatory funding proposals. The IHS will discuss these efforts with TSGAC.
- CSC Workgroup Update -The CSC workgroup gives information and advice to the IHS to provide for a uniform and equitable system of determining, paying, and reconciling CSC funds for new, expanded, and ongoing ISDEAA contracts and compacts. The IHS will discuss with TSGAC the status of the CSC workgroup.
- FY 24 Appropriations and Possible Sequestration- FY 2024 marked the first time the IHS received advanced appropriations. The IHS will provide an update on how quickly FY 2024 funds were distributed, identify what went well and what can be improved on for the future. In addition, if Congress does not pass a full appropriations law by January 1, 2024, there could be a possible sequestration. The IHS will provide the latest updates regarding the FY 2024 appropriations.
- Status of Guidance and Portal for reporting use of Coronavirus Response & Relief Supplemental Appropriations Act (CRRSAA) Funds- Tribal recipients must provide an updated testing plan and quarterly report on commitments, obligations, and use of CRRSAA funds. OFA is to release interim guidance related to these requirements while they continue to develop a reporting system. The IHS will provide an update on the status of the CRRSAA guidance and portal.
- Section 105(l) Policy- Tribal Nations have asked if there will be a Section 105 (l) lease policy and suggested that the IHS involve Tribes when developing this policy. The IHS expects to hold a consultation by the end of this year and will provide an update on its status and seek feedback from TSGAC.

Jillian Curtis, Director, OFA, IHS

12:00-1:30: Lunch / Executive lunch

1:30-2:15: Intradepartmental Council on Native American Affairs (ICNAA) Update/TSGAC Priorities

Topics for discussion include:

- EMS/Ambulance Services- Tribal Nations operate ambulance services that provide vital services to our communities. Rural areas especially rely on ambulance services to provide lifesaving services. These programs are not funded, and scarce third-party revenue only pays for a portion of the services. TSGAC will discuss with ICNAA what it can do to help ensure funds are made available for these vital services.
- Long-term Care- Tribal Nations are concerned that the IHS does not provide resources specifically for elder care. The Administration for Community Living provides some resources, such as best practices and workshops but those resources are inadequate to address the issues facing our elders such as Alzheimer's, Parkinson's, cancer, and more. Tribal Nations want to discuss with ICNAA opportunities for funding culturally appropriate care for our aging populations.
- Self-Governance Expansion- The expansion of Tribal Self-Governance authority to HHS programs in agencies outside of the IHS is a long-standing priority for TSGAC. TSGAC wants to discuss with ICNAA its efforts to support this important Tribal priority.

Michelle Suave, Executive Director, ICNAA

2:15-2:30: Opioid Settlement

Geoff Strommer, Partner, Hobbs, Straus, Dean, and Walker, LLP

2:30-3:00: Medication Update and Pharmacy Benefits Manager Issue

This discussion will provide an update on medication shortages such as antibiotics that treat syphilis (bicillin) as well as updates on the new COVID vaccine.

- Pharmacy Benefits Manager Issue- Pharmacy benefit managers (PBMs) play a major role in pharmacy services by acting as intermediaries between pharmacies, plan sponsors, pharmaceutical manufacturers, and drug wholesalers. PBMs provide five key functions: formulary design, utilization management, price negotiation, pharmacy network formation, and mail order pharmacy services. Tribal facilities across the country are getting hit with steep discounts in their reimbursements from PBMs based on tribes' ability to access drugs at discount rates under programs like the 340B program and VA prime vendor and due to Part D Direct and Indirect Remuneration (DIR) fees. This discussion will focus on efforts to ensure that all PBMs pay Tribes correctly.

Dr. Loretta Christensen, Chief Medical Officer, IHS

3:00-3:15: Break

3:15-3:45: IHS Produce Prescription Pilot Program (P4)- The aim of P4 is to demonstrate and evaluate the impact of produce prescription programs on Native people and their families. The overall goal is to improve health care outcomes by reducing food insecurity and improving overall dietary health by increasing consumption of fruits, vegetables, and traditional foods. The IHS awarded a total of \$2.5 million in funding to help decrease food insecurity in Native communities. The IHS and Chippewa Cree Tribe will discuss their experiences with P4.

*Laurie Harvey, Chippewa Cree Tribe
Misha Pete, Chippewa Cree Tribe*

Loni Taylor, Councilmember, Chippewa Cree Tribe

Carmen Licavoli Hardin, Director, Division of Diabetes Treatment and Prevention, IHS

3:45 – 5:00: Discussion with IHS Director

Topics for discussion include:

- Recruitment/ Retention Issues- TSGAC previously requested the IHS to increase student loan repayment amounts. This would align with what other agencies offer and could make the IHS recruitment and retention efforts more competitive. In addition, the requirement that clinical work must be at least 80% is eliminating clinical leadership and people from the program. This percentage should be decreased.
- Behavioral Health grants- TSGAC understands that the IHS did not want to interrupt current grant cycles, but TSGAC again believes these any grants not statutorily required to be competitive should be formula based. IHS had concerns that if these grants moved to formula based that Tribes would receive very little funding. TSGAC wants to continue this conversation.
- GAO High Risk List Update – this discussion will focus on the status of IHS removal from the GAO High Risk List.
- Special Diabetes Program for Indians (SDPI) Update- this discussion will focus on carryover grant funds being recouped from Tribes.
- HIT Modernization Update - this discussion will focus on Health IT Modernization efforts and provide a timeframe for what Tribes can expect in the coming year.
- National CHAP Expansion Update- On October 31, 2023, the IHS issued a notice of a new system of records for the CHAP. The purpose of this new system of records is to hold and process records related to Federal certification of CHAP providers, who are approved by the National CHAP Certification Board.
- *Other topics identified during the meeting*

Lt. Governor Chris Anotubby, Chickasaw Nation and TSGAC Chair

Roselyn Tso, Director, Indian Health Service (IHS)

THURSDAY, DECEMBER 14, 2023

8:30-9:00: Tribal Caucus

9:00-9:05: Opening Prayer

9:05-9:30: VA/IHS Reimbursement Update

This discussion with the Veteran's Affairs Department and the IHS will focus on the VA/IHS Reimbursement agreement. The VA began consulting six months ago and will provide an update on the consultations.

VA rep

IHS rep

9:30-10:15: Office of Environmental Health and Engineering (OEHE) Update

- Update on the Bipartisan Infrastructure Law (BIL)- The BIL provided \$3.5 billion over five years for the IHS Sanitation Facilities Construction (SFC) Program (\$700 million/year). Previous discussions included TSGAC requesting IHS to find a way to allocate or reallocate other funds to help offset tribal administrative costs associated with SFC projects.
- Healthcare Facilities Construction Priority System (HFCPS) Update- The HCFC program is funded based on an IHS-wide list of priorities for construction projects. The HFCPS ranks proposals using factors reflecting the total amount of space needed, age and condition of the existing health care facility, if any, degree of isolation of the population to be served in the proposed health care facility, and availability of alternate health care resources. The remaining health care facilities projects on the HFCPS list, including those partially funded, total approximately \$3.2 billion as of January 2022. Recent updates to the HFCPS legacy list of projects estimates that it will cost over \$7.3 billion to complete these projects. This is an increase close to \$4 billion over last year's estimates on the HFCPS five year spend plan. At an average appropriation rate of \$280 million per year, it will now take approximately 25 years to complete the legacy projects. Moreover, the recent FY 2021 Facilities Report to Congress estimates over a \$21 billion backlog of facilities needs in Indian Country. TSGAC seeks to discuss opportunities and IHS' efforts to address facilities needs in Indian Country.
- Joint Venture Construction Program (JVCP) Discussion- The JVCP authorizes IHS to enter into agreements with Tribes that construct their own health care facilities. The Tribe provides the resources for the construction of its health care facility. IHS health care facility construction appropriations are used to equip the health care facility. Tribes requested that the IHS Joint Venture Construction Program restructure the current application cycle so that it is recurring and open for applications on a regular cycle (1, 2, or 3 years) for planning purposes. The IHS intended to have the JVCP cycle run every 3-5 years, but funding uncertainties related to staffing costs prevented the IHS from guaranteeing a regular cycle. The IHS will discuss with TSGAC its efforts to develop a regular recurring JVCP application process/cycle.

James Ludington, Director, OEHE

10:15-10:45:

Advisory Committee Updates Impacting TSGAC

HHS STAC Update

- Update on the Tribal Leader Meeting with the HHS Secretary on Expansion of Self-Governance Authority in HHS
- Key Priorities/Issues

Chris Anoatubby, Lt. Governor, Chickasaw Nation

Devin Delrow, U.S. Department of Health and Human Services

ACF TAC Update

- Priorities of the ACF TAC related to Self-Governance

Jennifer Webster, Councilmember, Oneida Nation

Kasie Nichols, Self-Governance Director, Citizen Potawatomi Nation

10:45-11:15: National Tribal Opioid Summit Overview- The Northwest Portland Area Indian Health Board hosted the National Tribal Opioid Summit this summer which addressed the opioid and fentanyl crisis throughout Indian Country. This discussion will provide an overview of the summit and policy recommendations resulting from the Summit.

Nickolaus Lewis, Councilmember, Lummi Nation

Laura Platero, Northwest Portland Area Indian Health Board

11:15-11:30: ACA/IHCIA Project Discussion – TSGAC has received funding from the IHS to continue providing Webinars/Trainings, Policy Analysis and Technical Assistance on the Affordable Care Act (ACA)/Indian Health Care Improvement Act (IHCIA) for Self-Governance Tribes. As the TSGAC moves forward with planning for the current Project Year, this discussion will provide an opportunity to engage TSGAC on recommended priorities and topics for FY2024.

Cyndi Ferguson, ACA/IHCIA Project Lead, SENSE Incorporated

Elliott Milhollin, Partner, Hobbs, Straus, Dean and Walker, LLP

Betsy Barron, ACA/IHCIA Project Intern

11:30-11:45: TSGAC Technical Workgroup Meeting



Approve the travel request - Chairman Tehassi Hill - Government Accountability Office Tribal and...

Business Committee Agenda Request

1. Meeting Date Requested: 02/14/24

2. General Information:

Session: Open Executive – must qualify under §107.4-1.

Justification: *Choose reason for Executive.*

3. Supporting Documents:

- | | | |
|---|--|--|
| <input type="checkbox"/> Bylaws | <input type="checkbox"/> Fiscal Impact Statement | <input type="checkbox"/> Presentation |
| <input type="checkbox"/> Contract Document(s) | <input type="checkbox"/> Law | <input type="checkbox"/> Report |
| <input type="checkbox"/> Correspondence | <input type="checkbox"/> Legal Review | <input type="checkbox"/> Resolution |
| <input type="checkbox"/> Draft GTC Notice | <input type="checkbox"/> Minutes | <input type="checkbox"/> Rule (adoption packet) |
| <input type="checkbox"/> Draft GTC Packet | <input type="checkbox"/> MOU/MOA | <input type="checkbox"/> Statement of Effect |
| <input type="checkbox"/> E-poll results/back-up | <input type="checkbox"/> Petition | <input checked="" type="checkbox"/> Travel Documents |
| <input type="checkbox"/> Other: <i>Describe</i> | | |

4. Budget Information:

- | | | |
|---|---|-------------------------------------|
| <input type="checkbox"/> Budgeted | <input checked="" type="checkbox"/> Budgeted – Grant Funded | <input type="checkbox"/> Unbudgeted |
| <input type="checkbox"/> Not Applicable | <input type="checkbox"/> Other: <i>Describe</i> | |

5. Submission:

Authorized Sponsor: Tehassi Hill, Chairman

Primary Requestor: _____

Additional Requestor: (Name, Title/Entity)

Additional Requestor: (Name, Title/Entity)

Submitted By: CELLIS1

Oneida Business Committee Travel Request

1. OBC Meeting Date Requested: 02 / 14 / 24 e-poll requested

2. General Information:

Event Name: Government Accountability Office Tribal and Indigenous Advisory Council (GAO TIAC)

Event Location: Washington, DC

Attendee(s):

Departure Date:

Attendee(s):

Return Date:

Attendee(s):

3. Budget Information:

- Funds available in individual travel budget(s)
- Unbudgeted
- Grant Funded or Reimbursed

Cost Estimate: _____

4. Justification:

Describe the justification of this Travel Request:

As member of the Government Accountability Office Tribal And Indigenous Advisory Council, I will be attending the GAO TIAC meeting, scheduled for February 28-29, 2024, in Washington, DC.

Note: Travel is reimbursed through Tribal Self-Governance.

Requested Action: Approve travel request for Chairman Hill to attend the GAO TIAC meeting, Washington, DC, February 27, 2024 - March 1, 2024

5. Submission

Sponsor:

- 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

GAO TIAC
DRAFT AGENDA

February 28

8:30 – 10:00 – GAO TIAC TRIBAL CAUCUS

10:00 – FULL COMMITTEE CONVENES

- Introductions
- Opening Prayer
- Opening Remarks
 - Cheryl Andrews-Maltais, Chairwoman, Wampanoag Tribe of Gay Head (Aquinnah)
 - Anna Maria Ortiz, Director, Natural Resources and Environment Team, U.S. GAO

10:30 – GAO TIAC Business

- Approval of Charter
- Approval of Meeting Minutes
- Discussion of Terms

11:30 – 1:00 – Lunch (provided)

1:00 – 2:00 – High Risk Discussion

2:00 – 3:00 – Discussion with GAO Leadership - Comptroller General Dodero

3:00 – 3:15 – Break

3:15 – 4:00 – Discuss GAO TIAC Expectations/ GAO Independence - GAO Ethics Office

4:00 - Discuss new engagements

4:00 – 4:30 106998: Offshore Wind Energy Development

4:30 – 5:00 107178 Tribal Water Infrastructure Coordination

5:00 – Adjourn

February 29

9:00 – 9:30 – Tribal Caucus

9:30 – 11:00 – Continued Discussion of new/ongoing engagements

9:30 – 10:00 107118 Federal Services for Freedmen Descendants -Update from Sept. 2023 presentation

10:00 – 10:40 Updates on previously discussed engagements

10:40- 11:00 Potential engagements that might include Tribes

1:00 – 12:00 – GAO's Strategic Plan

- Understanding GAO's Strategic Planning Process
- Overview of GAO's Existing Strategic Plan related to Programs that Serve Tribal Nations and their Citizens
- The role of other advisory committees in contributing to GAO strategic planning

12:00 – 1:00 – Lunch (provided)

1:00 – 3:30 – Strategic Planning Discussion and TIAC Input

3:30 – 4:00 – Discussion of GAO protocols and seeking TIAC assistance

- Traveling to Tribal Nations
- Protocols for Contacting Tribal Nations

4:00 – 4:30 – Concluding thoughts/ Plans for next meeting

ONEIDA NATION
TRAVEL AUTHORIZATION REQUEST

General Travel Information

Name of Traveler	Tehassi tasi Hill		
<i>Legal name as it appears on Travelers Driver's License or State ID, no nicknames</i>			
Employee Number			
Destination	Washington, DC		
Departure date	02/27/2024	Return date	03/01/2024
Purpose of travel	GAO TIAC Meeting		
Charged GL Account			

GSA (General Services Administration) Rates are linked on SharePoint under Employee Resources

Per Diem rate per day	\$ 79.00		
-----------------------	----------	--	--

Cost Estimate Information

Personal Automobile Mileage Expenses

Total miles		Multiply by the Mileage rate	\$.625	\$ 0.00
Description	Rate	Factor	Days	Total
Per Diem for initial travel date	\$ 79.00	0.75	1	\$ 59.25
Per Diem full day at destination	\$ 79.00	1.00	2	\$ 158.00
Per Diem for return travel date	\$ 79.00	0.75	1	\$ 59.25
Subtract included meals				
Miscellaneous expenses: taxi, parking, fees, etc.				
Sub-Total = Travel Advance				\$ 276.50
Lodging including room, taxes, fees, and hotel parking	\$ 193.00		3	\$ 579.00
Airfare				\$ 850.00
Luggage Fees				
Car Rental				
Registration				
Sub-Total = Virtual Card				\$ 1,429.00
Allowable price adjustment				\$ 500.00
Total Cost Estimate				\$ 2,205.50

I understand this advance will be deducted from my claim for reimbursement of actual travel expenses.
I also understand that if this advance is not cleared within 10 calendar days after my travel return date, the Nation has the authority to withhold any advanced funds from future wages.

Signatures / Approvals

	Signature	Date
Traveler	<i>Tehassi tasi Hill</i>	02/07/2024
Supervisor		

Send all travel related items to: CentralAccounting_Travel@oneidanation.org

Approve the travel request - Chairman Tehassi Hill - 2024 Midwest Alliance of Sovereign Tribes (MAST)..

Business Committee Agenda Request

1. Meeting Date Requested: 02/14/24

2. General Information:

Session: Open Executive – must qualify under §107.4-1.

Justification: *Choose reason for Executive.*

3. Supporting Documents:

- | | | |
|---|--|--|
| <input type="checkbox"/> Bylaws | <input type="checkbox"/> Fiscal Impact Statement | <input type="checkbox"/> Presentation |
| <input type="checkbox"/> Contract Document(s) | <input type="checkbox"/> Law | <input type="checkbox"/> Report |
| <input type="checkbox"/> Correspondence | <input type="checkbox"/> Legal Review | <input type="checkbox"/> Resolution |
| <input type="checkbox"/> Draft GTC Notice | <input type="checkbox"/> Minutes | <input type="checkbox"/> Rule (adoption packet) |
| <input type="checkbox"/> Draft GTC Packet | <input type="checkbox"/> MOU/MOA | <input type="checkbox"/> Statement of Effect |
| <input type="checkbox"/> E-poll results/back-up | <input type="checkbox"/> Petition | <input checked="" type="checkbox"/> Travel Documents |
| <input type="checkbox"/> Other: <i>Describe</i> | | |

4. Budget Information:

- Budgeted Budgeted – Grant Funded Unbudgeted
- Not Applicable Other: *Describe*

5. Submission:

Authorized Sponsor: Tehassi Hill, Chairman

Primary Requestor: _____

Additional Requestor: (Name, Title/Entity)

Additional Requestor: (Name, Title/Entity)

Submitted By: CELLIS1

Oneida Business Committee Travel Request

1. OBC Meeting Date Requested: 02 / 14 / 24 e-poll requested

2. General Information:

Event Name: 2024 MAST Impact Week

Event Location: Washington, DC Attendee(s): Tehassi Hill

Departure Date: Mar 5, 2024 Attendee(s):

Return Date: Mar 9, 2024 Attendee(s):

3. Budget Information:

- Funds available in individual travel budget(s)
- Unbudgeted
- Grant Funded or Reimbursed

Cost Estimate: \$2,246.60

4. Justification:

Describe the justification of this Travel Request:

Requested Action: Approve travel request for Chairman Hill to Midwest Alliance of Sovereign Tribes, Washington, DC, March 5-8, 2024.

5. Submission

Sponsor: Tehassi Hill, Chairman

- 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

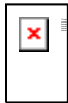
Danelle A. Wilson

From: Holiday Inn Hotels & Resorts <HolidayInn@tx.ihg.com>
Sent: Wednesday, February 7, 2024 11:51 AM
To: Danelle A. Wilson
Subject: Your Reservation Confirmation # 66595286 at Holiday Inn Hotels & Resorts.

Follow Up Flag: Follow up
Flag Status: Flagged

Thank you for booking with Holiday Inn Hotels & Resorts.

[View with Images](#)



[Brand Experience](#) | [Make a Reservation](#) | [IHG One Rewards](#) | [Need Help?](#)

Holiday Inn Washington Capitol - Natl Mall

550 C Street S.W.
Washington, DC United States 20024

Hotel Front Desk: 12024794000
Email: guestservices@hicdc.com

Guest Name: TEHASSI HILL

Check In: **Check Out:** **Rooms:** **Adults:**
04 Mar 2024 — **08 Mar 2024** **1** **1**
3:00 PM 12:00 PM

[Modify Reservation](#)

[Customer Care](#)

[Property Overview](#)

[Download the IHG App](#)

[Ground Transportation](#)

[Cancel Reservation](#)

Your confirmation number is: 66595286. Select your preferences before your stay.

1 King Bed Standard

Rate Type: **Mast 2024**
Number of Rooms: 1

Room Rate Per Night:



[Discover your new benefits](#)

Mon 04 Mar 2024 - Fri 08 Mar 2024 \$258.00 (USD)

Total Taxes: \$164.60 (USD)

Estimated Total Price: \$1,196.60 (USD)

[View More Reservation Details](#)



Rate Description: ANYONE CAN BOOK RESERVATIONS

Daily Parking Fee: \$53.10 (USD)

Pet Policy: We welcome pets. All pets should be leashed at all times when outside of your guest room. We have a pet policy for your review at check in. Two pets per room. 100 dollar cleaning fee is per stay and non refundable.

Weapon Policy: † This hotel does not allow any guns on its premises. This prohibition includes concealed and openly carried handguns.

Estimated Earnings:
10320 IHG REWARDS POINTS

Things to do

Make the most of your stay, check out local information and nearby attractions.

[See What's Local](#)

Places to Dine

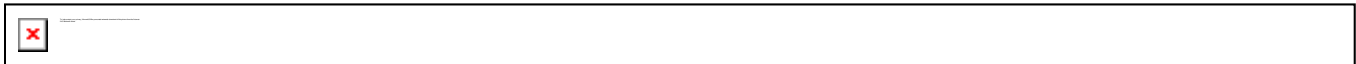
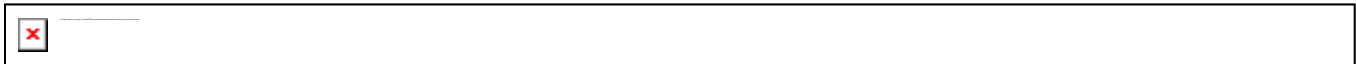
Explore Washington dining and restaurants in the nearby area.

[See What's on the menu](#)

Rate your Service

Thank you for calling our Reservations department. Please provide feedback for your phone representative.

[Give Your Feedback](#)



Tax and Fee Details

15.95% per night not included in rate effective 4 March, 2024 thru 8 March, 2024

This email was sent to dwilson1@oneidanation.org

You have received this email as a result of your recent transaction with Holiday Inn® Hotels & Resorts.

ONEIDA NATION
TRAVEL AUTHORIZATION REQUEST

General Travel Information

Name of Traveler	Tehassi tasi Hill		
<i>Legal name as it appears on Travelers Driver's License or State ID, no nicknames</i>			
Employee Number			
Destination	Washington, DC		
Departure date	03/05/2024	Return date	03/09/2024
Purpose of travel	2024 MAST Impact Week		
Charged GL Account			

GSA (General Services Administration) Rates are linked on SharePoint under Employee Resources

Per Diem rate per day	\$ 79.00		
-----------------------	----------	--	--

Cost Estimate Information

Personal Automobile Mileage Expenses

Total miles		Multiply by the Mileage rate	\$.625	\$ 0.00
Description		Rate	Factor	Days
Per Diem for initial travel date		\$ 79.00	0.75	1
Per Diem full day at destination		\$ 79.00	1.00	3
Per Diem for return travel date		\$ 79.00	0.75	1
Subtract included meals				
Miscellaneous expenses: taxi, parking, fees, etc.				
Sub-Total = Travel Advance				\$ 355.50
Lodging including room, taxes, fees, and hotel parking		\$ 299.15		4
Airfare				\$ 900.00
Luggage Fees				
Car Rental uber/taxi				\$ 150.00
Registration				
Sub-Total = Virtual Card				\$ 2,246.60
Allowable price adjustment				\$ 500.00
Total Cost Estimate				\$ 3,102.10

I understand this advance will be deducted from my claim for reimbursement of actual travel expenses.
I also understand that if this advance is not cleared within 10 calendar days after my travel return date, the Nation has the authority to withhold any advanced funds from future wages.

Signatures / Approvals

	Signature	Date
Traveler	<i>Tehassi tasi Hill</i>	02/07/2024
Supervisor		

Send all travel related items to: CentralAccounting_Travel@oneidanation.org

Approve the travel request - Vice-Chairman Brandon Yellowbird-Stevens - Indian Gaming Association...

Business Committee Agenda Request

1. Meeting Date Requested: 02/14/24

2. Session:

Open Executive – must qualify under §107.4-1.

Justification: *Choose or type justification.*

3. Requested Motion:

Accept as information; OR

Travel Request for Vice-Chairman Brandon Yellowbird-Stevens to attend the Indian Gaming Association (IGA) – Tradeshow and Convention in Anaheim, California – April 8 – 11, 2024

4. Areas potentially impacted or affected by this request:

Finance

Programs/Services

Law Office

MIS

Gaming/Retail

Boards, Committees, or Commissions

Other: *Describe*

5. Additional attendees needed for this request:

Name, Title/Entity OR Choose from List

Name, Title/Entity OR Choose from List

Name, Title/Entity OR Choose from List

Name, Title/Entity OR Choose from List

6. Supporting Documents:

- | | | |
|---|--|---|
| <input type="checkbox"/> Bylaws | <input type="checkbox"/> Fiscal Impact Statement | <input type="checkbox"/> Presentation |
| <input type="checkbox"/> Contract Document(s) | <input type="checkbox"/> Law | <input type="checkbox"/> Report |
| <input type="checkbox"/> Correspondence | <input type="checkbox"/> Legal Review | <input type="checkbox"/> Resolution |
| <input type="checkbox"/> Draft GTC Notice | <input type="checkbox"/> Minutes | <input type="checkbox"/> Rule (adoption packet) |
| <input type="checkbox"/> Draft GTC Packet | <input type="checkbox"/> MOU/MOA | <input type="checkbox"/> Statement of Effect |
| <input type="checkbox"/> E-poll results/back-up | <input type="checkbox"/> Petition | <input type="checkbox"/> Travel Documents |
| <input type="checkbox"/> Other: <i>Describe</i> | | |

7. Budget Information:

- | | |
|--|--|
| <input checked="" type="checkbox"/> Budgeted – Tribal Contribution | <input type="checkbox"/> Budgeted – Grant Funded |
| <input type="checkbox"/> Unbudgeted | <input type="checkbox"/> Not Applicable |
| <input checked="" type="checkbox"/> Other: Hotel and Airfare paid for by IGA | |

8. Submission:

Authorized Sponsor: Brandon Stevens, Vice-Chairman

Primary Requestor: *Name, Title/Entity*

Oneida Business Committee Travel Request

1. OBC Meeting Date Requested: 02 / 14 / 24 e-poll requested

2. General Information:

Event Name: Indian Gaming Association Tradeshow and Convention

Event Location: Anaheim, CA

Attendee(s):

Departure Date:

Attendee(s):

Return Date:

Attendee(s):

3. Budget Information:

Funds available in individual travel budget(s)

Unbudgeted

Grant Funded or Reimbursed

Cost Estimate: \$300

4. Justification:

Describe the justification of this Travel Request:

I currently serve as the Primary Representative for the Indian Gaming Association (IGA) on behalf of the Nation by resolution and a member of the IGA Board of Directors I am requesting to travel to the IGA Tradeshow and Convention being held in Anaheim, CA - April 8th - 11th, 2024. Hotel and Airfare will be paid for by IGA.

5. Submission

Sponsor:

- 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



[REGISTER NOW](#)
[ABOUT TRADESHOW](#)



exhibit hall floor.

[Apr 08, 2024](#)
[Apr 09, 2024](#)
[Apr 10, 2024](#)
[Apr 11, 2024](#)

09:00 AM	<p>Chairman's Golf Classic to Advance Tribal Education</p> <p>📍 Tustin Ranch Golf Club</p> <p>9:00 AM Learn More + Register for Golf</p>
11:00 AM	<p>Registration</p> <p>11:00 AM - 6:00 PM</p>
12:50 PM	<p>Monday Conference Sessions</p> <p>12:50 PM - 5:00 PM</p>
06:30 PM	<p>Chairman's Welcome Reception</p> <p>6:30 PM</p>

[Apr 08, 2024](#)
[Apr 09, 2024](#)
[Apr 10, 2024](#)
[Apr 11, 2024](#)

07:30 AM	<p>Registration</p> <p>7:30 AM - 5:00 PM</p>	
08:00 AM	<p>Seminar Institute Training: Commissioner Certification Training III</p> <p>8:00 AM - 5:00 PM</p>	<p>Seminar Institute Training: Commissioner Certification Master Training</p> <p>8:00 AM - 5:00 PM</p>
09:00 AM	<p>Native American Arts & Crafts Booth Open</p> <p>9:00 AM - 5:00 PM</p>	<p>Conference Sessions</p> <p>9:00 AM - 5:30 PM</p>
12:30 PM	<p>Chairman's Leadership Awards Luncheon Featuring Special Honorees</p> <p>12:30 PM - 2:00 PM</p>	
05:00 PM	<p>Sovereign Warrior Celebration in memory of Rick Hill / Tim Wapato</p> <p>5:00 PM - 7:00 PM</p>	

09:00 AM	Native American Arts & Crafts Booths Open 9:00 AM - 5:00 PM	
09:45 AM	Tradeshow Ribbon Cutting 9:45 PM	
10:00 AM	Tradeshow Floor Open 10:00 AM - 5:00 PM	DigitalPlay Summit Opens  DigitalPlay Summit 10:00 AM - 5:00 PM
11:00 AM	Chairman's Lounge Presentations & Showcase Education Sessions 11:00 AM - 4:00 PM	Tribal Leader's Lounge Presentations & Showcase Education Sessions 11:00 AM - 4:00 PM
05:00 PM	Tradeshow Floor Closes 5:00 PM	DigitalPlay Summit Closes  DigitalPlay Summit

Approve the travel request - Treasurer Lawrence Barton - Native American Finance Officers Association.

Business Committee Agenda Request

1. Meeting Date Requested: 02/14/24

2. Session:

Open Executive – must qualify under §107.4-1.

Justification: *Choose or type justification.*

3. Requested Motion:

Accept as information; OR

Motion to approve the travel request for Treasurer to attend NAFOA conference April 29-30, 2024

4. Areas potentially impacted or affected by this request:

Finance

Programs/Services

Law Office

DTS

Gaming/Retail

Boards, Committees, or Commissions

Other: *Describe*

5. Additional attendees needed for this request:

Name, Title/Entity OR Choose from List

Name, Title/Entity OR Choose from List

Name, Title/Entity OR Choose from List

Name, Title/Entity OR Choose from List

6. Supporting Documents:

- | | | |
|---|--|--|
| <input type="checkbox"/> Bylaws | <input type="checkbox"/> Fiscal Impact Statement | <input type="checkbox"/> Presentation |
| <input type="checkbox"/> Contract Document(s) | <input type="checkbox"/> Law | <input type="checkbox"/> Report |
| <input type="checkbox"/> Correspondence | <input type="checkbox"/> Legal Review | <input type="checkbox"/> Resolution |
| <input type="checkbox"/> Draft GTC Notice | <input type="checkbox"/> Minutes | <input type="checkbox"/> Rule (adoption packet) |
| <input type="checkbox"/> Draft GTC Packet | <input type="checkbox"/> MOU/MOA | <input type="checkbox"/> Statement of Effect |
| <input type="checkbox"/> E-poll results/back-up | <input type="checkbox"/> Petition | <input checked="" type="checkbox"/> Travel Documents |
| <input type="checkbox"/> Other: <i>Describe</i> | | |

7. Budget Information:

- | | |
|--|--|
| <input checked="" type="checkbox"/> Budgeted – Tribal Contribution | <input type="checkbox"/> Budgeted – Grant Funded |
| <input type="checkbox"/> Unbudgeted | <input type="checkbox"/> Not Applicable |
| <input type="checkbox"/> Other: <i>Describe</i> | |

8. Submission:

Authorized Sponsor: Larry Barton, Treasurer

Primary Requestor: (Name, Title/Entity)



Memorandum

To: Oneida Business Committee

From: Larry Barton, Treasurer

Date: January 23, 2024

Re: Travel Request for NAFOA Annual Conference – April 27-May 1, 2024

The Native American Finance Officers Association (NAFOA) is holding their 42nd Annual Conference in Hollywood, Florida.

As Treasurer, I am the Nation's primary representative to this entity and am requesting approval to attend NAFOA's 2024 Annual Spring Finance & Economics Conference.

Thank you.

Oneida Business Committee Travel Request

1. OBC Meeting Date Requested: 02 / 14 / 24 e-poll requested

2. General Information:

Event Name: Native American Finance Officers Association (NAFOA) 2024 Annual Finance & Economies Conferen

Event Location: Hollywood, FL

Attendee(s): Larry Barton

Departure Date: April 27, 2024

Attendee(s):

Return Date: May 1, 2024

Attendee(s):

3. Budget Information:

- Funds available in individual travel budget(s)
- Unbudgeted
- Grant Funded or Reimbursed

Cost Estimate: \$3,425

4. Justification:

Describe the justification of this Travel Request:

42 Annual Conference:

Native American Finance Officers Association (NAFOA) is an independent national non-profit organization providing leadership for the advancement of independent and culturally-vibrant American Indian and Alaska Native communities by promoting excellence in financial management, advocating sound economic and fiscal policy, developing innovative education initiatives, and providing essential information, resources, and support to meet the challenges of economic growth and change.

The Treasurer is the Nation’s primary representative to this entity and is requesting approval to attend the Native American Finance Officers Association (NAFOA) 2024 Annual Spring Finance & Economies Conference.

5. Submission

Sponsor:

- 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

[View this email in your browser](#)

NAFOA | EVENTS



Share



Share



Tweet



Forward

Save the Dates

Mark your calendars for NAFOA's 2024 Conferences! Don't miss out on engaging keynotes, informative breakout sessions, and unparalleled networking opportunities.

APRIL
29-30

42nd Annual Conference

[Seminole Hard Rock Hotel & Casino](#)

Hollywood, FL

*Registration will open in mid-January

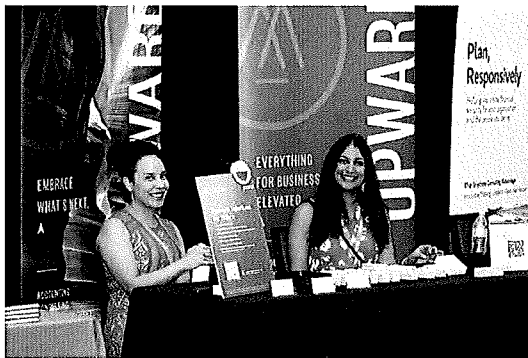
SEPT

**NAFOA 2024 Fall Finance & Tribal Economies
Conference**

*Registration will open in mid-June

Please be aware that the complete agenda for each conference will go live approximately 8 weeks prior to the event dates. Stay tuned for the exciting lineup!

Interested in Becoming a Sponsor?



Contact Dustin VanWinkle, Business Manager/Corporate Relationship Specialist, at dustin@nafoa.org for sponsorship opportunities.

Explore Sponsorship Opportunities

For questions or concerns, please contact info@nafoa.org.



ONEIDA NATION
TRAVEL AUTHORIZATION REQUEST

General Travel Information

Name of Traveler			
<i>Legal name as it appears on Travelers Driver's License or State ID, no nicknames</i>			
Employee Number			
Destination City	Hollywood, Florida		
Departure date	04/27/2024	Return date	05/01/2024
Purpose of travel	Reservation Economic Summit NAFOA Annual Spring Conf.		
Charged GL Account			

GSA (General Services Administration) Rates are linked on SharePoint under Employee Resources

Per Diem rate per day (meals)	\$ 69.00
-------------------------------	----------

Cost Estimate Information

Personal Automobile Mileage Expenses

Total miles		Multiply by the Mileage rate	\$.625	\$ 0.00
Description	Rate	Factor	Days	Total
Per Diem for initial travel date	\$ 69.00	0.75	1	\$ 51.75
Per Diem full day at destination	\$ 69.00	1.00	3	\$ 207.00
Per Diem for return travel date	\$ 69.00	0.75	1	\$ 51.75
Included meals total				
Miscellaneous expenses: taxi, parking, fees, etc.				
Sub-Total = Travel Advance				\$ 310.50
Lodging including room, taxes, fees, and hotel parking	\$ 304.00		5	\$ 1,520.00
Airfare				\$ 560.00
Luggage Fees				\$ 75.00
Car Rental				\$ 200.00
Registration				\$ 500.00
Allowable price adjustment				\$ 500.00
Sub-Total = Virtual Card				\$ 3,355.00
Total Cost Estimate				\$ 3,665.50

I understand this advance will be deducted from my claim for reimbursement of actual travel expenses. I also understand that if this advance is not cleared within 10 calendar days after my travel return date, the Nation has the authority to withhold any advanced funds from future wages.

Signatures / Approvals

	Signature	Date
Traveler		
Supervisor		

Send all travel related items to: CentralAccounting_Travel@oneidation.org

Approve the travel request - Councilwoman Jennifer Webster - Health and Human Services (HHS) Budget

Business Committee Agenda Request

1. Meeting Date Requested: 02/14/24

2. Session:

Open Executive – must qualify under §107.4-1.

Justification: Other – HHS Budget Consultation

3. Requested Motion:

Accept as information; OR

Approve the travel request- Councilwoman Jennifer Webster HHS Budget Consultation
Washington DC April 8,2024 – April 11, 2024

4. Areas potentially impacted or affected by this request:

- Finance Programs/Services
- Law Office DTS
- Gaming/Retail Boards, Committees, or Commissions
- Other: HIS Budget Consultation

5. Additional attendees needed for this request:

Name, Title/Entity OR Choose from List
Name, Title/Entity OR Choose from List
Name, Title/Entity OR Choose from List
Name, Title/Entity OR Choose from List

6. Supporting Documents:

- | | | |
|---|--|--|
| <input type="checkbox"/> Bylaws | <input type="checkbox"/> Fiscal Impact Statement | <input type="checkbox"/> Presentation |
| <input type="checkbox"/> Contract Document(s) | <input type="checkbox"/> Law | <input type="checkbox"/> Report |
| <input type="checkbox"/> Correspondence | <input type="checkbox"/> Legal Review | <input type="checkbox"/> Resolution |
| <input type="checkbox"/> Draft GTC Notice | <input type="checkbox"/> Minutes | <input type="checkbox"/> Rule (adoption packet) |
| <input type="checkbox"/> Draft GTC Packet | <input type="checkbox"/> MOU/MOA | <input type="checkbox"/> Statement of Effect |
| <input type="checkbox"/> E-poll results/back-up | <input type="checkbox"/> Petition | <input checked="" type="checkbox"/> Travel Documents |
| <input type="checkbox"/> Other: <i>Describe</i> | | |

7. Budget Information:

- | | |
|---|---|
| <input type="checkbox"/> Budgeted – Tribal Contribution | <input checked="" type="checkbox"/> Budgeted – Grant Funded |
| <input type="checkbox"/> Unbudgeted | <input type="checkbox"/> Not Applicable |
| <input type="checkbox"/> Other: Special Projects | |

8. Submission:

Authorized Sponsor: Jennifer Webster, Councilwoman

Primary Requestor: (Name, Title/Entity)

Oneida Business Committee Travel Request

1. OBC Meeting Date Requested: ER 149 / 21 / 24 e-poll requested

2. General Information:

Event Name: HHS Budget Consultation

Event Location: Washington DC Attendee(s): Jennifer Webster

Departure Date: April 8, 2024 Attendee(s):

Return Date: April 11, 2024 Attendee(s):

3. Budget Information:

- Funds available in individual travel budget(s)
- Unbudgeted
- Grant Funded or Reimbursed

Cost Estimate: \$2549.00 (Reimbursed)

4. Justification:

Describe the justification of this Travel Request:

Requesting to attend the HHS Tribal Budget Consultation on April 8-11, 2024. As you may know the Bemidji Area is the lowest funded of the 12 IHS Areas, this will give us an opportunity to share our needs for our community, Oneida Nation and the Bemidji area (Minnesota, Wisconsin, Michigan).
HHS funds STAC members to attend. I am a member of STAC (Secretary's Tribal Advisory Committee).

Approve travel request: Councilwomen Jennifer Webster HHS Annual Tribal Budget Consultation Washington DC April 8-11, 2024.

Travel is reimbursed.

5. Submission

Sponsor: Jennifer Webster, Councilmember

- 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

Jennifer A. Webster

From: STAC (HHS/IOS) <STAC@hhs.gov>
Sent: Tuesday, January 30, 2024 4:32 PM
To: STAC (HHS/IOS)
Cc: Smith, Jessica (HHS/IEA); Delrow, Devin (HHS/IEA); Meissner, Lisa (HHS/IEA)
Subject: STAC Update & November Summary
Attachments: November 28-29 2023 STAC Summary.pdf; HHS STAC Vacancy Nomination DTLL 1.2.24.pdf

Greetings STAC Delegates,

We have many updates to share with you related to the STAC and other HHS events. Please see below for important notices – a busy spring is on the horizon!

STAC

February Meeting Cancelled: As agreed to by the STAC, the February STAC meeting is cancelled due to multiple conflicts. OpDivs will still be providing follow-up reports and updates on activities since the November meeting, including in a new format that we hope will be responsive to the STAC's request for greater clarity in follow-up communication. These will be electronically distributed to you all by February 16. We look forward to the next quarterly STAC meeting on May 7-8 in Washington, DC.

November Meeting Follow-up: Attached for your review and records, please find the STAC summary report from November. We would also like to thank the STAC for your patience in regards to travel logistics associated with the November meeting. If you have an outstanding voucher, please contact me and Lisa for assistance. We are working hard as an office to process all final travel vouchers. Please DO NOT contact Brittainy or Patty as they no longer work for IEA. Thank you.

Nominations: Due to term expirations, we have a number of STAC vacancies as identified in the attached Dear Tribal Leader Letter. We encourage STAC Delegates whose terms have expired to consider renominations to continue your service. Please note that the deadline to submit nomination letters is February 9 to STAC@hhs.gov.

Other Events

HHS Annual Tribal Budget Consultation: The HHS budget consultation is taking place on April 9-10 in the Hall of Tribal Nations at the Hubert H. Humphrey Building. This two-day consultation will feature targeted sessions with OpDivs; a session on EO 14112 on Federal funding reforms to support Tribes; opportunities for 1:1 consultations between Tribes and Federal officials; and other budget development engagement. *IEA will cover the travel costs for STAC Delegates and Alternates to attend this consultation. Please contact Devin and me if you are interested in attending.* The Dear Tribal Leader Letter formally announcing the consultation is forthcoming.

Four Walls Update: Tomorrow, January 31, Medicaid Director Dan Tsai will provide a special update to the STAC, CMS Tribal Technical Advisory Group (TTAG), and the Tribal delegation from Minnesota on the Four Walls Issue. A standing STAC priority, it requires covered Medicaid services be provided within the four walls of a clinic, except in limited instances. Last September, CMS extended the grace period for IHS and Tribal clinics to claim Medicaid reimbursement for services provided outside their four walls through February 11, 2025. Dan Tsai will update Tribal leaders on CMS's work in this area tomorrow from 1:00 – 1:30pm EST. Calendar invitations were sent to the STAC, however, please let us know if a resend would be useful to you.

HHS Data Policy Consultation: Next week, February 6, HHS is holding a virtual consultation on its draft Tribal and TEC Data Access Policy from 3:00 – 5:00pm EST ([register here](#)). The STAC engaged the Deputy Secretary on this issue during the November meeting. Having delivered on her commitment to bring the policy to consultation, the Deputy

Secretary will be providing topline remarks to open the session. We hope that if you have availability, you will join us next week.

Key Dates

As a friendly reminder, we are re-sharing the list of key dates for 2024:

- February 23 – STAC Self-Governance Expansion Workgroup meeting (Zoom and at HHS)
- April 9-10 – HHS Annual Tribal Budget Consultation (at HHS)
- May 7-8 – STAC meeting (at HHS)
- September 10-12 – STAC meeting (Pacific Northwest is host)
- November 19-20 – STAC meeting (at HHS)

As always, please reach out to us at any time with questions or comments.

Sincerely,
Tribal Affairs

Devin Delrow, J.D. (Diné)
Principal Advisor for Tribal Affairs
Office of the Secretary | Intergovernmental and External Affairs
Department of Health and Human Services
202-868-0013 (cell)

**ONEIDA NATION
TRAVEL AUTHORIZATION REQUEST**

General Travel Information

Name of Traveler	Jennifer Webster		
<i>Legal name as it appears on Travelers Driver's License or State ID, no nicknames</i>			
Employee Number	[REDACTED]		
Destination City	Washington DC		
Departure date	04/08/2024	Return date	04/11/2024
Purpose of travel	HHS Tribal Budget Consultation		
Charged GL Account	[REDACTED]		

GSA (General Services Administration) Rates are linked on SharePoint under Employee Resources

Per Diem rate per day (meals)	\$ 79.00
-------------------------------	----------

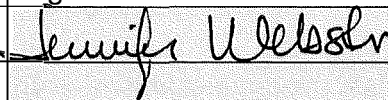
Cost Estimate Information

Personal Automobile Mileage Expenses

Total miles	[REDACTED]	Multiply by the Mileage rate	\$.625	\$ 0.00
Description	Rate	Factor	Days	Total
Per Diem for initial travel date	\$ 79.00	0.75	1	\$ 59.25
Per Diem full day at destination	\$ 79.00	1.00	2	\$ 158.00
Per Diem for return travel date	\$ 79.00	0.75	1	\$ 59.25
Included meals total				\$ 1.00
Miscellaneous expenses: taxi, parking, fees, etc.				
Sub-Total = Travel Advance				\$ 275.50
Lodging including room, taxes, fees, and hotel parking	\$ 258.00		3	\$ 774.00
Airfare				\$ 1,000.00
Luggage Fees				\$ 0.00
Car Rental				\$ 0.00
Registration				
Allowable price adjustment				\$ 500.00
Sub-Total = Virtual Card				\$ 2,274.00
Total Cost Estimate				\$ 2,549.50

I understand this advance will be deducted from my claim for reimbursement of actual travel expenses. I also understand that if this advance is not cleared within 10 calendar days after my travel return date, the Nation has the authority to withhold any advanced funds from future wages.

Signatures / Approvals

	Signature	Date
Traveler		1-31-24
Supervisor	[REDACTED]	[REDACTED]

Send all travel related items to: CentralAccounting_Travel@oneidanation.org

Approve the travel request - Councilwoman Jennifer Webster - 2024 National Tribal Health Conference - ..

Business Committee Agenda Request

1. Meeting Date Requested: 02/14/24

2. Session:

Open Executive – must qualify under §107.4-1.

Justification: Other – National Tribal Health Conference

3. Requested Motion:

Accept as information; OR

Approve the travel request- Councilwoman Jennifer Webster National Tribal Health Conference Rapid City, SD May 18, 2024 – May 24,2024

4. Areas potentially impacted or affected by this request:

Finance

Programs/Services

Law Office

DTS

Gaming/Retail

Boards, Committees, or Commissions

Other: National Health Conference

5. Additional attendees needed for this request:

Name, Title/Entity OR Choose from List

Name, Title/Entity OR Choose from List

Name, Title/Entity OR Choose from List

Name, Title/Entity OR Choose from List

6. Supporting Documents:

- | | | |
|---|--|--|
| <input type="checkbox"/> Bylaws | <input type="checkbox"/> Fiscal Impact Statement | <input type="checkbox"/> Presentation |
| <input type="checkbox"/> Contract Document(s) | <input type="checkbox"/> Law | <input type="checkbox"/> Report |
| <input type="checkbox"/> Correspondence | <input type="checkbox"/> Legal Review | <input type="checkbox"/> Resolution |
| <input type="checkbox"/> Draft GTC Notice | <input type="checkbox"/> Minutes | <input type="checkbox"/> Rule (adoption packet) |
| <input type="checkbox"/> Draft GTC Packet | <input type="checkbox"/> MOU/MOA | <input type="checkbox"/> Statement of Effect |
| <input type="checkbox"/> E-poll results/back-up | <input type="checkbox"/> Petition | <input checked="" type="checkbox"/> Travel Documents |
| <input type="checkbox"/> Other: <i>Describe</i> | | |

7. Budget Information:

- | | |
|--|--|
| <input checked="" type="checkbox"/> Budgeted – Tribal Contribution | <input type="checkbox"/> Budgeted – Grant Funded |
| <input type="checkbox"/> Unbudgeted | <input type="checkbox"/> Not Applicable |
| <input type="checkbox"/> Other: <i>Describe</i> | |

8. Submission:

Authorized Sponsor: Jennifer Webster, Councilwoman

Primary Requestor: (Name, Title/Entity)

Oneida Business Committee Travel Request

1. OBC Meeting Date Requested: 2 / 14 / 24 e-poll requested

2. General Information:

Event Name: National Tribal Health Conference

Event Location: Rapid City, SD Attendee(s): Jennifer Webster

Departure Date: May 18, 2024 Attendee(s):

Return Date: May 24, 2024 Attendee(s):

3. Budget Information:

Funds available in individual travel budget(s) Cost Estimate: \$3257.00
 Unbudgeted
 Grant Funded or Reimbursed

4. Justification:

Describe the justification of this Travel Request:

The National Indian Health Board 2024 National Tribal Health Conference takes place from May 18-23, 2024. This conference allows space to consider how to best serve American Indian and Alaskan Native Tribes in the areas of health and public health by servicing Tribal Nations. The Conference will showcase the interconnectedness of policy, advocacy, and Indian health best practices and provide educational offering and networking. Plenary sessions and workshops will cover a variety of timely topics such as funding for Indian Health, the business of medicine, health equity, Tribal public health, behavioral health, environmental health, and climate change.

Approve travel request: Councilwomen Jennifer Webster National Tribal Health Confernece Rapid City, SD May 18-24, 2024.

5. Submission

Sponsor: Jennifer Webster, Councilmember

- 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
TRAVEL AUTHORIZATION REQUEST

General Travel Information

Name of Traveler	Jennifer Webster		
<i>Legal name as it appears on Travelers Driver's License or State ID, no nicknames</i>			
Employee Number			
Destination City	Rapid City, SD		
Departure date	05/18/2024	Return date	05/24/2024
Purpose of travel	National Tribal Health Conference		
Charged GL Account			

GSA (General Services Administration) Rates are linked on SharePoint under Employee Resources

Per Diem rate per day (meals)	\$ 64.00
-------------------------------	----------

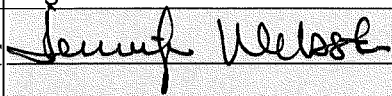
Cost Estimate Information

Personal Automobile Mileage Expenses

Total miles	Multiply by the Mileage rate		\$.625	\$ 0.00
Description	Rate	Factor	Days	Total
Per Diem for initial travel date	\$ 64.00	0.75	1	\$ 48.00
Per Diem full day at destination	\$ 64.00	1.00	5	\$ 320.00
Per Diem for return travel date	\$ 64.00	0.75	1	\$ 48.00
Included meals total				\$ 1.00
Miscellaneous expenses: taxi, parking, fees, etc.				
Sub-Total = Travel Advance				\$ 415.00
Lodging including room, taxes, fees, and hotel parking	\$ 107.00		6	\$ 642.00
Airfare				\$ 1,000.00
Luggage Fees				\$ 0.00
Car Rental				\$ 0.00
Registration				\$ 700.00
Allowable price adjustment				\$ 500.00
Sub-Total = Virtual Card				\$ 2,842.00
Total Cost Estimate				\$ 3,257.00

I understand this advance will be deducted from my claim for reimbursement of actual travel expenses. I also understand that if this advance is not cleared within 10 calendar days after my travel return date, the Nation has the authority to withhold any advanced funds from future wages.

Signatures / Approvals

	Signature	Date
Traveler		1-31-24
Supervisor		

Send all travel related items to: CentralAccounting_Travel@oneidanation.org

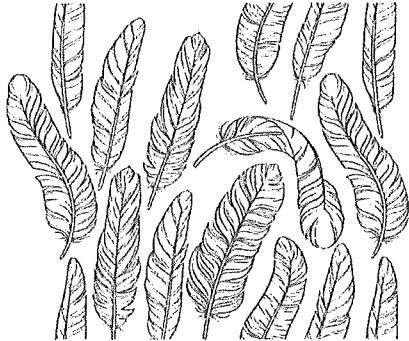
National Indian
Health Board



- Home
- Agenda & Special Events
- Sponsorship & Exhibitor Opportunities
- FAQs
- Hotel, Travel, & Local Attractions

Register Now

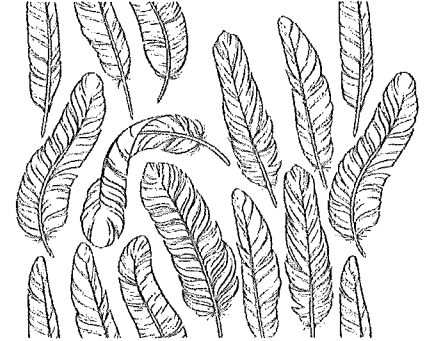
Already Registered?



National Indian
Health Board



2024 National Tribal Health Conference



May 19, 2024 – May 23, 2024
10:00 AM-5:00 AM

The Monument
444 N Mount Rushmore Road
Rapid City, SD 57701

Tribal Health Equity on Our Terms

The NIHB National Tribal Health Conference is a week-long event that serves American Indian and Alaska Native Tribes in the space of health - behavioral and public health. The conference will showcase the interconnectedness of policy, advocacy, and Indian health best practices. Programming includes tribal listening and consultation sessions, hands-on training opportunities, plenary sessions, and workshops that cover timely topics such as funding for Indian Health, the business of medicine, health equity, Indigenous determinants of health, Tribal public health, behavioral health, culture, environmental health, and climate change. The conference also includes focus areas on Native youth, Tribal veterans, and elders, a fitness event, exhibit hall and marketplace, culture night, poster sessions, and Heroes in Health Awards Gala and Outstanding Service Awards.

Registration Rates

**Youth Registration
(up to 24 years old) &
Student Registration**
\$250

Early Registration
\$700
Deadline: 2/9/2024

**Conference Attendee
Registration**
\$800

Speaker Registration
\$550

Call for Workshop Proposals is Open!

The National Indian Health Board (NIHB) invites Tribal leaders, health and public health professionals, policy specialists, advocates, and allies to submit workshop proposals for the 2024 National Tribal Health Conference (NTHC) on May 19–23, 2024 at The Monument Convention Center in Rapid City, South Dakota.

The National Tribal Health Conference welcomes proposals that (1) advance Tribal public health and health equity for American Indians and Alaska Natives; (2) use a Tribal lens and come from a perspective of Indigenous identity; and (3) are action-oriented. Additionally, our workshop proposal selection process prioritizes proposals that feature diverse identities and perspectives.

This year's Conference theme is ***Tribal Health Equity on Our Terms*** and will focus on the five following Content Areas:

Health Promotion and Disease Prevention
Behavioral Health
Public Health Policy, Infrastructure, and Systems
Advocacy
Strengthening Health Care Delivery in Indian Country

Join us to participate in the conversation to innovate more equitable solutions, improve health outcomes, and advance health equity.

[Submit Workshop Proposal](#)

[Download the Call for Proposals
Guidance Document](#)

**Need help getting
approval to attend
NTHC?**

**Interested in hosting an
event or meeting at
NTHC?**

Review tribal member request regarding the Oneida Higher Education Office and determine next steps

Business Committee Agenda Request

1. Meeting Date Requested: 02/14/24

2. Session:

Open Executive – must qualify under §107.4-1.

Justification: *Choose or type justification.*

3. Requested Motion:

Accept as information; OR

Motion to direct Oneida Higher Education (OHE) office to immediately revise its current policy to allow for the direct disbursement of grant funds not for tuition and fees to students, rather than to educational institutions. Motion to direct Oneida Higher Education (OHE) to introduce provisions for flexibility and exceptions in their policies to accommodate extraordinary circumstances, such as university insolvency, closure, or misappropriation of funds. Motion to direct the Oneida Law Office to actively pursue all necessary legal actions to recoup the tribal funds that were misappropriated by Union Institute and University.

4. Areas potentially impacted or affected by this request:

- | | |
|---|---|
| <input type="checkbox"/> Finance | <input checked="" type="checkbox"/> Programs/Services |
| <input checked="" type="checkbox"/> Law Office | <input type="checkbox"/> DTS |
| <input type="checkbox"/> Gaming/Retail | <input type="checkbox"/> Boards, Committees, or Commissions |
| <input type="checkbox"/> Other: <i>Describe</i> | |

5. Additional attendees needed for this request:

Mark W. Powless, General Manager

Jo Anne House, Chief Counsel

Jacqueline Smith, Education and Training Area Manager

Mitch Metoxen, Higher Education Director

6. Supporting Documents:

- | | | |
|--|--|--|
| <input type="checkbox"/> Bylaws | <input type="checkbox"/> Fiscal Impact Statement | <input checked="" type="checkbox"/> Presentation |
| <input type="checkbox"/> Contract Document(s) | <input type="checkbox"/> Law | <input type="checkbox"/> Report |
| <input checked="" type="checkbox"/> Correspondence | <input type="checkbox"/> Legal Review | <input type="checkbox"/> Resolution |
| <input type="checkbox"/> Draft GTC Notice | <input type="checkbox"/> Minutes | <input type="checkbox"/> Rule (adoption packet) |
| <input type="checkbox"/> Draft GTC Packet | <input type="checkbox"/> MOU/MOA | <input type="checkbox"/> Statement of Effect |
| <input type="checkbox"/> E-poll results/back-up | <input type="checkbox"/> Petition | <input type="checkbox"/> Travel Documents |
| <input type="checkbox"/> Other: <i>Describe</i> | | |

7. Budget Information:

- | | |
|---|--|
| <input type="checkbox"/> Budgeted – Tribal Contribution | <input type="checkbox"/> Budgeted – Grant Funded |
| <input type="checkbox"/> Unbudgeted | <input checked="" type="checkbox"/> Not Applicable |
| <input type="checkbox"/> Other: <i>Describe</i> | |

8. Submission:

Authorized Sponsor: Marena Bridges, Community Member 14352

Primary Requestor: Marena Bridges

Position Statement for Agenda Item Request

To: Oneida Business Committee

Subject: Request for Critical Review and Action by Oneida Higher Education (OHE)
Considering Recent Events

I am writing to bring to your attention a matter of concern regarding the policies and actions of the Oneida Higher Education (OHE) office, particularly in relation to the disbursement of educational grant funds under extraordinary circumstances. This statement aims to provide a brief account of the events and decisions that have adversely impacted my educational journey and to propose necessary actions.

Chronology of Events

1. July 12, 2023: I was awarded the OHE grant, a critical component of my financial aid package.
2. July 20, 2023: I discovered of the misappropriation of student refunds at my university, Union Institute and University (UIU), including scholarships and loans. This alarming revelation compelled me to contact Mr. Josh Gerzetich, my higher education advisor, to express my concerns and seek guidance. My apprehension was heightened by the absence of my student loan refund, which was also pending.
3. August 4, 2023: I proposed an alternative solution to Mr. Gerzetich to have the OHE scholarship disbursed directly to me, bypassing UIU's financial system. This was an attempt to safeguard the funds from the ongoing fiscal mismanagement at UIU. Directly granting students has precedence set during the initial phase of the "college comeback program" during the height of the COVID pandemic.
4. August 7, 2023: Mr. Gerzetich contacts me and tells me that his "higher ups" have directed that my grant check must be sent to UIU or voided. Presented with no other alternatives, and interpreting voiding the check as turning down my grant, advice, I reluctantly authorized the dispatch of the grant check to UIU.
5. August 8, 2023: My student loan refund is disbursed by wire transfer to avoid sanctions by the DOE due to my complaint.
6. August 23, 2023: Mr. Gerzetich confirms of the cashing of the grant check by UIU, yet no disbursement of these funds to my account was made.
7. December 1: After months of correspondence looking for guidance and asking for a possible regrant, I am offered the option to file an appeal with OHE. The appeal forms do not address my specific situation and I am told to "do the best" I can. All appeals, ending with the Education and Training Manager, are summarily denied. OHE Director Mitch Metoxen cites

that he does not have the authority to authorize a regrant. Area and Training Manager, Jacqueline Smith, cites OHE's adherence to policy.

The Financial and Administrative Turmoil at UIU:

1. UIU has been officially designated as a financially distressed institution by the Higher Learning Commission and placed on Heightened Cash Monitoring 2 (HCM2) by the U.S. Department of Education.
2. The university has been fined \$4.3 million for fiscal mismanagement.
3. Dr. Thomas Frederick, Vice President of Academic Affairs, disclosed in a town hall meeting the critical financial state of UIU, acknowledging the inability to disburse owed refunds to students.

My Academic Progress Amidst Adversities:

1. Despite these financial and administrative challenges, I successfully defended my dissertation proposal on September 18, 2023, advancing to ABD status.
2. I will be starting my dissertation supervision at Antioch University in March 2024 pursuant to a teach-out agreement.
3. I have requested and been approved for two final terms of funding from OHE as I complete my dissertation.

Key Issues and Proposed Actions:

1. Direct Disbursement of Grant Funds to Students:
 - a. Issue: The rigid adherence to policy, without consideration for extraordinary circumstances, directly contributed to the misappropriation of my scholarship funds.
 - b. Proposed Action: Revise OHE policy to allow for the direct disbursement of grant funds to students.
2. Policy Flexibility and Compassionate Consideration:
 - a. Issue: The lack of flexibility in OHE's policies, coupled with a failure to provide alternative solutions, has led to a significant personal and educational setback for me.
 - b. Proposed Action: Introduce policy exceptions and flexibility within OHE to address extraordinary circumstances, ensuring that students are not adversely affected by external factors beyond their control.
3. Active Pursuit of Misappropriated Funds:
 - a. Issue: The response from OHE and the Oneida Law Office has been inadequate in addressing the misappropriation of tribal funds by UIU.
 - b. Proposed Action: Direct the Oneida Law Office to take legal actions to recover these funds and to actively advocate on behalf of affected students.

In conclusion, I respectfully request the Oneida Business Committee to consider this detailed overview and approve the following motions:

1. Motion to direct Oneida Higher Education (OHE) office to immediately revise its current policy to allow for the direct disbursement of grant funds not for tuition and fees to students, rather than to educational institutions.
2. Motion to direct Oneida Higher Education (OHE) to introduce provisions for flexibility and exceptions in their policies to accommodate extraordinary circumstances, such as university insolvency, closure, or misappropriation of funds.
3. Motion to direct the Oneida Law Office to actively pursue all necessary legal actions to recoup the tribal funds that were misappropriated by Union Institute and University.

Your attention to and action on this matter are crucial for not only addressing my immediate situation but also for ensuring that OHE's policies and actions align with the values of fairness, compassion, and responsibility that our community upholds.

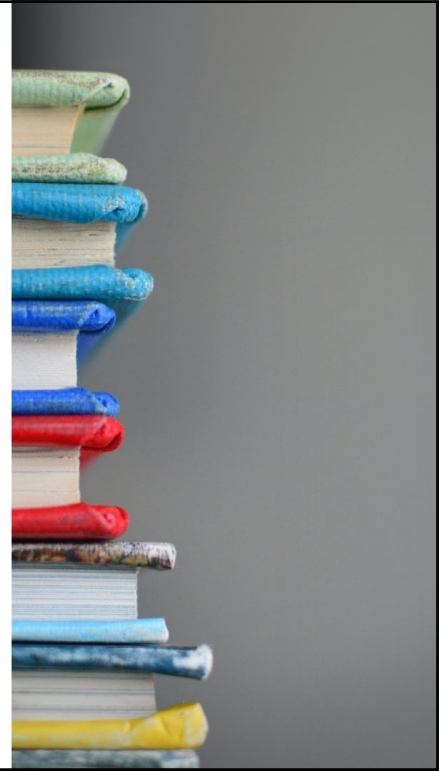
Thank you for your time and consideration. I am hopeful that with your guidance, we can rectify this situation and strengthen our community's educational support systems.

Sincerely,

Marena Bridges

Addressing Challenges & Proposing Solutions for Oneida Higher Education

Empowering Students & Rebuilding Trust



1

Background



Oneida Higher Education

Focused on providing scholarships and support for Oneida tribal members pursuing higher education



Union Institute & University

Private university offering online and flexible degree programs for adults



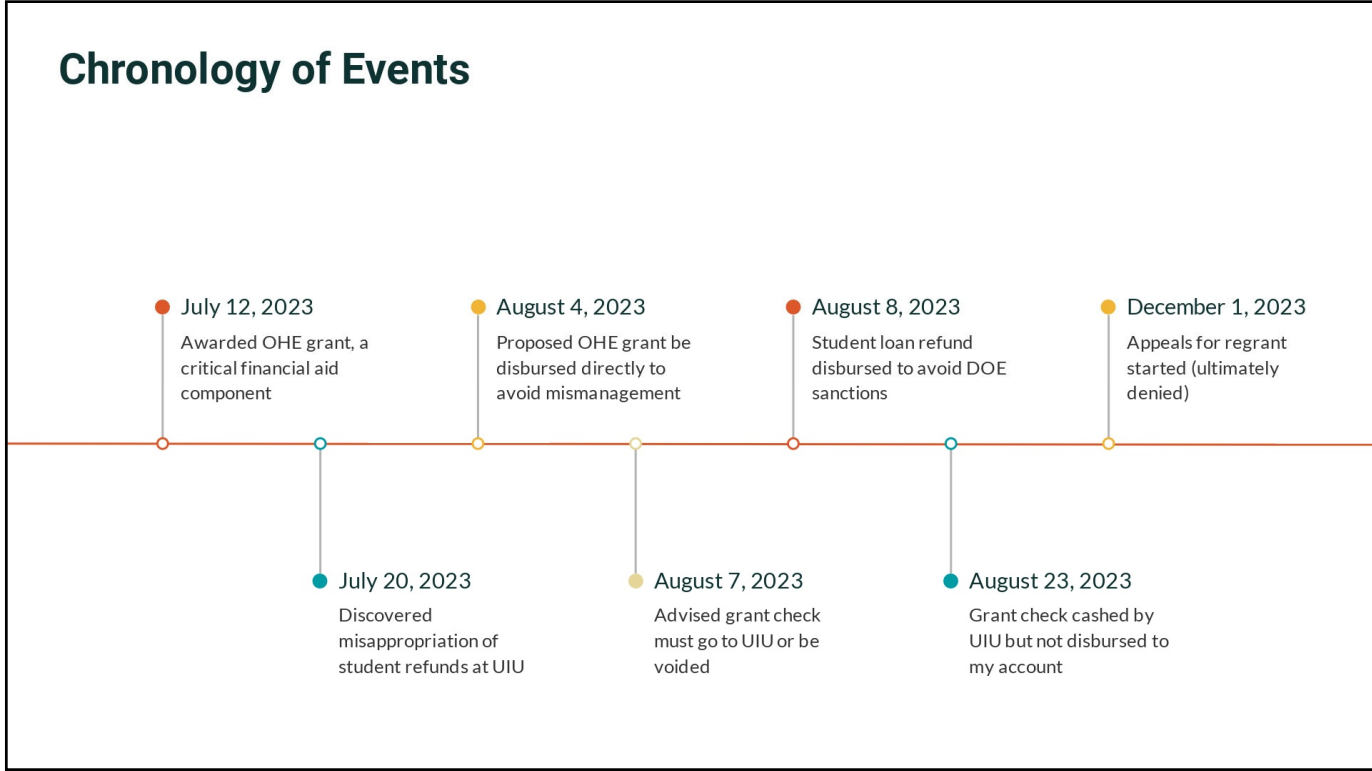
UIU Facing Financial Issues

Designated as financially distressed with fines and inability to refund students

1

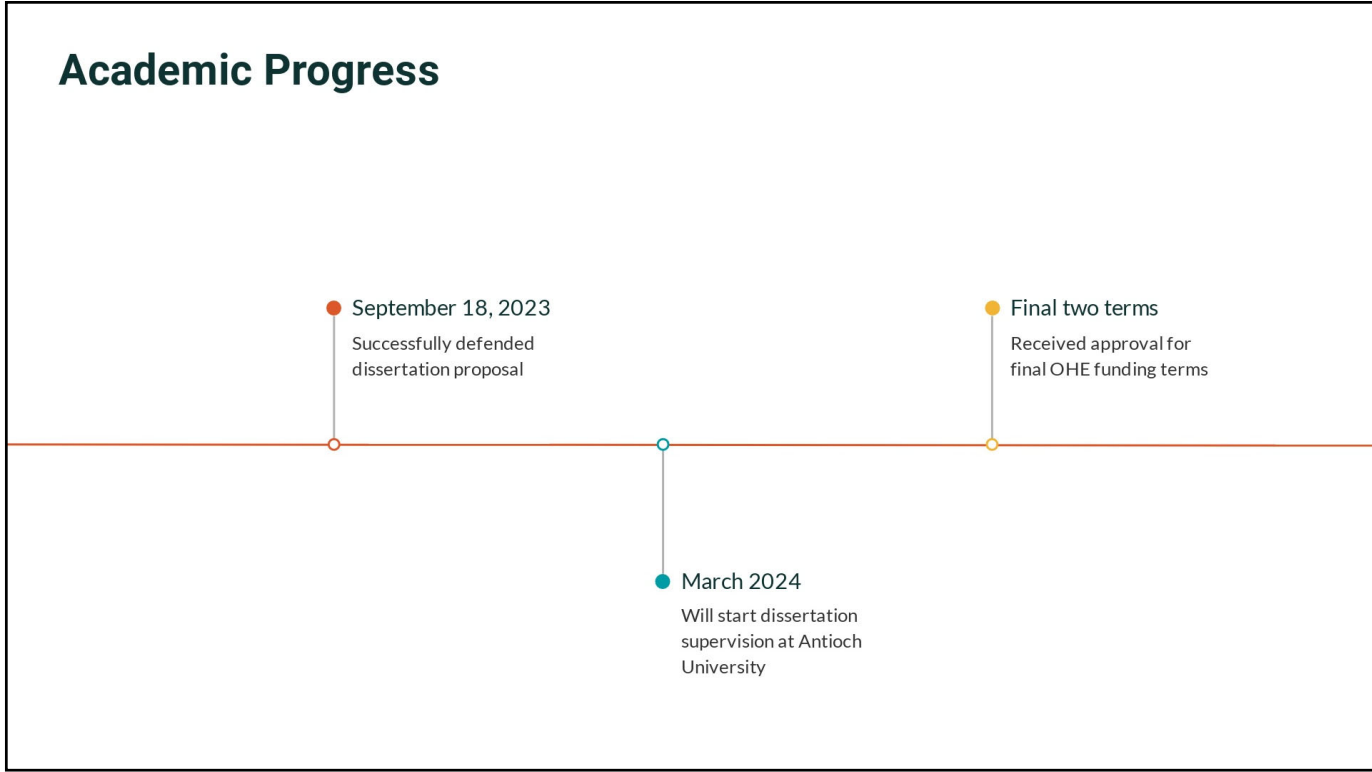
2

Chronology of Events



3

Academic Progress



4

2

Key Issues



Rigid policy adherence

Rigid adherence to policy directly contributed to the misappropriation of scholarship funds.



Lack of flexibility

The lack of flexibility in OHE's policies, coupled with a failure to provide alternative solutions, has led to a significant personal and educational setback.



Inadequate response

The response from OHE and the Oneida Law Office has been inadequate in addressing the misappropriation of tribal funds by UIU.

5

Proposed Solutions

Motions for Consideration



Revising OHE policy

Direct OHE to revise policy to allow direct disbursement of grant funds to students instead of institutions



Adding flexibility

Direct OHE to add flexibility and exceptions to policies for extraordinary circumstances



Pursuing legal action

Direct Law Office to pursue legal action to recoup misappropriated funds from Union Institute

3

These motions aim to improve policies and recover lost funds relating to the Union Institute scandal.

6

Q & A

THANK YOU FOR YOUR TIME AND ATTENTION.



Review the Sports Wagering (Chapter 8) Oneida Gaming Minimum Internal Controls and determine...

Business Committee Agenda Request

1. Meeting Date Requested: 02/14/24

2. Session:

Open Executive – must qualify under §107.4-1.

Justification: *Choose or type justification.*

3. Requested Motion:

Accept as information; OR

Request OBC to accept the OGMICS Chapter 8-Sports Wagering with no requested revisions

4. Areas potentially impacted or affected by this request:

Finance

Programs/Services

Law Office

DTS

Gaming/Retail

Boards, Committees, or Commissions

Other: *Describe*

5. Additional attendees needed for this request:

Name, Title/Entity OR Choose from List

Name, Title/Entity OR Choose from List

Name, Title/Entity OR Choose from List

Name, Title/Entity OR Choose from List

6. Supporting Documents:

- | | | |
|--|--|---|
| <input type="checkbox"/> Bylaws | <input type="checkbox"/> Fiscal Impact Statement | <input type="checkbox"/> Presentation |
| <input type="checkbox"/> Contract Document(s) | <input type="checkbox"/> Law | <input type="checkbox"/> Report |
| <input type="checkbox"/> Correspondence | <input type="checkbox"/> Legal Review | <input type="checkbox"/> Resolution |
| <input type="checkbox"/> Draft GTC Notice | <input type="checkbox"/> Minutes | <input type="checkbox"/> Rule (adoption packet) |
| <input type="checkbox"/> Draft GTC Packet | <input type="checkbox"/> MOU/MOA | <input type="checkbox"/> Statement of Effect |
| <input type="checkbox"/> E-poll results/back-up | <input type="checkbox"/> Petition | <input type="checkbox"/> Travel Documents |
| <input checked="" type="checkbox"/> Other: 1. OGMICS CH 8 Sports Wagering 2. OGC Approval and Cover Letter | | |

7. Budget Information:

- | | |
|---|--|
| <input type="checkbox"/> Budgeted – Tribal Contribution | <input type="checkbox"/> Budgeted – Grant Funded |
| <input type="checkbox"/> Unbudgeted | <input checked="" type="checkbox"/> Not Applicable |
| <input type="checkbox"/> Other: <i>Describe</i> | |

8. Submission:

Authorized Sponsor: Mark Powless - Chairman OGC

Primary Requestor: Ivory Kelly-Compliance Manager OGC

From: [Ashley M. Blaker](#)
To: [GamingCommission_Compliance](#)
Cc: [Michelle M. Braaten](#); [Tamara J. Vanschyndel](#)
Subject: Notification: OGMICS Chapter 8 Wagering Permitted Locations
Date: Thursday, February 1, 2024 3:30:24 PM
Attachments: [image001.png](#)
[OGMICS Chapter 8 Wagering Permitted Locations.pdf](#)
[OGMICS Chp. 8 Sports Wagering Final Clean Copy.docx](#)
[OGMICS Chp. 8 Sports Wagering Final Track Changes.docx](#)

DATE: 02/01/24
FROM: Mark A. Powless Sr.
SUBJECT: OGMICS Chapter 8 Wagering Permitted Locations

Good Afternoon,

The Gaming Commission has reviewed the following item(s) and is approved. This will be placed on the next Regular OGC Meeting agenda for retro approval.

1. OGMICS Chapter 8 Wagering Permitted Locations

If you have any further questions please feel free to contact the OGC Chair Mark Powless Sr. via email mpowles5@oneidanation.org or at 497-5658.

Yaw^ko,

Ashley Blaker

Executive Assistant
Oneida Gaming Commission
2669 W. Mason St
Green Bay, WI 54313
Phone: (920) 497-5850
OGC Fax: (920) 496-2009
Backgrounds Fax: (920) 490-8048



A good mind. A good heart. A strong Fire.

This email and any attachments may contain confidential information and is solely for the intended recipient(s). Any unauthorized review, use, disclosure, or distribution is prohibited. If you are not the intended recipient, please contact the sender by reply email and destroy all copies of the original message.

Oneida Business Committee Agenda Request

Cover Memo:

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

The OGMICS CH 8 amended:

1. OGMICS CH 8 has been amended to allow for Sports Betting Mobile Wagering within the boundaries of the Oneida Nation Reservation. (Section (f)(1)) Permitted Locations.

The OGC has prepared this document to set forth the Nation's tribal minimum internal controls that will guide gaming operations and assist internal audit to ensure and maintain the integrity and security of gaming operations.

Action Requested: Accept the OGMICS Chapter 8- Sports Wagering with no requested revisions.

Please note (OBC Action Options) Per the Chief Counsel memo dated February 27, 2018, regarding appropriate OBC action for OGMICS revisions, the motion for this request would be as follows: "Accept the notice of the OGMICS Chapter 8- Sports Wagering approved by the Oneida Gaming Commission on February 1, 2024 and

- (a) Directs notice to the Gaming Commission there are no requested revisions under Section 501.6-14(d);
- (b) Directs notice to the Gaming Commission that the Oneida Business Committee will be recommending amendments to the OGMICS Chapter 8- Sports Wagering in accordance with sections 510.6-14(d)(3)(C); or
- (c) Directs notice to the Gaming Commission that the Oneida Business Committee repeals the OGMICS Chapter 8-Sports Wagering in accordance with section 501.6-14(d)(3)(A) and subsections (i).

Chapter: 8
Sports Wagering
Table of Contents

- (a) Definitions**
- (b) Events**
- (c) Event wagering system technical requirements**
- (d) Event wagering system periodic security testing**
- (e) Wagering station requirements**
- (f) Permitted locations, remote wagering device operation, security requirements, and geolocation requirements**
- (g) Issuance and control of wagering tickets**
- (h) Acceptance of wagers**
- (i) Payments of winning wagers**
- (j) Persons prohibited and/or limited from placing wagers**
- (k) Wagers or payouts in excess of \$3,000**
- (l) Reports of suspicious transactions**
- (m) Rules of play for event wagering**
- (n) Layoff wagers and gross revenue computations**
- (o) Wager record information**
- (p) Promotion/bonus information**
- (q) Transaction log or account statement**
- (r) Reporting requirements**
- (s) Risk management**
- (t) Information technology requirements**
- (u) Surveillance requirements**
- (v) Wagering account requirements**
- (w) Reserve requirements for wagering accounts**

(a) Definitions. As used in this regulation:

- (1) “Account wager” means an event wager placed using a wagering account.
- (2) “Agent” means a person authorized by the Nation, Oneida Gaming Commission, or Tribal Gaming Management to make decisions or perform tasks on behalf of the Gaming Operation.
- (3) “Alteration” means the alteration of any accounting, reporting or significant event data.
- (4) “Amateur event” means an event in which participants are not permitted to receive a salary, prize money, or other similar monetary compensation for their participation, except that they may be compensated in the form of: trophies or medals; waived entry

fees for future sport or athletic events; scholarships and stipends for costs necessary to attend an academic institution; or compensation for the use of their names or likenesses where permitted by law, the National Collegiate Athletic Association, or any other appropriate governing body.

- (5) “Collegiate event” means an event in which the participants are students at a public or private institution that offers educational services beyond the secondary level.
- (6) “Contingency” means an event or market that is dependent upon the outcome of another event or market.
- (7) “Event” means an occurrence of sports, competitions, matches, and other types of activities on which wagers may be placed pursuant to these OGMICS.
- (8) “Event wagering” means the business of accepting wagers on events, but does not include pari-mutuel wagering.
- (9) “Event wagering system” means the hardware, software, firmware, communications technology, other equipment, and related operator procedures, used to enable customers to place wagers on events.
- (10) “Geolocation” means identifying the geographic location of an internet connected remote wagering device.
- (11) “GLI-33” means Gaming Laboratories International’s published standard titled “GLI-33: Standards for Event Wagering Systems,” version: 1.1, revision date: May 14, 2019, and all subsequent revisions to that standard.
- (12) “Governing body” means an official body of managers which sanctions and regulates an event (e.g., National Football League, National Collegiate Athletic Association, International Olympic Committee, analogous entities).
- (13) “Layoff wager” means a wager placed either by Tribal Gaming Management with another casino, or by another Wisconsin casino with the Gaming Operation, for the purpose of offsetting patron wagers made pursuant to these regulations.
- (14) “Market” means a wager type (e.g., money line, spread, over/under) on which opportunities are built for wagering on one or more events.
- (15) “Messenger bettor” means a person who places an event wager for the benefit of another for compensation.
- (16) “OGMICS” means these Oneida Gaming Minimum Internal Control Standards.

- (17) “Nation” means the Oneida Nation of Wisconsin, its authorized officials, employees, agents, and representatives.
- (18) “Wisconsin OIGRC” means the State of Wisconsin’s Office of Indian Gaming and Regulatory Compliance or any successor Wisconsin regulatory authority.
- (19) “Olympic event” means an event played as part of the summer or winter Olympics.
- (20) “Payout” means the total payment due on a winning wager whether or not:
- i) The customer collects the total payment due at onetime;
 - ii) All or a portion of the payment due is made in the form of cash, chips, or other form of payment; or
 - iii) All or a portion of the payment due is used by the customer to place another wager.
- (21) “Professional event” means an event that is not an amateur event and which is regulated by an official governing body.
- (22) “Point-of-sale wagering station” means a desk or counter located in a building where Class III gaming is permitted and that is staffed by an agent for the purpose of accepting wagers.
- (23) “Remote wagering device” means a device operated using either an in-venue wireless network or the Internet that converts communications from the event wagering system into a human interpretable form and converts human decisions into a communication format understood by the event wagering system, and the use of which can be limited using geolocation. Examples of a remote wagering device include a personal computer, mobile phone, tablet, etc.
- (24) “Self-service wagering kiosk” means a stationary electronic device located in a building where Class III gaming is permitted and that may be used by a customer to place a wager without the direct assistance of an agent, and if supported, may be used for redemption of winning wager records.
- (25) “Suspicious Transactions” has the meaning set forth in section (l) regarding reports of suspicious transactions.
- (26) “Wagering account” means an electronic ledger administered by the Gaming Operation for use by, and that is accessible to, a customer for purposes of placing wagers and recording deposits and withdrawals of funds used for purposes of placing wagers. The

term “wagering account” does not include an electronic ledger that prohibits deposits to an account by the customer and is used solely for purposes of tracking reward or loyalty points, credits, or similar benefits issued by the gaming operation to a customer, even if such benefits are redeemable for cash.

- (27) “Wagering station” means a point-of-sale wagering station or a self-service wagering kiosk, at which or with which a customer can place a wager on a permitted event.

(b) Events.

- (1) Permitted Events. Except as otherwise set forth in this section, the Nation shall be permitted to offer wagers on the following types of events:
- (i) Professional events and amateur events occurring outside of Wisconsin that do not involve Wisconsin teams;
 - (ii) Green Bay Packers games;
 - (iii) Milwaukee Brewers games;
 - (iv) Milwaukee Bucks games;
 - (v) Professional sports league drafts;
 - (vi) Olympic events;
 - (vii) Nationally-televised award shows;
 - (viii) Events deemed to be included within this section as permitted events pursuant to Sections XVIII(C), (E), or (G) of the Compact;
and
 - (ix) Other events approved pursuant to the procedures set forth in this section.
- (2) The Nation shall not offer wagers on any events in which the majority of participants are under the age of 19.
- (3) The Nation shall not offer wagers on the outcome of elections for public office.
- (4) Approval of Other Events. In addition to the events identified in subsection (1), the Nation shall be permitted to offer wagers on events that are approved by the State pursuant to the procedures set forth below and are approved by the Oneida Gaming Commission:

- (i) The Nation shall submit a written request to the Wisconsin Division of Gaming or its successor setting forth the event for which the Nation requests approval to offer wagering.
 - (ii) Within twenty-one (21) days of receiving the request, the State shall notify the Nation in writing whether it approves or objects to the request.
 - (iii) If the State approves the request, the Nation shall be permitted to offer wagering on the event and the State and the Nation shall promptly thereafter memorialize their agreement by amending subsection (1) to include the event.
 - (iv) For requested events occurring within Wisconsin or involving Wisconsin-based teams, that do not occur on land owned by the Nation or held in trust for the Nation by the federal government, the State may object to the request for any reason and the Nation shall not be permitted to offer wagering on the event. The State's decision shall not be subject to challenge through arbitration or otherwise.
 - (v) For requested events not occurring within Wisconsin and not involving Wisconsin-based teams, or events that occur on land owned by the Nation or held in trust for the Nation by the federal government, the State may object to wagering on the event only if the State presents evidence that there is a significant risk of improper manipulation of the event's outcome or activities within the event. All disputes regarding the State's objections that cannot be resolved informally shall be resolved through arbitration pursuant to Section XXIII(C) of the Compact. The issue for decision by the arbitration panel shall be whether the preponderance of the evidence supports the State's objection.
- (5) The Nation shall not offer wagering on events that are not permitted or approved pursuant to this section or deemed to be included within this section as permitted events pursuant to Sections XVIII(C), (E), or (G) of the Compact.
- (6) Prohibited Events. Wagers shall not be accepted for prohibited events. All events that are not permitted events are prohibited events.
- (c) Event Wagering System Technical Requirements.** Wagering on events shall only be conducted through the event wagering system. The event wagering system shall meet the following requirements:
- (1) Testing and Approval by an Independent Gaming Testing Lab. The event wagering system shall be tested and approved by an independent gaming testing lab that has been approved by Wisconsin OIGRC and which at a minimum complies with and tests to the standards from GLI-33: Standards for Event Wagering Systems sections 2.2.1.; 2.2.2.; 2.3.2.; and 2.3.3.

- (2) Revisions to GLI-33. Revisions to GLI-33 sections referenced herein shall be treated as an amendment to these OGMICS and shall be made subject to the provisions in Article XXXV of the Compact.
- (3) Server Location. The server and other server-related equipment necessary to place, accept and payout a wager on an event shall be located within a secure facility owned by the Nation within the boundaries of the Nation's reservation.
- (4) Information Technology. The event wagering system must comply with all requirements of Article IX, Information Technology, of the OGMICS.

(d) Event Wagering System Periodic Security Testing. Tribal Gaming Management shall perform periodic security testing that meets the requirements of GLI-33, Appendix B.9 Periodic Security Testing. Revisions to Appendix B.9. shall be treated as an amendment to these OGMICS and shall be made subject to the provisions in Article XXXV of the Compact.

(e) Wagering station requirements.

- (1) Independent Testing of Wagering Stations. All wagering stations shall meet the requirements of Gaming Laboratories International's standard titled GLI-20: Standards for Kiosks" (hereafter "GLI-20"). Revisions to GLI-20 shall be treated as an amendment to these OGMICS and shall be made subject to the provisions in Article XXXV of the Compact.
- (2) Installation Testing. Upon installation and prior to placing each wagering station into service, each wagering station shall be tested to verify the proper functioning of at least the following:
 - (i) communication with the event wagering system;
 - (ii) communication with the player geolocation tracking system to the extent the station interfaces with the tracking system;
 - (iii) the wagering ticket printer;
 - (iv) all buttons and screens; and
 - (v) all software, which shall be verified by an independent test lab.
- (3) Software Validation. For wagering software installed locally on the wagering station, it shall be possible to authenticate that all critical components contained in the software are valid each time the software is loaded for use, and where supported by the system, on demand as may be required by the Oneida Gaming Commission. Critical components may include, but are not limited to, wagering rules, elements that control the

communications between the wagering station and the event system, or other components that are needed to ensure proper operation of the software. In the event of a failed authentication (i.e., program mismatch or authentication failure), the software shall prevent wagering operations and display an appropriate error message.

- (4) Removal, Retirement and/or Destruction. Procedures shall be implemented to ensure the proper retirement and removal of all wagering stations from operation.

(f) Permitted locations, remote wagering device operation, security requirements, and geolocation requirements.

(1) A customer may place a wager using a remote wagering device only when the remote wagering device is located on a parcel of land that is within the boundaries of the Oneida Nation Reservation with the exception of parcels of land not owned by or held in trust for the Nation that contain a public or private school conducting classes in any of the grades pre-kindergarten through grade 12.

~~(1) Permitted Locations for Remote Wagering. A customer may place a wager using a remote wagering device only when the remote wagering device is located on a parcel of land that: (a) is owned by the Nation or held in trust by the United States for the benefit of the Nation within the Reservation boundaries; (b) contains a commercial building owned by the Nation or a lessee of the Nation, or is adjacent to a parcel of land which contains a commercial building owned by the Nation or a lessee of the Nation; and (c) has been approved as a permitted location for remote wagering by the Oneida Gaming Commission. The Nation will provide the State ten (10) days advance written notice of each permitted location prior to accepting remote wagers from customers from such location. The location and use of remote wagering devices shall be monitored and restricted as set forth in subsection (8). The Oneida Gaming Commission shall maintain a comprehensive list of all permitted locations identifying each permitted location by parcel number and shall provide a copy of the list to the Wisconsin Division of Gaming upon request and within ten (10) days of updating or amending the list.~~

Formatted: Left, Indent: Left: 0.57", No bullets or numbering

- (2) Wagering Account Requirement. Customers placing wagers from a remote wagering device must have a wagering account.
- (3) Secure and Confidential Communications. Communication between a remote wagering device and the event wagering system must be conducted using a method that securely links the remote wagering device to the event wagering system, maintains the confidentiality of the communications, and authenticates both the remote wagering device and the event wagering system as authorized to communicate over that link.
- (4) Authorization Information.
- (i) The event wagering system shall require an account holder to re-enter his or her password/pin and/or biometric authentication after 15 minutes of inactivity, as measured by the event wagering system.

- (ii) The event wagering system shall disable the account after three failed login attempts and require multi-factor authentication to recover or reset a password or username.

- (iii) The remote wagering device software shall not be used to store passwords, pins, and/or biometric authorization information. Autocomplete, password caching, or other methods that will fill in the password field shall be disabled by default for the software.
- (5) Client-Server Interactions. The Event Wagering System shall comply with GLI-33: Standards for Event Wagering Systems sections 3.5.2(a)(b)(c), 3.5.3., 3.5.4., 3.5.5., and 3.5.6. Revisions to GLI-33 sections referenced herein shall be treated as an amendment to these OGMICS and shall be made subject to the provisions in Article XXXV of the Compact.
- (6) Software Validation. For wagering software installed locally on the remote wagering device, it shall be possible to authenticate that all critical components contained in the software are valid each time the software is loaded for use, and where supported by the system, on demand as may be required by the Oneida Gaming Commission. Critical components may include, but are not limited to, wagering rules, elements that control the communications between the wagering station and the event system, or other components that are needed to ensure proper operation of the software. In the event of a failed authentication (i.e., program mismatch or authentication failure), the software shall prevent wagering operations and display an appropriate error message.
- (7) Compatibility Verification. During any installation or initialization and prior to commencing wagering operations, the event wagering system shall run a check to detect any incompatibilities or resource limitations with the remote wagering device that would prevent proper operation of the software (e.g., software version, minimum specifications not met, browser type, browser version, plug-in version, etc.). If any incompatibilities or resource limitations are detected, the software shall prevent wagering operations and display an appropriate error message.
- (8) Geolocation Requirements. Where remote wagering occurs over the internet, the event wagering system shall incorporate a location detection service or application to reasonably detect and dynamically monitor the location of a player attempting to place a wager, and to monitor and enable the blocking of unauthorized attempts to place a wager outside of the authorized wagering area.
 - (i) Each player shall pass a location check prior to completing each wager after logging in on a specific Remote Wagering Device.
 - (A) If the location check indicates the player is outside the permitted boundary or cannot successfully locate the player, the wager shall be rejected, and the player shall be notified of this.

(B) An entry shall be recorded in a time stamped log any time a location violation is detected, including the unique player ID and the detected location.

- (ii) In addition, the geolocation service shall comply with GLI-33: Standards for Event Wagering Systems sections 2.7.2., 2.7.3., 2.7.4.(b)(c)(d) and (e). Revisions to GLI-33 sections referenced herein shall be treated as an amendment to these OGMICS and shall be made subject to the provisions in Article XXXV of the Compact.

(g) Issuance and control of wagering tickets.

- (1) Immediately upon accepting a wager, other than an account wager, the event wagering system shall create and issue to the customer a wagering ticket containing at least the following written information:
- (i) name of the event(s) or event market(s) wagered on;
 - (ii) amount(s) wagered;
 - (iii) terms of wager (type of bet and total take);
 - (iv) name, phone number, city and state of Tribal Gaming Management;
 - (v) a unique transaction identifier;
 - (vi) date and time the ticket was issued;
 - (vii) the cashier or kiosk generating the ticket; and
 - (viii) the redemption period for the ticket (which shall not be less than sixty (60) days after the occurrence of the event) and instructions for redemption by mail.
- (2) When accepting a wager through a wagering account, the event wagering system shall create and issue to the customer an e-wagering ticket containing at least the following written information:
- (i) name of the event(s) or event market(s) wagered on;
 - (ii) amount(s) wagered;
 - (iii) terms of wager (type of bet and total take);
 - (iv) a unique transaction identifier; and

(v) date and time the ticket was issued.

(h) Acceptance of Wagers.

- (1) Wagers may only be made with cash, chips, or other representatives of value, or against credits made to a wagering account, consistent with Article V.D. of the Nation's compact with the State of Wisconsin.
- (2) Wagers shall not be knowingly accepted for an event or a market the outcome of which has already been determined.
- (3) Wagers shall not be accepted from a customer who Tribal Gaming Management or its agents know or reasonably should know is a messenger bettor.
- (4) Wagers shall not be accepted from a customer who Tribal Gaming Management or its agents know or reasonably should know is placing the wager in violation of tribal, state or federal law.
- (5) A customer's money or its equivalent shall not be held on the understanding that the money will be accepted as a wager only upon the occurrence of a specified, future contingency, unless a betting ticket documenting the wager and contingency is issued immediately when the operator receives the money or its equivalent.
- (6) Wagers shall not be accepted if the odds/lines are not posted. Odds/lines may be posted by electronic or manual means, including printed media. If posted odds/lines are not updated simultaneously with actual changes to the odds/lines, an announcement, audible throughout the operation, must be made simultaneously with the actual changes followed by updating the posted odds/lines within a time specified by Tribal Gaming Management.

(i) Payment of Winning Wagers.

- (1) Payment on a winning wager shall be made only to the person who presents the customer's copy of the betting ticket representing the wager.
- (2) Payment on a winning wager shall not be made to a person who Tribal Gaming Management or its agents know or reasonably should know is collecting the payment on behalf of another for monetary consideration or in violation of tribal, state, or federal law.
- (3) The gaming operation shall have controls in place detailing the method of paying winning tickets/vouchers in the event of a failure of the event wagering system's ability to pay winning tickets/vouchers.
- (4) Accounting records of all payments of winning wagers shall be retained by Tribal

Gaming Management for a period of seven (7) years.

- (5) After the conclusion of the event all winning betting tickets shall be honored for the redemption period printed on the betting ticket, which shall be at least sixty (60) days from the date of the event.

(j) Persons Prohibited and/or Limited from Placing Wagers.

- (1) Persons who have nonpublic information about an event or a participant in an event, who are in a position to affect the outcome of an event, or whose participation in wagering on an event might cause the appearance of a conflict of interest, shall be prohibited from wagering on the event or a market in the event. This includes but is not limited to the following types of persons:

- (i) athletes participating in the event; and
- (ii) employees or contractors of the governing body for the event, employees and contractors of the owner or management of a team participating in the event, and employees and contractors of athletes participating in the events, including but not limited to: referees, officials, coaches, managers, handlers, athletic trainers, team physicians, and other physicians providing medical consultation or treatment of an event participant.

- (2) Tribal Gaming Management shall take reasonable steps to prevent the circumvention of this prohibition, which shall be satisfied by creating and following procedures to implement a blocked bettor list including all persons included in subsection (1), the names of whom may be provided by any athletic team or governing body involved in events for which Tribal Gaming Management accepts wagers. Tribal Gaming Management shall update the blocked bettor list within ten (10) days of receipt of new information from a team or governing body.

- (3) Tribal Gaming Management may implement customer self-imposed and Tribal Gaming Management-imposed limits and exclusions.

(k) Wagers or Payouts in Excess of \$3,000. Wagers and payouts in excess of \$3,000 shall only be placed and received by customers with an active wagering account as set forth in section (v) of these OGMICS.

(l) Reports of Suspicious Transactions.

- (1) As used in this section, “suspicious transaction” means any transaction that Tribal Gaming Management or an agent knows or has reason to suspect:

- (i) is, or would be if completed, indicative of match fixing, the manipulation of an event, or misuse of inside information;
 - (ii) is, or would be if completed, in violation of, or is part of a plan to violate or evade, any federal, state, or tribal law or regulation;
 - (iii) is, or would be if completed, wagering by, or on behalf of, a person prohibited from placing wagers pursuant to section (j) of these OGMICS; or
 - (iv) has no business or apparent lawful purpose or is not the sort of transaction the particular customer would normally be expected to perform, and the operator knows of no reasonable explanation for the transaction after examining the available facts, including the background of the transaction.
- (2) Tribal Gaming Management:
- (i) shall file suspicious transaction reports to the Oneida Gaming Commission using a form developed by the Oneida Gaming Commission, disclosing all suspicious transactions which involve or aggregate to more than \$5,000 in funds or other assets; and
 - (ii) may file a report of any suspicious transaction, regardless of the amount, if Tribal Gaming Management believes it is relevant to the possible violation of any law or regulation.
- (3) Tribal Gaming Management shall immediately notify the Oneida Gaming Commission of any suspicious activity. In addition, Tribal Gaming Management shall timely file the report required in subsection (2) no later than seven (7) calendar days after the initial detection of the facts that may constitute a basis for filing such a report.
- (4) The Oneida Gaming Commission shall promptly forward unredacted copies of all suspicious transaction reports to:
- (i) the tribal gaming regulatory authorities of other Wisconsin tribes where event wagering is offered; and
 - (ii) the Wisconsin OIGRC.
- (5) The Oneida Gaming Commission shall forward redacted copies of all suspicious transaction reports to the applicable event governing bodies, provided that the governing body has provided Tribal Gaming Management with the appropriate contact information.
- (6) Tribal Gaming Management shall maintain a copy of any report filed and the original or

business record equivalent of any supporting documentation for a period of seven (7) years from the date of filing the report. Supporting documentation shall be identified and maintained by Tribal Gaming Management as such and shall be deemed to have been filed with the report. Tribal Gaming Management shall make all supporting documentation available to the Oneida Gaming Commission, the Wisconsin OIGRC, and any other appropriate regulatory and law enforcement agencies upon request.

- (7) Tribal Gaming Management and its agents shall not notify any person involved in the transaction that the transaction has been reported. Any report, whether written or oral, does not impose liability for defamation or constitute a ground for recovery in any civil action.
- (8) Tribal Gaming Management may cancel or suspend wagering on events related to any suspicious transaction report as set out in the house rules.

(m) Rules of Play for Event Wagering. Comprehensive rules of play governing event wagering transactions with customers shall be conspicuously displayed at all gaming operations. All rules of play must be approved by the Oneida Gaming Commission and submitted to Wisconsin OIGRC in accordance with the Oneida Nation's Gaming Compact Article XXXV.A. prior to implementation. The rules must specify the following at a minimum:

- (1) the types of wagers offered, including payout information;
- (2) rules governing acceptance of wagers, which shall include any restrictive provisions such as minimum and maximum wager amounts to be paid on winning wagers;
- (3) effect of schedule or event location changes;
- (4) when the event result is considered official for purposes of a wager;
- (5) redemption period for winning tickets;
- (6) the method of noticing odds or line changes to customers;
- (7) procedures for handling incorrectly posted events, odds, wagers, or results;
- (8) the policy regarding cancellation of wagers by the customer, including whether cancellations by the customer are permitted;
- (9) that wagers may be accepted at other than the currently posted terms, if applicable; and
- (10) identification requirements for customers placing wagers.

(n) Layoff Wagers and Gross Revenue Computations. Tribal Gaming Management, in its

discretion, may accept layoff wagers only from other Wisconsin tribal casinos. Layoff wagers placed by Tribal Gaming Management may be made in any jurisdiction where such placement is permitted provided that Tribal Gaming Management shall comply with any regulations related to layoff wagers in the jurisdiction where said wager is placed. Layoff wagers shall not affect the computation of the Nation's net win. Should Tribal Gaming Management place a layoff wager with any other Wisconsin tribal casino, it shall disclose its identity to the tribe accepting the wager.

(o) Wager Record Information. For each individual wager placed by a customer, the information to be maintained and backed up by the system shall include:

- (1) The date and time the wager was placed;
- (2) any customer choices involved in the wager:
 - (i) market and line postings (e.g., money line bet, point spreads, over/under amounts, win/place/show);
 - (ii) wager selection (e.g., athlete or team name and number);
 - (iii) any special condition(s) applying to the wager;
- (3) results of the wager (blank until confirmed);
- (4) total amount wagered, including any promotional/bonus credits (if applicable);
- (5) total amount won, including any promotional/bonus credits (if applicable);
- (6) commission or fees collected (if applicable);
- (7) date and time the winning wager was paid to the player;
- (8) unique identification number of the wager;
- (9) user identification or unique wagering device ID which issued the wager record (if applicable);
- (10) relevant location information;
- (11) event and market identifiers;
- (12) current wager status (active, cancelled, unredeemed, pending, void, invalid, redemption in progress, redeemed, etc.);
- (13) unique player ID, for wagers conducted using a wagering account; and
- (14) redemption period (if applicable).

(p) Promotion/Bonus Information. The Event Wagering System shall comply with OGMICS Chapter 6, Gaming Promotions and Player Tracking.

(q) Transaction log or account statement. The system must be able to provide wagering account holders with an electronic record history of all transactions upon request. The information provided shall include sufficient information to allow the customer to reconcile the statement or log against their own financial records. Information to be provided shall include at a minimum, details on the following types of transactions:

- (1) financial transactions (time stamped with a unique transaction ID):
 - (i) deposits to the customer's wagering account;
 - (ii) withdrawals from the customer's wagering account;
 - (iii) promotional or bonus credits added to/removed from the customer's wagering account (outside of credits won in wagering); and
 - (iv) manual adjustments or modifications to the customer's wagering account (e.g., due to refunds).
- (2) wagering transactions:
 - (i) unique identification number of the wager;
 - (ii) date and time the wager was placed;
 - (iii) date and time the event started and ended or is expected to occur for future events (if known);
 - (iv) date and time the results were confirmed (blank until confirmed);
 - (v) any customer choices involved in the wager, including market and line postings, wager selection, and any special condition(s) applying to the wager;
 - (vi) results of the wager (blank until confirmed);
 - (vii) total amount wagered, including any promotional/bonus credits (if applicable);
 - (viii) total amount won, including any promotional/bonus credits (if applicable);
 - (ix) commission or fees collected (if applicable); and
 - (x) the date and time the winning wager was paid to the player.

(r) Reporting Requirements. The event wagering system shall be able to generate the following types of reports:

- (1) Operator Revenue Report. An operator revenue report must contain, at a minimum, the following information for each event as a whole and for each individual market within that event:
 - (i) the date and time each event started and ended;

- (ii) total amount of wagers collected;
 - (iii) total amount of winnings paid to customers;
 - (iv) total amount of wagers cancelled;
 - (v) commission and fees collected (if applicable);
 - (vi) event and market identifiers; and
 - (vii) event status (in progress, complete, confirmed, etc.).
- (2) Operator Liability Report. An operator liability report must contain, at a minimum, the following information:
- (i) total amount held by the gaming operation for customer accounts (if applicable);
 - (ii) total amount of wagers placed on future events; and
 - (iii) total amount of winnings owed but unpaid by the operator on winning wagers.
- (3) Promotion/Bonus Summary Report. A promotion/bonus summary report shall provide information regarding the amounts of any promotions and/or bonuses provided to customers that are redeemable for cash, wagering credits, or merchandise, and shall contain, at a minimum, the following information:
- (i) beginning balance for all promotions/bonuses;
 - (ii) total amount of all promotions/bonuses issued;
 - (iii) total amount of all promotions/bonuses redeemed;
 - (iv) total amount of all promotions/bonuses expired;
 - (v) total amount of all promotion/bonus adjustments; and
 - (vi) ending balance for promotion/bonus.
- (4) Future Events Report. A future events report must contain, at a minimum, the following information for the gaming day:
- (i) wagers placed prior to the gaming day for future events (total and by wager);
 - (ii) wagers placed on the gaming day for future events (total and by wager);

- (iii) wagers placed prior to the gaming day for events occurring on that gaming day (total and by wager);
 - (iv) wagers placed on the gaming day for events occurring on that gaming day (total and by wager);
 - (v) wagers cancelled on the gaming day (total and by wager); and
 - (vi) event and market identifiers.
- (5) Significant Events and Alterations Report.
- (i) A significant events and alterations report must contain, at a minimum, the following information:
 - (A) date and time of each significant event or alteration;
 - (B) event/market identifier, if applicable;
 - (C) identification of user(s) who performed and/or authorized each alteration;
 - (D) reason/description of the significant event or alteration, including any data or parameters altered;
 - (E) data or parameter value prior to alteration; and
 - (F) data or parameter value after alteration.
 - (ii) A “significant event” includes the following:
 - (A) a failed login attempt;
 - (B) a program error or authentication mismatch;
 - (C) significant periods of unavailability of any critical component of the event wagering system;
 - (D) large wins (single and aggregate over defined time period) in excess of a value specified by the Oneida Gaming Commission, including wager record information;
 - (E) large wagers (single and aggregate over defined time period) in excess of a value specified by the Oneida Gaming Commission, including wager record information;

- (F) system voids, overrides, and corrections;
 - (G) changes to live data files occurring outside of normal program and operating system execution;
 - (H) changes that are made to the download data library, including the addition, changing or deletion of software, where supported;
 - (I) changes to operating system, database, network, and application policies and parameters;
 - (J) changes to date/time on master time server;
 - (K) changes to previously established criteria for an event or market (not including line posting changes for active markets);
 - (L) changes to the results of an event or market;
 - (M) changes to promotion and/or bonus parameters;
 - (N) the following player account management information:
 - 1. adjustments to a player account balance;
 - 2. changes made to player data and sensitive information recorded in a player account;
 - 3. deactivation of a player account; and
 - 4. large financial transactions (single and aggregate over defined time period) in excess of a value specified by the Oneida Gaming Commission, including transaction information;
 - (O) irrecoverable loss of sensitive information;
 - (P) any other activity requiring user intervention and occurring outside of the normal scope of system operation; and
 - (Q) other significant or unusual events as deemed applicable by the Oneida Gaming Commission.
- (6) User Access Listing Report. A user access listing report is a list identifying all users and user access to the event wagering system. The report must contain, at a minimum, the following:
- (i) employee name and title or position;

- (ii) user login name;
 - (iii) date and time of each login;
 - (iv) date of last password change; and
 - (v) date and time account disabled/deactivated.
- (7) Title 31 Reporting. Tribal Gaming Management shall comply with OGMICS, Chapter 17, Currency Transaction Reporting (Title 31).
- (s) Risk Management.** Tribal Gaming Management may engage the services of a state licensed sports book services provider for the purpose of advising about the management of risk associated with event wagering, including but not limited to:
- (1) management of risks associated with wagering on any event or market within an event;
 - (2) determination of where lines, point spreads, odds, or other activities relating to wagering are initially set and the determination of whether to change such lines, point spreads, odds, or other activities;
 - (3) whether or not to accept or reject wagers or to place layoff wagers; and
 - (4) the use, transmittal, and accumulation of information and data for the purpose of providing risk management.
- (t) Information Technology Requirements.** OGMICS Chapter 11, Information Technology and Information Technology Data shall apply to the event wagering system.
- (u) Surveillance Requirements.** Tribal Gaming Management shall maintain surveillance coverage of the areas in which event wagering may take place within the gaming facility. This surveillance shall be part of the gaming facility's surveillance system and subject to the same monitoring, activity reporting, maintenance and recording retention requirements as the rest of the system. Tribal Gaming Management shall ensure that the event wagering surveillance meets the following additional requirements:
- (1) For live cashier stations, the system must provide coverage of the defined wagering areas with sufficient detail to identify individuals within the cage and customers and staff members at the counter areas and to confirm the amount of each transaction;
 - (2) For wagering kiosks, the system must provide dedicated camera coverage of the individual placing the wager with sufficient clarity to identify that individual.
- (v) Wagering Account Requirements.** Customers must have a wagering account prior to

placing a wager on a remote wagering device or placing a wager in excess of \$3,000. The following are requirements related to wagering accounts.

- (1) A wagering account must be capable of recording at least the following types of transactions:
 - (i) deposits;
 - (ii) withdrawals/redemption;
 - (iii) debits;
 - (iv) credits;
 - (v) service or other transaction-related charges authorized by the customer; and
 - (vi) adjustments to the wagering account.
- (2) Customer registration for a wagering account must occur on-site at a licensed gaming facility.
- (3) Wagering accounts may only be established for individual persons and no entity may establish an account, except for other Wisconsin Tribal casinos offering sports wagering and solely for the purpose of making layoff wagers.
- (4) Only customers of the legal age to wager may open a wagering account;
- (5) Prior to establishing a wagering account, Tribal Gaming Management shall verify:
 - (i) the customer's identity, including age, using:
 - (A) third party or governmental databases; and
 - (B) a REAL identification credential and/or government issued identification credential, which includes Oneida Nation Tribal identification, provided that any such identification must contain the name, residential address, date of birth, photograph, and signature of the customer.
 - (ii) that the customer is not on any of the gaming operation's exclusion lists.
- (6) Establishment of a wagering account must require the customer to consent to the monitoring and recording of the use of the wagering account, including geographic location information, by Tribal Gaming Management for the purposes of monitoring and investigating suspicious wagering activity and enforcing geographic restrictions on the

use of remote wagering devices.

- (7) A customer may have no more than one wagering account and only the account holder may place wagers through the account. If an individual other than the account holder places a wager through the wagering account, Tribal Gaming Management shall suspend the wagering account and place both the account holder and individual who placed the wager through the account on the Nation's List of Excluded Persons, as described in Article V.G. of the Nation's Gaming Compact.
- (8) Any person who intentionally circumvents the geographic restrictions on placing wagers set forth in these OGMICs shall be permanently barred from wagering.
- (9) Tribal Gaming Management must have a documented method to address potential customer account fraud, which, at a minimum, shall require Tribal Gaming Management to suspend the wagering account of any individual involved in the fraudulent placement of wager(s).
- (10) After establishment of the account or any modification of the wagering account password, PIN or other security feature where applicable, Tribal Gaming Management shall provide notice of any such action to the account holder via electronic or regular mail, text message, or equivalent mechanism.
- (11) A wagering account shall not be activated for use until all account holder identification information has been collected.
- (12) All account holder identification information must be stored in a secure electronic wagering account file.
- (13) The operator shall encrypt, at a minimum, the following wagering account information:
 - (i) the account holder's social security number or equivalent for a foreign customer such as a passport or tax identification number;
 - (ii) the account holder's username, passwords, and/or PINs; and
 - (iii) credit card numbers, bank account numbers, or other financial information.
- (14) The wagering account system shall have a method for securely issuing, modifying, and resetting an account holder's password, personal identification number (PIN), or other security feature where applicable, which shall include, at a minimum, proof of identity, if in person, or multi-factor identification.
- (15) An account holder's event wagering account may be funded with the following:

- (i) The account holder's deposit of cash, gaming chips, or slot tokens at a cashiering location;
 - (ii) Cash complimentarys, promotional credits, or bonus credits;
 - (iii) Winnings;
 - (iv) ACH transfer from an account of the wagering account holder, provided that the Nation has security measures and controls to prevent ACH fraud; and
 - (v) Adjustments made by Tribal Gaming Management with documented notification to the account holder. All adjustments shall be authorized by supervisory personnel prior to being entered.
- (16) Withdrawals from a wagering account may be made only by the account holder. Withdrawals may be made for the purpose of:
- (i) The funding of wagers;
 - (ii) A cash-out at the cashier's cage;
 - (iii) A cash-out transfer directly to the account holder's individual account with a bank or other financial institution (banking account). Tribal Gaming Management shall verify the validity of the banking account with the financial institution prior to making any transfers; and
 - (iv) Adjustments made by Tribal Gaming Management with documented notification to the account holder. Adjustments shall be authorized by supervisory personnel prior to being entered.

(w) Reserve Requirements for Wagering Accounts.

- (1) Tribal Gaming Management shall maintain a reserve in the form of cash, cash equivalents, an irrevocable letter of credit, a bond, or a combination thereof for the benefit and protection of customer funds held in wagering accounts.
- (2) The amount of the reserve shall not be less than the greater of \$25,000 or the sum of the following amounts:
 - (i) Amounts held by the book for the account of customers;
 - (ii) Amounts accepted by the book as wagers for events or markets that have not yet occurred; and

- (iii) Amounts owed but unpaid on winning wagers through the period established for honoring winning wagers.
- (3) Reserve requirements must be calculated each day. If reserve is not sufficient to cover the calculated requirement, Tribal Gaming Management must notify the Oneida Gaming Commission and the Wisconsin OIGRC in writing and must also state the steps that will be taken to promptly remedy the deficiency.

Chapter: 8
Sports Wagering
Table of Contents

- (a) Definitions**
- (b) Events**
- (c) Event wagering system technical requirements**
- (d) Event wagering system periodic security testing**
- (e) Wagering station requirements**
- (f) Permitted locations, remote wagering device operation, security requirements, and geolocation requirements**
- (g) Issuance and control of wagering tickets**
- (h) Acceptance of wagers**
- (i) Payments of winning wagers**
- (j) Persons prohibited and/or limited from placing wagers**
- (k) Wagers or payouts in excess of \$3,000**
- (l) Reports of suspicious transactions**
- (m) Rules of play for event wagering**
- (n) Layoff wagers and gross revenue computations**
- (o) Wager record information**
- (p) Promotion/bonus information**
- (q) Transaction log or account statement**
- (r) Reporting requirements**
- (s) Risk management**
- (t) Information technology requirements**
- (u) Surveillance requirements**
- (v) Wagering account requirements**
- (w) Reserve requirements for wagering accounts**

(a) Definitions. As used in this regulation:

- (1) “Account wager” means an event wager placed using a wagering account.
- (2) “Agent” means a person authorized by the Nation, Oneida Gaming Commission, or Tribal Gaming Management to make decisions or perform tasks on behalf of the Gaming Operation.
- (3) “Alteration” means the alteration of any accounting, reporting or significant event data.
- (4) “Amateur event” means an event in which participants are not permitted to receive a salary, prize money, or other similar monetary compensation for their participation, except that they may be compensated in the form of: trophies or medals; waived entry

fees for future sport or athletic events; scholarships and stipends for costs necessary to attend an academic institution; or compensation for the use of their names or likenesses where permitted by law, the National Collegiate Athletic Association, or any other appropriate governing body.

- (5) “Collegiate event” means an event in which the participants are students at a public or private institution that offers educational services beyond the secondary level.
- (6) “Contingency” means an event or market that is dependent upon the outcome of another event or market.
- (7) “Event” means an occurrence of sports, competitions, matches, and other types of activities on which wagers may be placed pursuant to these OGMICS.
- (8) “Event wagering” means the business of accepting wagers on events, but does not include pari-mutuel wagering.
- (9) “Event wagering system” means the hardware, software, firmware, communications technology, other equipment, and related operator procedures, used to enable customers to place wagers on events.
- (10) “Geolocation” means identifying the geographic location of an internet connected remote wagering device.
- (11) “GLI-33” means Gaming Laboratories International’s published standard titled “GLI-33: Standards for Event Wagering Systems,” version: 1.1, revision date: May 14, 2019, and all subsequent revisions to that standard.
- (12) “Governing body” means an official body of managers which sanctions and regulates an event (e.g., National Football League, National Collegiate Athletic Association, International Olympic Committee, analogous entities).
- (13) “Layoff wager” means a wager placed either by Tribal Gaming Management with another casino, or by another Wisconsin casino with the Gaming Operation, for the purpose of offsetting patron wagers made pursuant to these regulations.
- (14) “Market” means a wager type (e.g., money line, spread, over/under) on which opportunities are built for wagering on one or more events.
- (15) “Messenger bettor” means a person who places an event wager for the benefit of another for compensation.
- (16) “OGMICS” means these Oneida Gaming Minimum Internal Control Standards.

- (17) “Nation” means the Oneida Nation of Wisconsin, its authorized officials, employees, agents, and representatives.
- (18) “Wisconsin OIGRC” means the State of Wisconsin’s Office of Indian Gaming and Regulatory Compliance or any successor Wisconsin regulatory authority.
- (19) “Olympic event” means an event played as part of the summer or winter Olympics.
- (20) “Payout” means the total payment due on a winning wager whether or not:
- i) The customer collects the total payment due at onetime;
 - ii) All or a portion of the payment due is made in the form of cash, chips, or other form of payment; or
 - iii) All or a portion of the payment due is used by the customer to place another wager.
- (21) “Professional event” means an event that is not an amateur event and which is regulated by an official governing body.
- (22) “Point-of-sale wagering station” means a desk or counter located in a building where Class III gaming is permitted and that is staffed by an agent for the purpose of accepting wagers.
- (23) “Remote wagering device” means a device operated using either an in-venue wireless network or the Internet that converts communications from the event wagering system into a human interpretable form and converts human decisions into a communication format understood by the event wagering system, and the use of which can be limited using geolocation. Examples of a remote wagering device include a personal computer, mobile phone, tablet, etc.
- (24) “Self-service wagering kiosk” means a stationary electronic device located in a building where Class III gaming is permitted and that may be used by a customer to place a wager without the direct assistance of an agent, and if supported, may be used for redemption of winning wager records.
- (25) “Suspicious Transactions” has the meaning set forth in section (l) regarding reports of suspicious transactions.
- (26) “Wagering account” means an electronic ledger administered by the Gaming Operation for use by, and that is accessible to, a customer for purposes of placing wagers and recording deposits and withdrawals of funds used for purposes of placing wagers. The

term “wagering account” does not include an electronic ledger that prohibits deposits to an account by the customer and is used solely for purposes of tracking reward or loyalty points, credits, or similar benefits issued by the gaming operation to a customer, even if such benefits are redeemable for cash.

- (27) “Wagering station” means a point-of-sale wagering station or a self-service wagering kiosk, at which or with which a customer can place a wager on a permitted event.

(b) Events.

- (1) Permitted Events. Except as otherwise set forth in this section, the Nation shall be permitted to offer wagers on the following types of events:
- (i) Professional events and amateur events occurring outside of Wisconsin that do not involve Wisconsin teams;
 - (ii) Green Bay Packers games;
 - (iii) Milwaukee Brewers games;
 - (iv) Milwaukee Bucks games;
 - (v) Professional sports league drafts;
 - (vi) Olympic events;
 - (vii) Nationally-televised award shows;
 - (viii) Events deemed to be included within this section as permitted events pursuant to Sections XVIII(C), (E), or (G) of the Compact;
and
 - (ix) Other events approved pursuant to the procedures set forth in this section.
- (2) The Nation shall not offer wagers on any events in which the majority of participants are under the age of 19.
- (3) The Nation shall not offer wagers on the outcome of elections for public office.
- (4) Approval of Other Events. In addition to the events identified in subsection (1), the Nation shall be permitted to offer wagers on events that are approved by the State pursuant to the procedures set forth below and are approved by the Oneida Gaming Commission:

- (i) The Nation shall submit a written request to the Wisconsin Division of Gaming or its successor setting forth the event for which the Nation requests approval to offer wagering.
 - (ii) Within twenty-one (21) days of receiving the request, the State shall notify the Nation in writing whether it approves or objects to the request.
 - (iii) If the State approves the request, the Nation shall be permitted to offer wagering on the event and the State and the Nation shall promptly thereafter memorialize their agreement by amending subsection (1) to include the event.
 - (iv) For requested events occurring within Wisconsin or involving Wisconsin-based teams, that do not occur on land owned by the Nation or held in trust for the Nation by the federal government, the State may object to the request for any reason and the Nation shall not be permitted to offer wagering on the event. The State's decision shall not be subject to challenge through arbitration or otherwise.
 - (v) For requested events not occurring within Wisconsin and not involving Wisconsin-based teams, or events that occur on land owned by the Nation or held in trust for the Nation by the federal government, the State may object to wagering on the event only if the State presents evidence that there is a significant risk of improper manipulation of the event's outcome or activities within the event. All disputes regarding the State's objections that cannot be resolved informally shall be resolved through arbitration pursuant to Section XXIII(C) of the Compact. The issue for decision by the arbitration panel shall be whether the preponderance of the evidence supports the State's objection.
- (5) The Nation shall not offer wagering on events that are not permitted or approved pursuant to this section or deemed to be included within this section as permitted events pursuant to Sections XVIII(C), (E), or (G) of the Compact.
- (6) Prohibited Events. Wagers shall not be accepted for prohibited events. All events that are not permitted events are prohibited events.
- (c) Event Wagering System Technical Requirements.** Wagering on events shall only be conducted through the event wagering system. The event wagering system shall meet the following requirements:
- (1) Testing and Approval by an Independent Gaming Testing Lab. The event wagering system shall be tested and approved by an independent gaming testing lab that has been approved by Wisconsin OIGRC and which at a minimum complies with and tests to the standards from GLI-33: Standards for Event Wagering Systems sections 2.2.1.; 2.2.2.; 2.3.2.; and 2.3.3.

- (2) Revisions to GLI-33. Revisions to GLI-33 sections referenced herein shall be treated as an amendment to these OGMICS and shall be made subject to the provisions in Article XXXV of the Compact.
- (3) Server Location. The server and other server-related equipment necessary to place, accept and payout a wager on an event shall be located within a secure facility owned by the Nation within the boundaries of the Nation's reservation.
- (4) Information Technology. The event wagering system must comply with all requirements of Article IX, Information Technology, of the OGMICS.

(d) Event Wagering System Periodic Security Testing. Tribal Gaming Management shall perform periodic security testing that meets the requirements of GLI-33, Appendix B.9 Periodic Security Testing. Revisions to Appendix B.9. shall be treated as an amendment to these OGMICS and shall be made subject to the provisions in Article XXXV of the Compact.

(e) Wagering station requirements.

- (1) Independent Testing of Wagering Stations. All wagering stations shall meet the requirements of Gaming Laboratories International's standard titled GLI-20: Standards for Kiosks" (hereafter "GLI-20"). Revisions to GLI-20 shall be treated as an amendment to these OGMICS and shall be made subject to the provisions in Article XXXV of the Compact.
- (2) Installation Testing. Upon installation and prior to placing each wagering station into service, each wagering station shall be tested to verify the proper functioning of at least the following:
 - (i) communication with the event wagering system;
 - (ii) communication with the player geolocation tracking system to the extent the station interfaces with the tracking system;
 - (iii) the wagering ticket printer;
 - (iv) all buttons and screens; and
 - (v) all software, which shall be verified by an independent test lab.
- (3) Software Validation. For wagering software installed locally on the wagering station, it shall be possible to authenticate that all critical components contained in the software are valid each time the software is loaded for use, and where supported by the system, on demand as may be required by the Oneida Gaming Commission. Critical components may include, but are not limited to, wagering rules, elements that control the

communications between the wagering station and the event system, or other components that are needed to ensure proper operation of the software. In the event of a failed authentication (i.e., program mismatch or authentication failure), the software shall prevent wagering operations and display an appropriate error message.

(4) Removal, Retirement and/or Destruction. Procedures shall be implemented to ensure the proper retirement and removal of all wagering stations from operation.

(f) Permitted locations, remote wagering device operation, security requirements, and geolocation requirements.

(1) A customer may place a wager using a remote wagering device only when the remote wagering device is located on a parcel of land that is within the boundaries of the Oneida Nation Reservation with the exception of parcels of land not owned by or held in trust for the Nation that contain a public or private school conducting classes in any of the grades pre-kindergarten through grade 12.

(2) Wagering Account Requirement. Customers placing wagers from a remote wagering device must have a wagering account.

(3) Secure and Confidential Communications. Communication between a remote wagering device and the event wagering system must be conducted using a method that securely links the remote wagering device to the event wagering system, maintains the confidentiality of the communications, and authenticates both the remote wagering device and the event wagering system as authorized to communicate over that link.

(4) Authorization Information.

(i) The event wagering system shall require an account holder to re-enter his or her password/pin and/or biometric authentication after 15 minutes of inactivity, as measured by the event wagering system.

(ii) The event wagering system shall disable the account after three failed login attempts and require multi-factor authentication to recover or reset a password or username.

- (iii) The remote wagering device software shall not be used to store passwords, pins, and/or biometric authorization information. Autocomplete, password caching, or other methods that will fill in the password field shall be disabled by default for the software.
- (5) Client-Server Interactions. The Event Wagering System shall comply with GLI-33: Standards for Event Wagering Systems sections 3.5.2(a)(b)(c), 3.5.3., 3.5.4., 3.5.5., and 3.5.6. Revisions to GLI-33 sections referenced herein shall be treated as an amendment to these OGMICS and shall be made subject to the provisions in Article XXXV of the Compact.
- (6) Software Validation. For wagering software installed locally on the remote wagering device, it shall be possible to authenticate that all critical components contained in the software are valid each time the software is loaded for use, and where supported by the system, on demand as may be required by the Oneida Gaming Commission. Critical components may include, but are not limited to, wagering rules, elements that control the communications between the wagering station and the event system, or other components that are needed to ensure proper operation of the software. In the event of a failed authentication (i.e., program mismatch or authentication failure), the software shall prevent wagering operations and display an appropriate error message.
- (7) Compatibility Verification. During any installation or initialization and prior to commencing wagering operations, the event wagering system shall run a check to detect any incompatibilities or resource limitations with the remote wagering device that would prevent proper operation of the software (e.g., software version, minimum specifications not met, browser type, browser version, plug-in version, etc.). If any incompatibilities or resource limitations are detected, the software shall prevent wagering operations and display an appropriate error message.
- (8) Geolocation Requirements. Where remote wagering occurs over the internet, the event wagering system shall incorporate a location detection service or application to reasonably detect and dynamically monitor the location of a player attempting to place a wager, and to monitor and enable the blocking of unauthorized attempts to place a wager outside of the authorized wagering area.
 - (i) Each player shall pass a location check prior to completing each wager after logging in on a specific Remote Wagering Device.
 - (A) If the location check indicates the player is outside the permitted boundary or cannot successfully locate the player, the wager shall be rejected, and the player shall be notified of this.

(B) An entry shall be recorded in a time stamped log any time a location violation is detected, including the unique player ID and the detected location.

(ii) In addition, the geolocation service shall comply with GLI-33: Standards for Event Wagering Systems sections 2.7.2., 2.7.3., 2.7.4.(b)(c)(d) and (e). Revisions to GLI-33 sections referenced herein shall be treated as an amendment to these OGMICS and shall be made subject to the provisions in Article XXXV of the Compact.

(g) Issuance and control of wagering tickets.

(1) Immediately upon accepting a wager, other than an account wager, the event wagering system shall create and issue to the customer a wagering ticket containing at least the following written information:

- (i) name of the event(s) or event market(s) wagered on;
- (ii) amount(s) wagered;
- (iii) terms of wager (type of bet and total take);
- (iv) name, phone number, city and state of Tribal Gaming Management;
- (v) a unique transaction identifier;
- (vi) date and time the ticket was issued;
- (vii) the cashier or kiosk generating the ticket; and
- (viii) the redemption period for the ticket (which shall not be less than sixty (60) days after the occurrence of the event) and instructions for redemption by mail.

(2) When accepting a wager through a wagering account, the event wagering system shall create and issue to the customer an e-wagering ticket containing at least the following written information:

- (i) name of the event(s) or event market(s) wagered on;
- (ii) amount(s) wagered;
- (iii) terms of wager (type of bet and total take);
- (iv) a unique transaction identifier; and

(v) date and time the ticket was issued.

(h) Acceptance of Wagers.

- (1) Wagers may only be made with cash, chips, or other representatives of value, or against credits made to a wagering account, consistent with Article V.D. of the Nation's compact with the State of Wisconsin.
- (2) Wagers shall not be knowingly accepted for an event or a market the outcome of which has already been determined.
- (3) Wagers shall not be accepted from a customer who Tribal Gaming Management or its agents know or reasonably should know is a messenger bettor.
- (4) Wagers shall not be accepted from a customer who Tribal Gaming Management or its agents know or reasonably should know is placing the wager in violation of tribal, state or federal law.
- (5) A customer's money or its equivalent shall not be held on the understanding that the money will be accepted as a wager only upon the occurrence of a specified, future contingency, unless a betting ticket documenting the wager and contingency is issued immediately when the operator receives the money or its equivalent.
- (6) Wagers shall not be accepted if the odds/lines are not posted. Odds/lines may be posted by electronic or manual means, including printed media. If posted odds/lines are not updated simultaneously with actual changes to the odds/lines, an announcement, audible throughout the operation, must be made simultaneously with the actual changes followed by updating the posted odds/lines within a time specified by Tribal Gaming Management.

(i) Payment of Winning Wagers.

- (1) Payment on a winning wager shall be made only to the person who presents the customer's copy of the betting ticket representing the wager.
- (2) Payment on a winning wager shall not be made to a person who Tribal Gaming Management or its agents know or reasonably should know is collecting the payment on behalf of another for monetary consideration or in violation of tribal, state, or federal law.
- (3) The gaming operation shall have controls in place detailing the method of paying winning tickets/vouchers in the event of a failure of the event wagering system's ability to pay winning tickets/vouchers.
- (4) Accounting records of all payments of winning wagers shall be retained by Tribal

Gaming Management for a period of seven (7) years.

- (5) After the conclusion of the event all winning betting tickets shall be honored for the redemption period printed on the betting ticket, which shall be at least sixty (60) days from the date of the event.

(j) Persons Prohibited and/or Limited from Placing Wagers.

- (1) Persons who have nonpublic information about an event or a participant in an event, who are in a position to affect the outcome of an event, or whose participation in wagering on an event might cause the appearance of a conflict of interest, shall be prohibited from wagering on the event or a market in the event. This includes but is not limited to the following types of persons:

- (i) athletes participating in the event; and
- (ii) employees or contractors of the governing body for the event, employees and contractors of the owner or management of a team participating in the event, and employees and contractors of athletes participating in the events, including but not limited to: referees, officials, coaches, managers, handlers, athletic trainers, team physicians, and other physicians providing medical consultation or treatment of an event participant.

- (2) Tribal Gaming Management shall take reasonable steps to prevent the circumvention of this prohibition, which shall be satisfied by creating and following procedures to implement a blocked bettor list including all persons included in subsection (1), the names of whom may be provided by any athletic team or governing body involved in events for which Tribal Gaming Management accepts wagers. Tribal Gaming Management shall update the blocked bettor list within ten (10) days of receipt of new information from a team or governing body.

- (3) Tribal Gaming Management may implement customer self-imposed and Tribal Gaming Management-imposed limits and exclusions.

(k) Wagers or Payouts in Excess of \$3,000. Wagers and payouts in excess of \$3,000 shall only be placed and received by customers with an active wagering account as set forth in section (v) of these OGMICS.

(l) Reports of Suspicious Transactions.

- (1) As used in this section, “suspicious transaction” means any transaction that Tribal Gaming Management or an agent knows or has reason to suspect:

- (i) is, or would be if completed, indicative of match fixing, the manipulation of an event, or misuse of inside information;
 - (ii) is, or would be if completed, in violation of, or is part of a plan to violate or evade, any federal, state, or tribal law or regulation;
 - (iii) is, or would be if completed, wagering by, or on behalf of, a person prohibited from placing wagers pursuant to section (j) of these OGMICS; or
 - (iv) has no business or apparent lawful purpose or is not the sort of transaction the particular customer would normally be expected to perform, and the operator knows of no reasonable explanation for the transaction after examining the available facts, including the background of the transaction.
- (2) Tribal Gaming Management:
- (i) shall file suspicious transaction reports to the Oneida Gaming Commission using a form developed by the Oneida Gaming Commission, disclosing all suspicious transactions which involve or aggregate to more than \$5,000 in funds or other assets; and
 - (ii) may file a report of any suspicious transaction, regardless of the amount, if Tribal Gaming Management believes it is relevant to the possible violation of any law or regulation.
- (3) Tribal Gaming Management shall immediately notify the Oneida Gaming Commission of any suspicious activity. In addition, Tribal Gaming Management shall timely file the report required in subsection (2) no later than seven (7) calendar days after the initial detection of the facts that may constitute a basis for filing such a report.
- (4) The Oneida Gaming Commission shall promptly forward unredacted copies of all suspicious transaction reports to:
- (i) the tribal gaming regulatory authorities of other Wisconsin tribes where event wagering is offered; and
 - (ii) the Wisconsin OIGRC.
- (5) The Oneida Gaming Commission shall forward redacted copies of all suspicious transaction reports to the applicable event governing bodies, provided that the governing body has provided Tribal Gaming Management with the appropriate contact information.
- (6) Tribal Gaming Management shall maintain a copy of any report filed and the original or

business record equivalent of any supporting documentation for a period of seven (7) years from the date of filing the report. Supporting documentation shall be identified and maintained by Tribal Gaming Management as such and shall be deemed to have been filed with the report. Tribal Gaming Management shall make all supporting documentation available to the Oneida Gaming Commission, the Wisconsin OIGRC, and any other appropriate regulatory and law enforcement agencies upon request.

(7) Tribal Gaming Management and its agents shall not notify any person involved in the transaction that the transaction has been reported. Any report, whether written or oral, does not impose liability for defamation or constitute a ground for recovery in any civil action.

(8) Tribal Gaming Management may cancel or suspend wagering on events related to any suspicious transaction report as set out in the house rules.

(m) Rules of Play for Event Wagering. Comprehensive rules of play governing event wagering transactions with customers shall be conspicuously displayed at all gaming operations. All rules of play must be approved by the Oneida Gaming Commission and submitted to Wisconsin OIGRC in accordance with the Oneida Nation's Gaming Compact Article XXXV.A. prior to implementation. The rules must specify the following at a minimum:

- (1) the types of wagers offered, including payout information;
- (2) rules governing acceptance of wagers, which shall include any restrictive provisions such as minimum and maximum wager amounts to be paid on winning wagers;
- (3) effect of schedule or event location changes;
- (4) when the event result is considered official for purposes of a wager;
- (5) redemption period for winning tickets;
- (6) the method of noticing odds or line changes to customers;
- (7) procedures for handling incorrectly posted events, odds, wagers, or results;
- (8) the policy regarding cancellation of wagers by the customer, including whether cancellations by the customer are permitted;
- (9) that wagers may be accepted at other than the currently posted terms, if applicable; and
- (10) identification requirements for customers placing wagers.

(n) Layoff Wagers and Gross Revenue Computations. Tribal Gaming Management, in its

discretion, may accept layoff wagers only from other Wisconsin tribal casinos. Layoff wagers placed by Tribal Gaming Management may be made in any jurisdiction where such placement is permitted provided that Tribal Gaming Management shall comply with any regulations related to layoff wagers in the jurisdiction where said wager is placed. Layoff wagers shall not affect the computation of the Nation's net win. Should Tribal Gaming Management place a layoff wager with any other Wisconsin tribal casino, it shall disclose its identity to the tribe accepting the wager.

(o) Wager Record Information. For each individual wager placed by a customer, the information to be maintained and backed up by the system shall include:

- (1) The date and time the wager was placed;
- (2) any customer choices involved in the wager:
 - (i) market and line postings (e.g., money line bet, point spreads, over/under amounts, win/place/show);
 - (ii) wager selection (e.g., athlete or team name and number);
 - (iii) any special condition(s) applying to the wager;
- (3) results of the wager (blank until confirmed);
- (4) total amount wagered, including any promotional/bonus credits (if applicable);
- (5) total amount won, including any promotional/bonus credits (if applicable);
- (6) commission or fees collected (if applicable);
- (7) date and time the winning wager was paid to the player;
- (8) unique identification number of the wager;
- (9) user identification or unique wagering device ID which issued the wager record (if applicable);
- (10) relevant location information;
- (11) event and market identifiers;
- (12) current wager status (active, cancelled, unredeemed, pending, void, invalid, redemption in progress, redeemed, etc.);
- (13) unique player ID, for wagers conducted using a wagering account; and
- (14) redemption period (if applicable).

(p) Promotion/Bonus Information. The Event Wagering System shall comply with OGMICS Chapter 6, Gaming Promotions and Player Tracking.

(q) Transaction log or account statement. The system must be able to provide wagering account holders with an electronic record history of all transactions upon request. The information provided shall include sufficient information to allow the customer to reconcile the statement or log against their own financial records. Information to be provided shall include at a minimum, details on the following types of transactions:

(1) financial transactions (time stamped with a unique transaction ID):

- (i) deposits to the customer's wagering account;
- (ii) withdrawals from the customer's wagering account;
- (iii) promotional or bonus credits added to/removed from the customer's wagering account (outside of credits won in wagering); and
- (iv) manual adjustments or modifications to the customer's wagering account (e.g., due to refunds).

(2) wagering transactions:

- (i) unique identification number of the wager;
- (ii) date and time the wager was placed;
- (iii) date and time the event started and ended or is expected to occur for future events (if known);
- (iv) date and time the results were confirmed (blank until confirmed);
- (v) any customer choices involved in the wager, including market and line postings, wager selection, and any special condition(s) applying to the wager;
- (vi) results of the wager (blank until confirmed);
- (vii) total amount wagered, including any promotional/bonus credits (if applicable);
- (viii) total amount won, including any promotional/bonus credits (if applicable);
- (ix) commission or fees collected (if applicable); and
- (x) the date and time the winning wager was paid to the player.

(r) Reporting Requirements. The event wagering system shall be able to generate the following types of reports:

(1) Operator Revenue Report. An operator revenue report must contain, at a minimum, the following information for each event as a whole and for each individual market within that event:

- (i) the date and time each event started and ended;

- (ii) total amount of wagers collected;
 - (iii) total amount of winnings paid to customers;
 - (iv) total amount of wagers cancelled;
 - (v) commission and fees collected (if applicable);
 - (vi) event and market identifiers; and
 - (vii) event status (in progress, complete, confirmed, etc.).
- (2) Operator Liability Report. An operator liability report must contain, at a minimum, the following information:
- (i) total amount held by the gaming operation for customer accounts (if applicable);
 - (ii) total amount of wagers placed on future events; and
 - (iii) total amount of winnings owed but unpaid by the operator on winning wagers.
- (3) Promotion/Bonus Summary Report. A promotion/bonus summary report shall provide information regarding the amounts of any promotions and/or bonuses provided to customers that are redeemable for cash, wagering credits, or merchandise, and shall contain, at a minimum, the following information:
- (i) beginning balance for all promotions/bonuses;
 - (ii) total amount of all promotions/bonuses issued;
 - (iii) total amount of all promotions/bonuses redeemed;
 - (iv) total amount of all promotions/bonuses expired;
 - (v) total amount of all promotion/bonus adjustments; and
 - (vi) ending balance for promotion/bonus.
- (4) Future Events Report. A future events report must contain, at a minimum, the following information for the gaming day:
- (i) wagers placed prior to the gaming day for future events (total and by wager);
 - (ii) wagers placed on the gaming day for future events (total and by wager);

- (iii) wagers placed prior to the gaming day for events occurring on that gaming day (total and by wager);
- (iv) wagers placed on the gaming day for events occurring on that gaming day (total and by wager);
- (v) wagers cancelled on the gaming day (total and by wager); and
- (vi) event and market identifiers.

(5) Significant Events and Alterations Report.

- (i) A significant events and alterations report must contain, at a minimum, the following information:
 - (A) date and time of each significant event or alteration;
 - (B) event/market identifier, if applicable;
 - (C) identification of user(s) who performed and/or authorized each alteration;
 - (D) reason/description of the significant event or alteration, including any data or parameters altered;
 - (E) data or parameter value prior to alteration; and
 - (F) data or parameter value after alteration.
- (ii) A “significant event” includes the following:
 - (A) a failed login attempt;
 - (B) a program error or authentication mismatch;
 - (C) significant periods of unavailability of any critical component of the event wagering system;
 - (D) large wins (single and aggregate over defined time period) in excess of a value specified by the Oneida Gaming Commission, including wager record information;
 - (E) large wagers (single and aggregate over defined time period) in excess of a value specified by the Oneida Gaming Commission, including wager record information;

- (F) system voids, overrides, and corrections;
 - (G) changes to live data files occurring outside of normal program and operating system execution;
 - (H) changes that are made to the download data library, including the addition, changing or deletion of software, where supported;
 - (I) changes to operating system, database, network, and application policies and parameters;
 - (J) changes to date/time on master time server;
 - (K) changes to previously established criteria for an event or market (not including line posting changes for active markets);
 - (L) changes to the results of an event or market;
 - (M) changes to promotion and/or bonus parameters;
 - (N) the following player account management information:
 - 1. adjustments to a player account balance;
 - 2. changes made to player data and sensitive information recorded in a player account;
 - 3. deactivation of a player account; and
 - 4. large financial transactions (single and aggregate over defined time period) in excess of a value specified by the Oneida Gaming Commission, including transaction information;
 - (O) irrecoverable loss of sensitive information;
 - (P) any other activity requiring user intervention and occurring outside of the normal scope of system operation; and
 - (Q) other significant or unusual events as deemed applicable by the Oneida Gaming Commission.
- (6) User Access Listing Report. A user access listing report is a list identifying all users and user access to the event wagering system. The report must contain, at a minimum, the following:
- (i) employee name and title or position;

- (ii) user login name;
- (iii) date and time of each login;
- (iv) date of last password change; and
- (v) date and time account disabled/deactivated.

(7) Title 31 Reporting. Tribal Gaming Management shall comply with OGMICS, Chapter 17, Currency Transaction Reporting (Title 31).

(s) Risk Management. Tribal Gaming Management may engage the services of a state licensed sports book services provider for the purpose of advising about the management of risk associated with event wagering, including but not limited to:

- (1) management of risks associated with wagering on any event or market within an event;
- (2) determination of where lines, point spreads, odds, or other activities relating to wagering are initially set and the determination of whether to change such lines, point spreads, odds, or other activities;
- (3) whether or not to accept or reject wagers or to place layoff wagers; and
- (4) the use, transmittal, and accumulation of information and data for the purpose of providing risk management.

(t) Information Technology Requirements. OGMICS Chapter 11, Information Technology and Information Technology Data shall apply to the event wagering system.

(u) Surveillance Requirements. Tribal Gaming Management shall maintain surveillance coverage of the areas in which event wagering may take place within the gaming facility. This surveillance shall be part of the gaming facility's surveillance system and subject to the same monitoring, activity reporting, maintenance and recording retention requirements as the rest of the system. Tribal Gaming Management shall ensure that the event wagering surveillance meets the following additional requirements:

- (1) For live cashier stations, the system must provide coverage of the defined wagering areas with sufficient detail to identify individuals within the cage and customers and staff members at the counter areas and to confirm the amount of each transaction;
- (2) For wagering kiosks, the system must provide dedicated camera coverage of the individual placing the wager with sufficient clarity to identify that individual.

(v) Wagering Account Requirements. Customers must have a wagering account prior to

placing a wager on a remote wagering device or placing a wager in excess of \$3,000. The following are requirements related to wagering accounts.

- (1) A wagering account must be capable of recording at least the following types of transactions:
 - (i) deposits;
 - (ii) withdrawals/redemption;
 - (iii) debits;
 - (iv) credits;
 - (v) service or other transaction-related charges authorized by the customer; and
 - (vi) adjustments to the wagering account.
- (2) Customer registration for a wagering account must occur on-site at a licensed gaming facility.
- (3) Wagering accounts may only be established for individual persons and no entity may establish an account, except for other Wisconsin Tribal casinos offering sports wagering and solely for the purpose of making layoff wagers.
- (4) Only customers of the legal age to wager may open a wagering account;
- (5) Prior to establishing a wagering account, Tribal Gaming Management shall verify:
 - (i) the customer's identity, including age, using:
 - (A) third party or governmental databases; and
 - (B) a REAL identification credential and/or government issued identification credential, which includes Oneida Nation Tribal identification, provided that any such identification must contain the name, residential address, date of birth, photograph, and signature of the customer.
 - (ii) that the customer is not on any of the gaming operation's exclusion lists.
- (6) Establishment of a wagering account must require the customer to consent to the monitoring and recording of the use of the wagering account, including geographic location information, by Tribal Gaming Management for the purposes of monitoring and investigating suspicious wagering activity and enforcing geographic restrictions on the

use of remote wagering devices.

- (7) A customer may have no more than one wagering account and only the account holder may place wagers through the account. If an individual other than the account holder places a wager through the wagering account, Tribal Gaming Management shall suspend the wagering account and place both the account holder and individual who placed the wager through the account on the Nation's List of Excluded Persons, as described in Article V.G. of the Nation's Gaming Compact.
- (8) Any person who intentionally circumvents the geographic restrictions on placing wagers set forth in these OGMICs shall be permanently barred from wagering.
- (9) Tribal Gaming Management must have a documented method to address potential customer account fraud, which, at a minimum, shall require Tribal Gaming Management to suspend the wagering account of any individual involved in the fraudulent placement of wager(s).
- (10) After establishment of the account or any modification of the wagering account password, PIN or other security feature where applicable, Tribal Gaming Management shall provide notice of any such action to the account holder via electronic or regular mail, text message, or equivalent mechanism.
- (11) A wagering account shall not be activated for use until all account holder identification information has been collected.
- (12) All account holder identification information must be stored in a secure electronic wagering account file.
- (13) The operator shall encrypt, at a minimum, the following wagering account information:
 - (i) the account holder's social security number or equivalent for a foreign customer such as a passport or tax identification number;
 - (ii) the account holder's username, passwords, and/or PINs; and
 - (iii) credit card numbers, bank account numbers, or other financial information.
- (14) The wagering account system shall have a method for securely issuing, modifying, and resetting an account holder's password, personal identification number (PIN), or other security feature where applicable, which shall include, at a minimum, proof of identity, if in person, or multi-factor identification.
- (15) An account holder's event wagering account may be funded with the following:

- (i) The account holder's deposit of cash, gaming chips, or slot tokens at a cashiering location;
 - (ii) Cash complimentaries, promotional credits, or bonus credits;
 - (iii) Winnings;
 - (iv) ACH transfer from an account of the wagering account holder, provided that the Nation has security measures and controls to prevent ACH fraud; and
 - (v) Adjustments made by Tribal Gaming Management with documented notification to the account holder. All adjustments shall be authorized by supervisory personnel prior to being entered.
- (16) Withdrawals from a wagering account may be made only by the account holder. Withdrawals may be made for the purpose of:
- (i) The funding of wagers;
 - (ii) A cash-out at the cashier's cage;
 - (iii) A cash-out transfer directly to the account holder's individual account with a bank or other financial institution (banking account). Tribal Gaming Management shall verify the validity of the banking account with the financial institution prior to making any transfers; and
 - (iv) Adjustments made by Tribal Gaming Management with documented notification to the account holder. Adjustments shall be authorized by supervisory personnel prior to being entered.

(w) Reserve Requirements for Wagering Accounts.

- (1) Tribal Gaming Management shall maintain a reserve in the form of cash, cash equivalents, an irrevocable letter of credit, a bond, or a combination thereof for the benefit and protection of customer funds held in wagering accounts.
- (2) The amount of the reserve shall not be less than the greater of \$25,000 or the sum of the following amounts:
 - (i) Amounts held by the book for the account of customers;
 - (ii) Amounts accepted by the book as wagers for events or markets that have not yet occurred; and

- (iii) Amounts owed but unpaid on winning wagers through the period established for honoring winning wagers.
- (3) Reserve requirements must be calculated each day. If reserve is not sufficient to cover the calculated requirement, Tribal Gaming Management must notify the Oneida Gaming Commission and the Wisconsin OIGRC in writing and must also state the steps that will be taken to promptly remedy the deficiency.

School	Street	Community	Type
Hillcrest Elementary School	4193 Hillcrest Rd	Oneida	Public
King Elementary School	1601 Dancing Dunes Dr	Green Bay	Public
Lombardi Middle School	1520 S Point Rd	Green Bay	Public
MacArthur Elementary School	1331 Hobart Dr	Green Bay	Public
Southwest High School	1331 Packerland Dr	Green Bay	Public
Oneida Early Intervention	1260 Packerland Dr	Green Bay	Private
Oneida Nation High School	N7120 Seminary Rd	Oneida	Private
Oneida Nation School System	N7215 Seminary Rd	Oneida	Private

ZIP
54155
54313
54313
54304
54304
54304
54155
54155

Post one (1) vacancy - Oneida Nation Commission on Aging

Business Committee Agenda Request

1. Meeting Date Requested: 02/14/24

2. General Information:

Session: Open Executive – must qualify under §107.4-1.

Justification: *Choose reason for Executive.*

3. Supporting Documents:

- | | | |
|--|--|---|
| <input type="checkbox"/> Bylaws | <input type="checkbox"/> Fiscal Impact Statement | <input type="checkbox"/> Presentation |
| <input type="checkbox"/> Contract Document(s) | <input type="checkbox"/> Law | <input type="checkbox"/> Report |
| <input checked="" type="checkbox"/> Correspondence | <input type="checkbox"/> Legal Review | <input type="checkbox"/> Resolution |
| <input type="checkbox"/> Draft GTC Notice | <input type="checkbox"/> Minutes | <input type="checkbox"/> Rule (adoption packet) |
| <input type="checkbox"/> Draft GTC Packet | <input type="checkbox"/> MOU/MOA | <input type="checkbox"/> Statement of Effect |
| <input type="checkbox"/> E-poll results/back-up | <input type="checkbox"/> Petition | <input type="checkbox"/> Travel Documents |
| <input type="checkbox"/> Other: <i>Describe</i> | | |

4. Budget Information:

- | | | |
|--|--|-------------------------------------|
| <input type="checkbox"/> Budgeted | <input type="checkbox"/> Budgeted – Grant Funded | <input type="checkbox"/> Unbudgeted |
| <input checked="" type="checkbox"/> Not Applicable | <input type="checkbox"/> Other: <i>Describe</i> | |

5. Submission:

Authorized Sponsor: Lisa Liggins, Secretary

Primary Requestor: Bonnie Pigman, Recording Clerk

Additional Requestor: (Name, Title/Entity)


Additional Requestor: (Name, Title/Entity)

Submitted By: BPIGMAN



Memorandum

TO: Oneida Business Committee

FROM: Brooke Doxtator, BCC Supervisor 

DATE: January 31, 2024

RE: Post one (1) vacancy – Oneida Nation Commission on Aging

Background

There is a vacancy on the Oneida Nation Commission on Aging that needs to be posted. The vacancy is due to the resignation of Christina Ligiins which went into effect January 23, 2024. The vacancy is for term ending July 31, 2026.

According to the Oneida Nation Commission on Aging bylaws section 1-5.c.2.

“Vacancies that occur before the end of a term shall be filled by appointment of the Oneida Business Committee pursuant to the Boards, Committees and Commissions law.”

Action requested:

Post one (1) vacancy for the Oneida Nation Commission on Aging.

Accept the Anna John Resident Centered Care Community Board FY-2024 1st quarter report

Business Committee Agenda Request

1. Meeting Date Requested: 02/14/24

2. General Information:

Session: Open Executive – must qualify under §107.4-1.

Justification: *Choose reason for Executive.*

3. Supporting Documents:

- | | | |
|---|--|---|
| <input type="checkbox"/> Bylaws | <input type="checkbox"/> Fiscal Impact Statement | <input type="checkbox"/> Presentation |
| <input type="checkbox"/> Contract Document(s) | <input type="checkbox"/> Law | <input checked="" type="checkbox"/> Report |
| <input type="checkbox"/> Correspondence | <input type="checkbox"/> Legal Review | <input type="checkbox"/> Resolution |
| <input type="checkbox"/> Draft GTC Notice | <input type="checkbox"/> Minutes | <input type="checkbox"/> Rule (adoption packet) |
| <input type="checkbox"/> Draft GTC Packet | <input type="checkbox"/> MOU/MOA | <input type="checkbox"/> Statement of Effect |
| <input type="checkbox"/> E-poll results/back-up | <input type="checkbox"/> Petition | <input type="checkbox"/> Travel Documents |
| <input type="checkbox"/> Other: <i>Describe</i> | | |

4. Budget Information:

- | | | |
|--|--|-------------------------------------|
| <input type="checkbox"/> Budgeted | <input type="checkbox"/> Budgeted – Grant Funded | <input type="checkbox"/> Unbudgeted |
| <input checked="" type="checkbox"/> Not Applicable | <input type="checkbox"/> Other: <i>Describe</i> | |

5. Submission:

Authorized Sponsor: Lorna Skenandore, Chair/Anna John Resident Centered Care Community Board

Primary Requestor: Shannon Davis, Recording Clerk

Additional Requestor: (Name, Title/Entity)

Additional Requestor: (Name, Title/Entity)

Submitted By: SDAVIS

FY-2024 1st (Oct - Dec) Quarter Report

Anna John Resident Centered Care Community Board

Approved by official entity action on: February 5, 2024

Submitted by: Lorna Skenandore

OBC Liaison: Jennifer Webster

OBC Liaison: Lawrence Barton

PURPOSE

The purpose of the Anna John Resident Centered Care Community (AJRCCC) Board is to serve in an advisory capacity ensuring operations of AJRCCC are within the guidelines and policies of the Oneida Nation and within all regulations, rules, policies governing the operation of a nursing home. The Board ensures the AJRCCC maintains a safe and sanitary environment while providing quality care and services to residents of the facility and as ordered by each resident's attending physician.

AUTHORITY

The Anna John Resident Centered Care Community Board is responsible for, including, but not limited to:

- (a) Enhancing services between the community, the residents of AJRCCC, their families and the AJRCCC Administration.
- (b) Being involved, visiting, and participating in activities with the residents of AJRCCC.
- (c) Ensuring that the AJRCCC is equipped and staffed in a manner that provided the best services for residents of the AJRCCC.
- (d) Bringing the Board's and AJRCCC residents' concerns and/or complaints to the AJRCCC Administration, as well as the Comprehensive Health Division Director and/or the Oneida Business Committee liaison to the Board.
- (e) Ensuring that the AJRCCC operates within the guidelines and policies governing its operations.
- (f) Ensuring that the AJRCCC maintains a safe and sanitary environment while providing quality care and services to its residents as ordered by each resident's attending physician; and
- (g) Carrying out all other powers and/or duties delegated to the Board by the laws of the Nation.

BCC MEMBERS

Patricia Moore
Member
07/31/2026

Lorna Skenandore
Chair
07/31/2026

Jeanette Ninham
Member
07/31/2024

Beverly Anderson
Vice-Chair
07/31/2027

Brenda VandenLangenberg
Member
07/31/2025

Shirley Schuyler
Member
07/31/2027

Valerie Groleau
Member
07/31/2026

MEETINGS

2nd Wednesday of each month.

5:00 p.m.

Anna John Resident Centered Care Community Congregate Meal Site 2901 S. Overland Dr.
Oneida, WI. 54155

Emergency Meetings: None

CONTACT INFORMATION

CONTACT: Lorna Skenandore

TITLE: Chair

PHONE NUMBER: 920-869-4324

E-MAIL: ajc-lske@oneidanation.org

MAIN WEBSITE: <https://oneida-nsn.gov/government/boards-committees-and-commissions/appointed/#Anna-John-Resident-Centered-Care-Community-Board>

ACCOMPLISHMENTS

ACCOMPLISHMENT #1

Summary:

Community and organizational buy-in will be formed and economic sustainability will be promoted.

Impact:

The Board continues to meet monthly and attend the Resident Council meetings when able. By attending the latter, the Board can hear concerns directly from the residents and can attempt to solve issues or bring up concerns to other areas such as the Business Committee or include the issue on an agenda at the next regular board meeting.

ACCOMPLISHMENT #2

Summary:

Continue to update the education of the Anna John Resident Centered Care Community Board members.

Impact:

Currently the Board receives monthly updates from the Nursing Home Administration about what is happening at the nursing home, and the Board provides feedback and asks questions they may have. There were some trainings and conferences some of the board members attended early in the first quarter; The Tribal Caregiver Conference in Hayward WI, 2023 Fall Community Conversational Livestream regarding Alzheimer's treatment and research, Drive to End Alzheimer's Open House, 24th Annual NICOA Conference, Share and Care 2023 Conference regarding Breast & Cervical Cancers, Mayo Clinic Conference regarding brain health and dementia.

GOALS

LONG-TERM GOAL #1

Work with the Nursing Home Director and staff to build a stronger relationship and improve communication.

Strong Governing Systems and Cultural Relevancy

Update on Goal:

It is the intention of the Board to work on building a strong relationship with the Nursing Home Director, and Administration. It is discouraging for the Board that the Director chooses not to attend the monthly Board meetings, some Administration requires multiple reminders for reports; some of which are either turned in late or not turned in at all. The Board will be working with the Legislative Reference Office and the Board's legal counsel to review their By-laws and determine how to move forward with the Director and Administration so that the relevance of the Board is understood and not dismissed.

LONG-TERM GOAL #2

Promote and support elder community events and to share information that would benefit or promote health services that may be provided by the Anna John Resident Centered Care Community.

Transformational Leadership and Strategic Outlook

Update on Goal:

Attend and provide beneficial information for services that may be provided by or at the Anna John Resident Centered Care Community.

LONG-TERM GOAL #3

Attend training and education opportunities to better provide knowledge for Anna John Resident Centered Care Community Board members when it comes to residents of the nursing home.

Cultural Relevancy and Strategic Outlook

Update on Goal:

Request training opportunities from the Nursing Home Director, as well as requesting training and conference information from the Elder Services Manager or the Oneida Nation Commission on Aging.

QUARTERLY GOAL #1

Work with the Nursing Home Director and staff to build a stronger relationship and improve communication.

Strong Governing Systems and Cultural Relevancy

Update on Goal:

The Board continues to work on building a strong relationship with the Nursing Home Director, and Administration. It is discouraging for the Board that the Director chooses not to attend the monthly Board meetings, some Administration requires multiple reminders for reports; some of which are either turned in late or not turned in at all. The Board has intention to work with the Legislative Reference Office and their legal counsel so that they can get their by-laws updated and come up with a solution so that the Board can build a stronger relationship with the Nursing Home Director in a positive and professional manner that works in the best interest of the residents at the Anna John Resident Centered Care Community.

QUARTERLY GOAL #2

Request training and conference opportunities that the Board could attend.

Cultural Relevancy and Strategic Outlook

Update on Goal:

Request training opportunities from the Nursing Home Director, as well as requesting training and

conference information from the Elder Services Manager or the Oneida Nation Commission on Aging.

STIPENDS

Per the Boards, Committees, and Commissions law, stipends are set via OBC resolution. BC resolution 04-13-22-B sets the stipend amounts.

	Total dollar amount paid	Number of stipend type		
		Regular Mtg	Emergency Mtg	Hearings/Other
October 2023	\$1325	1	0	1
November 2023	\$450	1	0	0
December 2023	\$0	0	0	0

BUDGET

FY-2024 BUDGET: \$13,000

FY-2024 EXPENDITURES AS OF END OF REPORTING PERIOD: \$11,225

List how your BCC is utilizing your budget and projected budgetary uses for the next quarter.

This first quarter budget was used for stipends.

REQUESTS

List any requests to the Oneida Business Committee, use the space below.

None currently

OTHER

The December 13, 2023, meeting was canceled due to the severe COVID outbreak that took place at the nursing home, as was the December Resident Council meeting.

Accept the Environmental Resources Board FY-2024 1st quarter memorandum

Business Committee Agenda Request

1. Meeting Date Requested: 02/14/24

2. General Information:

Session: Open Executive – must qualify under §107.4-1.

Justification: *Choose reason for Executive.*

3. Supporting Documents:

- | | | |
|--|--|---|
| <input type="checkbox"/> Bylaws | <input type="checkbox"/> Fiscal Impact Statement | <input type="checkbox"/> Presentation |
| <input type="checkbox"/> Contract Document(s) | <input type="checkbox"/> Law | <input type="checkbox"/> Report |
| <input checked="" type="checkbox"/> Correspondence | <input type="checkbox"/> Legal Review | <input type="checkbox"/> Resolution |
| <input type="checkbox"/> Draft GTC Notice | <input type="checkbox"/> Minutes | <input type="checkbox"/> Rule (adoption packet) |
| <input type="checkbox"/> Draft GTC Packet | <input type="checkbox"/> MOU/MOA | <input type="checkbox"/> Statement of Effect |
| <input type="checkbox"/> E-poll results/back-up | <input type="checkbox"/> Petition | <input type="checkbox"/> Travel Documents |
| <input type="checkbox"/> Other: <i>Describe</i> | | |

4. Budget Information:

- | | | |
|--|--|-------------------------------------|
| <input type="checkbox"/> Budgeted | <input type="checkbox"/> Budgeted – Grant Funded | <input type="checkbox"/> Unbudgeted |
| <input checked="" type="checkbox"/> Not Applicable | <input type="checkbox"/> Other: <i>Describe</i> | |

5. Submission:

Authorized Sponsor: Lisa Liggins, Secretary

Primary Requestor: Shannon Davis, Recording Clerk

Additional Requestor: (Name, Title/Entity)


Additional Requestor: (Name, Title/Entity)

Submitted By: SDAVIS



Memorandum

TO: Oneida Business Committee

FROM: Brooke Doxtator, Boards, Committees and Commissions Supervisor on behalf of the Environmental Resources Board 

DATE: January 30, 2024

RE: Oneida Environmental Resources Board FY-2024 1st Quarter Report

The Government Administrative Office is asking the Oneida Business Committee to accept this memorandum in place of the Oneida Environmental Resource Board FY-2024 1st Quarter Report.

Membership:

ERB consists of nine (9) members. There are currently nine (9) vacancies with three (3) year terms.

Background:

- On September 28, 2022, the OBC made a motion to accept the Environmental, Health, Safety, Land, and Agriculture Environmental Resource Board assessment; to recommend the dissolution the Environment Resource Board; and to direct Chief Counsel to bring back a report in 45 days on actions that need to take place in order to complete the dissolution of the Environmental Resource Board including amendments to laws and addressing any background material.
- On December 7, 2022, the Legislative Operating Committee added several laws to the Active Files List to addresses amendments needed for the dissolution of the Environmental Resources Board and transition of responsibilities

Accept the Oneida Community Library Board FY-2024 1st quarter report

Business Committee Agenda Request

1. Meeting Date Requested: 02/14/24

2. General Information:

Session: Open Executive – must qualify under §107.4-1.

Justification: *Choose reason for Executive.*

3. Supporting Documents:

- | | | |
|---|--|---|
| <input type="checkbox"/> Bylaws | <input type="checkbox"/> Fiscal Impact Statement | <input type="checkbox"/> Presentation |
| <input type="checkbox"/> Contract Document(s) | <input type="checkbox"/> Law | <input checked="" type="checkbox"/> Report |
| <input type="checkbox"/> Correspondence | <input type="checkbox"/> Legal Review | <input type="checkbox"/> Resolution |
| <input type="checkbox"/> Draft GTC Notice | <input type="checkbox"/> Minutes | <input type="checkbox"/> Rule (adoption packet) |
| <input type="checkbox"/> Draft GTC Packet | <input type="checkbox"/> MOU/MOA | <input type="checkbox"/> Statement of Effect |
| <input type="checkbox"/> E-poll results/back-up | <input type="checkbox"/> Petition | <input type="checkbox"/> Travel Documents |
| <input type="checkbox"/> Other: <i>Describe</i> | | |

4. Budget Information:

- | | | |
|--|--|-------------------------------------|
| <input type="checkbox"/> Budgeted | <input type="checkbox"/> Budgeted – Grant Funded | <input type="checkbox"/> Unbudgeted |
| <input checked="" type="checkbox"/> Not Applicable | <input type="checkbox"/> Other: <i>Describe</i> | |

5. Submission:

Authorized Sponsor: Bridget John, Chair/Oneida Community Library Board

Primary Requestor: Shannon Davis, Recording Clerk

Additional Requestor: (Name, Title/Entity)

Additional Requestor: (Name, Title/Entity)

Submitted By: SDAVIS

FY-2024 1st (Oct - Dec) Quarter Report

Oneida Community Library Board

Approved by official entity action on: February 5, 2024

Submitted by: Bridget John

OBC Liaison: Marlon Skenandore

OBC Liaison: Jameson Wilson

PURPOSE

The purpose of the Board is to administer and oversee the administration of the Oneida Community Library in accordance with the laws of the Nation, Chapter 43 of the Wisconsin Statutes, and any policies pursuant thereto.

AUTHORITY

Supporting and endorsing the American Library Association's Library Bill of Rights and freedom to read statement, the Board accepts that its purpose is to assist the Oneida General Tribal Council and library staff:

- (A) To provide quality library and information services to the people of the Oneida community as well as Brown and Outagamie County residents through continuation of existing tribal, county, and inter-library system agreements.
- (B) To encourage and promote the development of library services to meet the informational, educational, cultural, and recreational needs of the Oneida Community Library clients.
- (C) To develop policies which will protect the unique resources held by the Oneida Community Library; specifically, those pertaining to the Oneida/Haudenosaunee and other Native American Nations.
- (D) To promote the use of meeting areas within the Oneida Community Library for socially useful and cultural activities.

The Board shall be responsible for:

- (1) The monitoring of, and advising on, the programs, services and acquisitions of print/non-print materials provided to Oneida Community Library clientele.
- (2) The carrying out of all powers and duties set forth in Wis. Stat., §43.58, as well as any other law, rule, policy, or contractual provision created thereunder.
- (3) The carrying out of any other authority delegated through the laws, policies, rules, and resolutions of the Nation.

BCC MEMBERS

Kathleen Cornelius
Member
03/31/2024

Vacant
School Administrator
03/31/2025

Stephanie Metoxen
Member
03/31/2024

Bridget John
Chair
03/31/2026

Carmelita Escamea
Vice-Chair
03/31/2025

MEETINGS

3rd Monday of each month.

12:00 p.m.

Oneida Community Library 201 Elm St., Oneida, WI. 54155

Emergency Meetings: 0

CONTACT INFORMATION

CONTACT: Bridget John

TITLE: Chair

PHONE NUMBER: 920-869-4324

E-MAIL: Boards@oneidanation.org

MAIN WEBSITE: <https://oneida-nsn.gov/government/boards-committees-and-commissions/appointed/#Oneida-Community-Library-Board>

ACCOMPLISHMENTS

ACCOMPLISHMENT #1

Summary:

To help promote the Oneida Community Library monthly events and any special events.

Impact:

With the Board attending and promoting the libraries monthly events or special events it brings more attention to the library and services and programs they have to offer. This promotes a good strategic outlook and how the library can continue to provide long term services and materials.

ACCOMPLISHMENT #2

Summary:

To help promote technological and social changes that challenge the traditional library experience.

Impact:

The Board is always willing to share what the library has going on and wanting to assist in getting resources out to the community, and willing to work with other areas to help the children and students of the Oneida Community. By doing this it is promoting and encouraging a strategic outlook.

ACCOMPLISHMENT #3

Summary:

Support and encourage the Library Manager in moving forward with Engineering for library updates and the CIP project.

Impact:

With the Board supporting the Library Manager it is encouraging cultural relevancy and a strong strategic outlook for continued cultural relevancy. Currently due to inadequate spacing and security needs, there is limited opportunities for cultural and educational events and information.

GOALS**LONG-TERM GOAL #1**

To help promote the Oneida Community Library monthly events and any special events.

Strategic Outlook

Update on Goal:

Help promote and spread the word on future events that the library is planning and collaborating on with other areas.

LONG-TERM GOAL #2

To help promote technological and social changes that challenge the traditional library experience.

Strategic Outlook

Update on Goal:

Help promote and spread the word on cultural and educational events being planned by the library.

LONG-TERM GOAL #3

Support and encourage the Library Manager in moving forward with Engineering for library updates and the CIP project.

Cultural Relevancy and Strategic Outlook

Update on Goal:

Be there to provide any assistance, guidance, or to help in moving the library expansion project forward.

QUARTERLY GOAL #1

To help promote the Oneida Community Library monthly events and any special events

Strategic Outlook

Update on Goal:

There were four (4) events that took place in the first quarter: Boo Bash collaboration, Native American Storytime, Facebook Live Storytime collaboration, Native American Month Events.

QUARTERLY GOAL #2

To help promote technological and social changes that challenge the traditional library experience.

Strategic Outlook

Update on Goal:

The Green Earth Library is a huge source for connectivity for cell phone users. They can connect to the Wi-Fi at the library, and they are also able to connect their laptops or tablets to the libraries Wi-Fi. In the first quarter, there were fifty-seven (57) devices connected to the Wi-Fi at the Green Earth Library. The Library Board Liaison shared that they are currently working on getting a cell phone tower that would impact so many in that area and would be an added benefit.

QUARTERLY GOAL #3

Support and encourage the Library Manager in moving forward with Engineering for Library updates and the CIP project.

Cultural Relevancy and Strategic Outlook

Update on Goal:

Reviewed the plans that were submitted to Engineering and provided encouragement for the Library Manager to keep moving forward. Any way the Board can assist, we are all on board and excited to see the project move forward.

STIPENDS

Per the Boards, Committees, and Commissions law, stipends are set via OBC resolution. BC resolution 04-13-22-B sets the stipend amounts.

	Total dollar amount paid	Number of stipend type		
		Regular Mtg	Emergency Mtg	Hearings/Other
October 2023	\$300	1	0	0
November 2023	\$0	0	0	0
December 2023	\$225	1	0	0

BUDGET

FY-2024 BUDGET: \$3,000

FY-2024 EXPENDITURES AS OF END OF REPORTING PERIOD: \$525

The Boards budget is solely for stipends.

REQUESTS

There is one request from the Library Board, they would like assistance and support from the Liaison to create a collaboration for services with the Recreation Department.

OTHER

None currently

Accept the Oneida Nation Arts Board FY-2024 1st quarter report

Business Committee Agenda Request

1. Meeting Date Requested: 012/14/24

2. General Information:

Session: Open Executive – must qualify under §107.4-1.

Justification: *Choose reason for Executive.*

3. Supporting Documents:

- | | | |
|---|--|---|
| <input type="checkbox"/> Bylaws | <input type="checkbox"/> Fiscal Impact Statement | <input type="checkbox"/> Presentation |
| <input type="checkbox"/> Contract Document(s) | <input type="checkbox"/> Law | <input checked="" type="checkbox"/> Report |
| <input type="checkbox"/> Correspondence | <input type="checkbox"/> Legal Review | <input type="checkbox"/> Resolution |
| <input type="checkbox"/> Draft GTC Notice | <input type="checkbox"/> Minutes | <input type="checkbox"/> Rule (adoption packet) |
| <input type="checkbox"/> Draft GTC Packet | <input type="checkbox"/> MOU/MOA | <input type="checkbox"/> Statement of Effect |
| <input type="checkbox"/> E-poll results/back-up | <input type="checkbox"/> Petition | <input type="checkbox"/> Travel Documents |
| <input type="checkbox"/> Other: <i>Describe</i> | | |

4. Budget Information:

- | | | |
|--|--|-------------------------------------|
| <input type="checkbox"/> Budgeted | <input type="checkbox"/> Budgeted – Grant Funded | <input type="checkbox"/> Unbudgeted |
| <input checked="" type="checkbox"/> Not Applicable | <input type="checkbox"/> Other: <i>Describe</i> | |

5. Submission:

Authorized Sponsor: Cody Cottrell, Chair/Oneida Nation Arts Board

Primary Requestor: Shannon Davis, Recording Clerk

Additional Requestor: (Name, Title/Entity)

Additional Requestor: (Name, Title/Entity)

Submitted By: SDAVIS

FY-2024 1st (Oct - Dec) Quarter Report

Oneida Nation Arts Board

Approved by official entity action on: February 2, 2024

Submitted by: Cody Cottrell

OBC Liaison: Lisa Liggins

OBC Liaison: Jennifer Webster

PURPOSE

The Board was established to assist in the promotion of a community that embraces art as a pathway to sovereignty, where traditional and contemporary arts are woven into the fabric of everyday life and embolden a sense of belonging. The Board was further established to provide advisory guidance and support to the Oneida Nation Arts Program ("ONAP"), and to oversee the Dollars for Arts Project ("DAP") in accordance with the DAP Law, the Wisconsin Regranting Program guidelines, and any other governing program guidelines as may be amended from time-to-time hereafter.

AUTHORITY

The powers and duties that have been delegated to the Board include, but are not limited to, the following.

- (1) *Advisory*
 - A. Advise and guide an impactful Oneida Nation Arts Program; and
 - B. Serve as a sounding board and feedback loop to the ONAP Director for matters related to the arts in the Oneida Nation.
- (2) *Advocacy*
 - A. Participate in the arts through teaching, learning, sharing and outreach.
 - B. Support artists in the community through support of and participation in programs, events, arts groups, and activities; and
 - C. Report ONAP/DAP/Board activities and impact to the Oneida Business Committee.
- (3) *Evaluation*
 - A. Evaluate the ONAP by request of the ONAP Director; and
 - B. Provide support for determining impactful measures of ONAP/DAP success.
- (4) *Fiscal*
 - A. Approve policies and procedures for the overall coordination and administration of the Wisconsin Regranting Program and any other governing program guidelines as may be amended from time-to-time hereafter.
 - B. Review and evaluate regranting annually.
 - C. Allocate DAP funds annually and;

- D. Approve Fiscal Sponsorships.
- (5) Carry out all additional powers/duties delegated to the Board through the DAP Law, Boards, Committees and Commissions Law; and any other governing laws, policies, rules and/or resolutions of the Nation

BCC MEMBERS

Cody Cottrell Chair 03/31/2024	Vacant Member 03/31/2025
Harmony Hill Vice-Chair 03/31/2024	Kelli Strickland Member 03/31/2026
Stacie Cutbank Member 03/31/2025	Vacant Member 03/31/2026
Christine Klimmek Member 03/31/2025	

MEETINGS

2nd Tuesday in September December, March and June.

5:00 PM

Microsoft Teams

Emergency Meetings: None

CONTACT INFORMATION

CONTACT: Sherrole Benton

TITLE: Arts Program Supervisor

PHONE NUMBER: 920-490-3832

E-MAIL: Sbenton@oneidanation.org

MAIN WEBSITE: <https://oneida-nsn.gov/government/boards-committees-and-commissions/appointed/#Oneida-Nation-Arts-Board>

ACCOMPLISHMENTS

ACCOMPLISHMENT #1

Summary:

Successful management of the annual Wisconsin Regranting program, that involves Dollars for Arts (DAP) and Planting Seeds of Knowledge (SEEDS) grants.

Impact:

There was \$11,500 awarded for the Dollars for Art grants in 2023 and the Board is awaiting the final report that will be submitted in February 2024, so more of an update will come in the second quarter.

GOALS

LONG-TERM GOAL #1

Successful management of the annual Wisconsin Regranting program, that involves Dollars for Arts (DAP) and Planting Seeds of Knowledge (SEEDS) grants

Strong Governing Systems

Update on Goal:

The Arts Board members formed sub-committee to review the tribe's DAP law and will continue working on it during the next year.

LONG-TERM GOAL #2

Review the Dollars for Arts law (Title 1. Government and Finances – Chapter 128) and clarify guidelines for applicants to the grant program.

Cultural Relevancy

Update on Goal:

A continuation of reviewing their By-Laws and SOPs to ensure the boards alignment with all policies, laws and governing documents of Boards, Committees and Commissions.

QUARTERLY GOAL #1

Successful management of the annual Wisconsin Regranting program, that involves Dollars for Arts (DAP) and Planting Seeds of Knowledge (SEEDS) grants

Strong Governing Systems

Update on Goal:

Reviewing the DAP Law to ensure the Regranting Program guidelines are clear, valid, and applicable to arts grant applicants.

STIPENDS

Per the Boards, Committees, and Commissions law, stipends are set via OBC resolution. BC resolution 04-13-22-B sets the stipend amounts.

	Total dollar amount paid	Number of stipend type		
		Regular Mtg	Emergency Mtg	Hearings/Other
October 2023	\$0	0	0	0
November 2023	\$0	0	0	0
December 2023	\$300	1	0	0

BUDGET

FY-2024 BUDGET:

[Click here to enter Budget](#)

FY-2024 EXPENDITURES AS OF END OF REPORTING PERIOD: \$300

The budget for this board is only for stipends

REQUESTS

None currently

OTHER

None currently

Accept the Oneida Nation Veteran Affairs Committee FY-2024 1st quarter report

Business Committee Agenda Request

1. Meeting Date Requested: 02/14/24

2. General Information:

Session: Open Executive – must qualify under §107.4-1.
Justification: *Choose reason for Executive.*

3. Supporting Documents:

- | | | |
|---|--|---|
| <input type="checkbox"/> Bylaws | <input type="checkbox"/> Fiscal Impact Statement | <input type="checkbox"/> Presentation |
| <input type="checkbox"/> Contract Document(s) | <input type="checkbox"/> Law | <input checked="" type="checkbox"/> Report |
| <input type="checkbox"/> Correspondence | <input type="checkbox"/> Legal Review | <input type="checkbox"/> Resolution |
| <input type="checkbox"/> Draft GTC Notice | <input type="checkbox"/> Minutes | <input type="checkbox"/> Rule (adoption packet) |
| <input type="checkbox"/> Draft GTC Packet | <input type="checkbox"/> MOU/MOA | <input type="checkbox"/> Statement of Effect |
| <input type="checkbox"/> E-poll results/back-up | <input type="checkbox"/> Petition | <input type="checkbox"/> Travel Documents |
| <input type="checkbox"/> Other: <i>Describe</i> | | |

4. Budget Information:

- | | | |
|--|--|-------------------------------------|
| <input type="checkbox"/> Budgeted | <input type="checkbox"/> Budgeted – Grant Funded | <input type="checkbox"/> Unbudgeted |
| <input checked="" type="checkbox"/> Not Applicable | <input type="checkbox"/> Other: <i>Describe</i> | |

5. Submission:

Authorized Sponsor: Gerald Cornelius, Chair/Oneida Nation Veteran Affairs Committee

Primary Requestor: Bonnie Pigman, Recording Clerk

Additional Requestor: (Name, Title/Entity)

Additional Requestor: (Name, Title/Entity)

Submitted By: BPIGMAN

FY-2024 1st (Oct - Dec) Quarter Report

Oneida Veteran Affairs Committee (ONVAC)

Approved by official entity action on: January 11, 2024

Submitted by: John L. Breuninger, Secretary, ONVAC

OBC Liaison: Jennifer Webster

OBC Liaison: Larry Barton

OBC Liaison: Jonas Hill

OBC Liaison: Jameson Wilson

PURPOSE

The PURPOSE of the Oneida Nation Veteran Affairs Committee (ONVAC) is to serve as an advisory body to the Oneida Nation's Veteran Services Office in all matters related to the Oneida Nation's veteran's rights, benefits, veteran affairs issues, and to protect the honor and integrity of the Oneida Nation and all veterans who have served honorably in the United States Uniformed Services. It is the PURPOSE of the ONVAC to assist the Tribal Veterans Services Officer (TVSO) in the formulation and administration of veteran's programs, services, ceremonies and events as necessary, and to be the advocates for the Chartered Veterans Organizations and other organized veteran groups located on the Oneida Reservation. Furthermore, the ONVAC shall represent the Oneida Nation at the request of the elected Oneida Business Committee (OBC) who have appointed each member to the ONVAC. Finally, the ONVAC shall serve as the responsible party for the management of the Veteran's Memorial site to be officially named by the Oneida Land Commission, in the near future.

AUTHORITY

ONVAC was established by the Oneida Business Committee (OBC) by motion on January 12, 1994 and further established through the adoption of bylaws on October 29, 1997, which were amended on February 13, 2013 and again on November 14, 2023, which the ONVAC approved. The updated bylaws are currently in the process of being approved by the OBC.

BCC MEMBERS

Gerald "Jerry" Cornelius Chairman 12-31-2025	John L. Breuninger Secretary 12-31-2025
Floyd Hill II Vice-Chairman 12-31-2026	Dale A. Webster Member 12-31-2025

Lynn Summers
Member
12-31-2026

Benjamin Skenandore
Member
12-31-2027

Deke Suri
Member
12-31-2026

VACANT
Enter Board Member Title, if any
Enter term end date

MEETINGS

Held every 2nd Tuesday of each month.

5:00 P.M.

Oneida Veteran Services Office, 134 Riverdale Drive, Oneida, Wisconsin and on Microsoft Teams when permissible.

Emergency Meetings: ZERO (0)

CONTACT INFORMATION

CONTACT: Gerald Cornelius / John L. Breuninger

TITLE: ONVAC Chairman / ONVAC Secretary

PHONE NUMBER: (920) 615-6521 / (920) 562-7536

E-MAIL: onv-gcor@oneidanation.org / onv-jbre@oneidanation.org

MAIN WEBSITE: https://Oneida-nsn.gov/government/boards-committees-and-commissions/appointed/#Oneida-Nation_Veterans_Affairs_Committee

ACCOMPLISHMENT"

ACCOMPLISHMENT #1

Summary:

Color Guard Activities: 16 for the quarter (GTC Meetings, funerals, conferences and "outside" events on behalf of the Oneida Nation such as; celebrations, parades, etc.

Impact:

Service to the Oneida People as well as representing the veterans of our community by providing honor to all who have served in the United States Uniformed Services. Taking the leadership role in ceremonies, meetings, funerals, etc., the ONVAC continues to "give back" to

the People and community who have supported us for our service. We are recognized as representatives of our Oneida Nation and the United States when we participate in the presentation of the colors at various activities.

Accomplishment #2

Summary:

Christmas Tree Lighting: All veteran organizations including ONVAC prepared and distributed food and drink at this annual event. Donations received during that event were forwarded to the Oneida Giving Tree.

Impact:

Community engagement and celebrations within our community, showing our veterans are supporting our community.

Accomplishment #3

Summary:

TOYS FOR TOTS: All veterans including ONVAC members participated in this event with the U.S. Marine Corps.

Impact:

In giving we shall receive. Our Oneida Nation Veterans support activities both within and outside of our communities, thereby providing support to the needs and desires of our larger geographic area and organizations.

Accomplishment #4

Summary:

Oneida Female Veterans Color Guard: All veteran organizations including ONVAC and the Oneida Business Committee supported this activity financially. In addition, ONVAC supported the coordination of multiple activities associated with having our Oneida Nation Female Veterans prepare for presenting the colors at the future GTC meetings, funerals, celebrations, etc.

Impact:

Oneida Female Veterans are equally important components of the Oneida veteran community as the male veterans. Although there are no specific "female veteran organizations" within the Oneida Nation, all females who meet the criteria for membership are eligible for participation within those organizations, this includes the ONVAC. All of our veteran organizations on the Oneida Reservation (ONVAC, WIVA and the VFW) recognize our female veterans as equals. Therefore, we all feel female veterans should participate in being honored for presentation of the colors just as the males are.

Accomplishment #5

Summary:

Community Breakfast: Each Friday morning, the Oneida Veteran Service Office staff and veteran volunteers (including ONVAC members) prepare and serve breakfast to the veterans and Oneida community members. This breakfast is financed by donations from the attendees.

Impact:

Camaraderie brings a group of people with like interests together to meet, celebrate, visit and EAT! The community breakfasts at the Oneida Veterans Service Office are just the place for all of the above. Starting off as a kind gesture for our community veterans, the breakfast activity now brings many people together each week and, also provides a forum for educational opportunities for the community.

GOALSLong-term Goal #1

Strengthen veteran participation in the Oneida community by the continuation of programs and services which are currently being provided and continuously being available to assist wherever and whenever there is a need.

Responsiveness – Availability to the public and timeous reaction to the needs and opinions of the public.

Update on Goal:

ONVAC members continue to be available to our People and community. We participate in community activities which enhance the community's quality of life.

Short-term Goal #1

Continue to support the efforts to enhance the Veteran Memorial (site) by working with the Oneida Land Commission on the Lease and Naming of the site. Furthermore, working with Tourism and the Oneida Engineering Department on enhancements and improvements as well as replacement of the "paver bricks" and the addition of two new monuments.

Consensus Oriented – Public participation in the planning and implementation of the enhancements with all veterans as well as the Oneida community by providing continuous updates through meetings and multi-media outlets and publications.

Update on Goal:

An "all veteran" meeting was held discussing the Veteran Memorial (site) enhancements currently being completed (construction) with additional meetings as the projects continue. The ONVAC has representatives in the two chartered veteran organizations (VFW & WIVA) and their continuous discussions, plans, etc. continue to occur.

STIPENDS

Per the Boards, Committees, and Commissions law, stipends are set via OBC resolution. BC resolution 04-13-22-B sets the stipend amounts.

	Total dollar amount paid	Number of stipend type		
		Regular Mtg	Emergency Mtg	Hearings/Other
October 2023	\$450.00	1	0	0
November 2023	\$675.00	1	0	0
December 2023	\$525.00	1	0	0

BUDGET

FY-2024 BUDGET: \$56,874.00

FY-2024 EXPENDITURES AS OF END OF REPORTING PERIOD: \$2,127.00

The ONVAC is working on ribbon shirt designs and caps to procure within this next quarter. Our last enhancements were ten (10) years ago. We will again be sponsoring and hosting the Annual Code Talkers Golf Outing – May 24, 2024, procurement of new flags, travel to requested events/conferences such as; Ira Hayes Memorial and Wisconsin's State of Nations Report.

REQUESTS

NONE at this time.

OTHER

None at this time.

Accept the Oneida Personnel Commission FY-2024 1st quarter memorandum

Business Committee Agenda Request

1. Meeting Date Requested: 02/14/24

2. General Information:

Session: Open Executive – must qualify under §107.4-1.

Justification: *Choose reason for Executive.*

3. Supporting Documents:

- | | | |
|--|--|---|
| <input type="checkbox"/> Bylaws | <input type="checkbox"/> Fiscal Impact Statement | <input type="checkbox"/> Presentation |
| <input type="checkbox"/> Contract Document(s) | <input type="checkbox"/> Law | <input type="checkbox"/> Report |
| <input checked="" type="checkbox"/> Correspondence | <input type="checkbox"/> Legal Review | <input type="checkbox"/> Resolution |
| <input type="checkbox"/> Draft GTC Notice | <input type="checkbox"/> Minutes | <input type="checkbox"/> Rule (adoption packet) |
| <input type="checkbox"/> Draft GTC Packet | <input type="checkbox"/> MOU/MOA | <input type="checkbox"/> Statement of Effect |
| <input type="checkbox"/> E-poll results/back-up | <input type="checkbox"/> Petition | <input type="checkbox"/> Travel Documents |
| <input type="checkbox"/> Other: <i>Describe</i> | | |

4. Budget Information:

- | | | |
|--|--|-------------------------------------|
| <input type="checkbox"/> Budgeted | <input type="checkbox"/> Budgeted – Grant Funded | <input type="checkbox"/> Unbudgeted |
| <input checked="" type="checkbox"/> Not Applicable | <input type="checkbox"/> Other: <i>Describe</i> | |

5. Submission:

Authorized Sponsor: Lisa Liggins, Secretary

Primary Requestor: Bonnie Pigman, Recording Clerk

Additional Requestor: (Name, Title/Entity)

Additional Requestor: (Name, Title/Entity)

Submitted By: BPIGMAN



Internal Memorandum

TO: Oneida Business Committee

FROM: Brooke Doxtator, Boards, Committees and Commissions Supervisor on behalf of the Oneida Personnel Commission

DATE: February 5, 2024 

RE: Oneida Personnel Commission Update

The purpose of this correspondence is to provide you with an update on the status of the Personnel Commission, and to seek Oneida Business Committee (OBC) direction on proceeding with the outlined options or determining a different course of action.

Background

On April 11, 2018, the Oneida Business Committee adopted resolution BC-04-11-18-A entitled, Dissolution of Personnel Commission, Tolling all Timelines in Personnel Related Matters, and Directing the Development of Emergency Amendments to Existing Laws. They also adoption resolution BC-04-11-18-B Creation of the Personnel Selection Committee.

On September 12, 2018, the Oneida Business Committee adopted a motion to defer posting the Oneida Personnel Commission vacancies until the updated bylaws are presented and approved by the Oneida Business Committee.

On September 26, 2018, the Oneida Business Committee adopted resolution BC-09-26-18-F entitled, "Rescission of the Dissolution of the Oneida Personnel Commission and Related Emergency Amendments in accordance with General Tribal Council's August 27, 2018, Directive."

This resolution formally recognized General Tribal Council's directive to rescind the actions of the Oneida Business Committee related to the dissolution of the Oneida Personnel Commission, and to rescind the related emergency amendments. As a result, resolution BC-04-11-18-A, which dissolved the Oneida Personnel Commission, was formally repealed and the Oneida Personnel Commission was formally reinstated.

Resolution BC-09-26-18-F (attached) provides details on how the Oneida Personnel Commission's responsibilities will be addressed until such time that the Oneida Personnel Commission is prepared to exercise its authority once again.

Also, on September 26, 2018, a proposed draft of the bylaws was presented to the Oneida Business Committee for consideration. The Oneida Business Committee adopted a motion to defer the Oneida Personnel Commission bylaws to an Oneida Business Committee work meeting for further review and discussion.

On October 16, 2018, the Oneida Personnel Commission bylaws were discussed during the Oneida Business Committee work session, during this meeting the Oneida Business Committee made the decision to defer the Oneida Personnel Commission bylaws to a separate meeting between the Nation's Secretary, the Legislative Operating Committee Chairman, and the staff of the Legislative Reference Office for more in-depth discussion and consideration of ideas.

On November 28, 2018, the Legislative Operating Committee, provided an update to the Oneida Business Committee on the progress of the Oneida Personnel Commission.

On January 9, 2019, the Oneida Business Committee adopted the Oneida Personnel Commission bylaws.

On October 23, 2019, the Oneida Business Committee adopted further amendments to the Oneida Personnel Commission bylaws.

POSTING AND APPOINTMENTS – HISOTRY & CURRENT STATUS

On January 23, 2019, we posted the vacancies for the Oneida Personnel Commission and continued to do so throughout the year until the position were filled.

In the beginning of 2020, OPeC had five (5) members:

- Carole Liggins,
- Sandra Skenadore,
- Carol Smith,
- Daniel Thomas¹ and
- Renee Zakhar.

On March 11, 2020, the Oneida Business Committee appointed Twylite Moore to the Oneida Personnel Commission, however, Twylite was unable to take her oath of office due to the COVID-19 pandemic.

“Motion by Jennifer Webster to appoint Twylite Moore to the Oneida Personnel Commission with a term ending March 31, 2025, seconded by Brandon Stevens. Motion carried:

Ayes: Daniel Guzman King, David P. Jordan, Trish King, Brandon Stevens, Ernie Stevens III, Jennifer Webster

Opposed: Kirby Metoxen

Abstained: Lisa Summers”

¹ Daniel Thomas' term was expiring March 31, 2020, this vacancy was posted January 31, 2020

On March 19, 2020, a COVID-19 there was a Core Decision Making Team Declaration for the Suspension of all non-emergent expenses & stipends and activity by certain boards, committees, and commissions. This declaration included the Personnel Commission.

On April 8, 2020, the Oneida Personnel Commission was placed in temporary closure status by BC Resolution 04-08-20-B. This resolution also discontinued oaths of office.

While in temporary closure status Sandra Skenadore's term expired. This vacancy along with the five (5) Pro tem vacancies have been posted since May 2021. This action results in two (2) regular position vacancy, and continuation of the five (5) Pro tem vacancies. It is notable that all five (5) Pro tem positions were vacant prior to COVID as well.

In April of 2021, the Oneida Business Committee adopted BC Resolution 04-14-21-B, which authorized the boards, committee, and commissions to begin meeting virtually effective June 14, 2021, if needed.

On August 24, 2021, Twylite Moore was administered her oath of office. Ms. Moore is eligible to resume her term until March 31, 2025. At this point in time, all regular positions were filled; however, the five (5) Pro tem positions remained vacant.

On February 9, 2022, the Oneida Business Committee terminated the appointment of Carol Smith, this vacancy was posted immediately after her termination and has remained vacant due to no applicants. This action results in two (2) regular position vacancies, and continuation of the five (5) Pro tem vacancies.

On March 17, 2022, Carole Liggins submitted her resignation effective immediately. This action resulted in three (3) regular position vacancies, and continuation of the five (5) Pro tem vacancies.

On March 31, 2022, Renee Zakhar's term expired this vacancy was posted since February 2022, however, no applications were received. This action resulted in four (4) regular position vacancies, and continuation of the five (5) Pro tem vacancies.

On April 14, 2022, the GAO presented this memorandum at the OBC work session. It was determined that we should continue the status quo with suggestions to announce the vacancies on Facebook Live and an article in the Kalihwisaks.

Between April 2022 and September 2023, the GAO office continued to post the vacancies and provide quarterly updates to the Oneida Business Committee.

On September 27, 2023, the Oneida Business Committee reviewed one application and made the following motion:

“Jonas Hill motioned to request the Secretary to re-notice the four (4) vacancies, noting there were no qualified applicants per 105.7-1.(c)(2), and send the discussion regarding the ongoing Oneida Personnel Commission vacancies to the November 2, 2023, BC Work Session, seconded by Jennifer Webster. Motion carried:

Ayes: Lawrence Barton, Jonas Hill, Kirby Metoxen, Jennifer Webster, Jameson Wilson Not Present: Tehassi Hill, Lisa Liggins, Marlon Skenandore”

TRAINING

In accordance with their bylaws §1-7, the Commissioners must complete training prior to participating in any screenings, interviews and/or grievance hearings on behalf of the OPeC.

The Training and Development Department from the Human Resources Area identified training for the Oneida Personnel Commission.

The former Commissioners struggled to complete this training on their own. We haven't had one commissioner complete all the training for full certification² to date. We are asking the Business Committee to consider adding language to their motions when appointing members to the OPeC that they need to receive full certification within 180 days of appointment.

NEXT STEPS

1. The GAO will continue to work on filling the vacant positions.
2. The OBC will review the OPeC bylaws to assess if changes are needed.

Requested Action

Accept this memorandum as an update on the progress of the Oneida Personnel Commission and determine next steps, if needed.

² Full certification allows members to participate in pre-screenings, interviews, and hearings.

Accept the Oneida Police Commission FY-2024 1st quarter report

Business Committee Agenda Request

1. Meeting Date Requested: 02/14/24

2. General Information:

Session: Open Executive – must qualify under §107.4-1.
 Justification: *Choose reason for Executive.*

3. Supporting Documents:

- | | | |
|---|--|---|
| <input type="checkbox"/> Bylaws | <input type="checkbox"/> Fiscal Impact Statement | <input type="checkbox"/> Presentation |
| <input type="checkbox"/> Contract Document(s) | <input type="checkbox"/> Law | <input checked="" type="checkbox"/> Report |
| <input type="checkbox"/> Correspondence | <input type="checkbox"/> Legal Review | <input type="checkbox"/> Resolution |
| <input type="checkbox"/> Draft GTC Notice | <input type="checkbox"/> Minutes | <input type="checkbox"/> Rule (adoption packet) |
| <input type="checkbox"/> Draft GTC Packet | <input type="checkbox"/> MOU/MOA | <input type="checkbox"/> Statement of Effect |
| <input type="checkbox"/> E-poll results/back-up | <input type="checkbox"/> Petition | <input type="checkbox"/> Travel Documents |
| <input type="checkbox"/> Other: <i>Describe</i> | | |

4. Budget Information:

- | | | |
|--|--|-------------------------------------|
| <input type="checkbox"/> Budgeted | <input type="checkbox"/> Budgeted – Grant Funded | <input type="checkbox"/> Unbudgeted |
| <input checked="" type="checkbox"/> Not Applicable | <input type="checkbox"/> Other: <i>Describe</i> | |

5. Submission:

Authorized Sponsor: Richard VanBoxtel, Chair/Oneida Police Commission

Primary Requestor: Shannon Davis, Recording Clerk

Additional Requestor: (Name, Title/Entity)

Additional Requestor: (Name, Title/Entity)

Submitted By: SDAVIS

FY-2024 1st (Oct - Dec) Quarter Report

Oneida Police Commission

Approved by official entity action on: January 31, 2024

Submitted by: Richard VanBoxtel, Chair

OBC Liaison: Lisa Liggins

OBC Liaison: Jonas Hill

PURPOSE

The purpose of the Police Commission is to regulate the conduct of the Oneida Nation law enforcement personnel according to the highest professional standards. The Police Commission was established to provide oversight regarding the activities and actions of the law enforcement operations to provide the greatest possible professional services through its representatives on the Police Commission. The Police Commission is an oversight body and does not involve decision making processes on day-to-day activities of those law enforcement services.

AUTHORITY

The Police Commission has all delegated authority established through the laws, policies, rules, and resolutions of the Nation, including but not limited to, the Oneida Nation Law Enforcement Ordinance.

BCC MEMBERS

Vacant Member 07/31/2024	Dan Skenandore Vice-Chair 07/31/2027
William Sauer Member 07/31/2025	Richard VanBoxtel Chair 07/31/2028
Beverly Anderson Member 07/31/2026	

MEETINGS

4th Wednesday of each month.

5:00 pm

Oneida Police Department 2783 Freedom Rd. Oneida, WI. 54155

Emergency Meetings: None

CONTACT INFORMATION

CONTACT: Richard VanBoxtel

TITLE: Chair

PHONE NUMBER: 920-869-4324

E-MAIL: Police_Commission@oneidanation.org

MAIN WEBSITE: <https://oneida-nsn.gov/government/boards-committees-and-commissions/appointed/#Oneida-Police-Commission>

ACCOMPLISHMENTS**ACCOMPLISHMENT #1**

Summary:

One of the Commissions goals is to develop positive relationships with the Oneida Community.

Impact:

The Police Commission has open mandatory monthly meetings with the Police Chief and/or the Assistant Police Chief to review and approve the Oneida Police Department monthly report and to keep the Police Commission informed of all duties and responsibilities of the department and provide guidance. In accordance with the Law Enforcement Ordinance, the Commission worked with the Police Department to approve and fill vacant positions and approve standard operating procedures (SOP) and work standards.

ACCOMPLISHMENT #2

Summary:

Develop three (3) community events to promote good relations between the community, Police Commission, and Police Department while measuring attendance at events.

Impact:

The Commission is looking forward to working with and supporting the Police Department in community events throughout the year. It is important to the Commission to have these stable

relationships with both the Oneida Community and the Police Department. Being present at events, participating and being involved helps to promote healthy, safe, and strong bonds with the community and the Police Department.

GOALS

LONG-TERM GOAL #1

The Commission will participate in community events to help create and promote positive, stronger relationships within the Oneida Community and with the Oneida Police Department.

Cultural Relevancy and Strategic Outlook

Update on Goal:

Continue working with the Police Department to develop events quarterly.

LONG-TERM GOAL #2

Each Commissioner will have the opportunity to attend training to become more familiar with law enforcement.

Strong Governing Systems

Update on Goal:

Request any upcoming trainings or conferences that would benefit the Oneida Police Commission and allow them to provide better support and/or guidance to the Oneida Police Department.

QUARTERLY GOAL #1

The Commission will participate in community events to help create and promote positive, stronger relationships within the Oneida Community and with the Oneida Police Department.

Promoting positive community relations

Update on Goal:

At the beginning of the quarter the Chief of Police brought forward a request on acquiring an emotional support animal within the Police Department. In December the Chief requested approval to move forward in collaboration with the Oneida Nation High School to obtain a puppy that would be partnered with the School Liaison Officer. We were advised the puppy would be received in January 2024 and will begin training soon after. The Oneida Police Commission is happy to welcome Smudge and look forward to hearing about her accomplishments and successes not only in her therapeutic aid for the community but to the staff, dispatchers, and officers of the Oneida Police Department as well. There was also the annual blanket making event at the Anna John Resident Centered Care Community, and it was success.

STIPENDS

Per the Boards, Committees, and Commissions law, stipends are set via OBC resolution. BC resolution 04-13-22-B sets the stipend amounts.

	Total dollar amount paid	Number of stipend type		
		Regular Mtg	Emergency Mtg	Hearings/Other
October 2023	\$450	1	0	0
November 2023	\$0	0	0	0
December 2023	\$300	1	0	0

BUDGET

FY-2024 BUDGET: \$17,600

FY-2024 EXPENDITURES AS OF END OF REPORTING PERIOD: \$750

Due to year end the September meetings stipends were not able to be processed until October, so the budget will reflect two (2) meeting stipends being completed in October.

REQUESTS

None Currently

OTHER

None Currently

Accept the Pardon and Forgiveness Screening Committee FY-2024 1st quarter report

Business Committee Agenda Request

1. Meeting Date Requested: 02/14/24

2. General Information:

Session: Open Executive – must qualify under §107.4-1.

Justification: *Choose reason for Executive.*

3. Supporting Documents:

- | | | |
|---|--|---|
| <input type="checkbox"/> Bylaws | <input type="checkbox"/> Fiscal Impact Statement | <input type="checkbox"/> Presentation |
| <input type="checkbox"/> Contract Document(s) | <input type="checkbox"/> Law | <input checked="" type="checkbox"/> Report |
| <input type="checkbox"/> Correspondence | <input type="checkbox"/> Legal Review | <input type="checkbox"/> Resolution |
| <input type="checkbox"/> Draft GTC Notice | <input type="checkbox"/> Minutes | <input type="checkbox"/> Rule (adoption packet) |
| <input type="checkbox"/> Draft GTC Packet | <input type="checkbox"/> MOU/MOA | <input type="checkbox"/> Statement of Effect |
| <input type="checkbox"/> E-poll results/back-up | <input type="checkbox"/> Petition | <input type="checkbox"/> Travel Documents |
| <input type="checkbox"/> Other: <i>Describe</i> | | |

4. Budget Information:

- | | | |
|--|--|-------------------------------------|
| <input type="checkbox"/> Budgeted | <input type="checkbox"/> Budgeted – Grant Funded | <input type="checkbox"/> Unbudgeted |
| <input checked="" type="checkbox"/> Not Applicable | <input type="checkbox"/> Other: <i>Describe</i> | |

5. Submission:

Authorized Sponsor: Eric Boulanger, Chair/Pardon and Forgiveness
Screening Committee

Primary Requestor: Bonnie Pigman, Recording Clerk

Additional Requestor: *(Name, Title/Entity)*

Additional Requestor: *(Name, Title/Entity)*

Submitted By: BPIGMAN

FY-2024 1st (Oct - Dec) Quarter Report

Pardon and Forgiveness Screening Committee

Approved by official entity action on: February 2, 2024

Submitted by: Eric Boulanger, Chair

OBC Liaison: Jonas Hill

OBC Liaison: Jennifer Webster

PURPOSE

The purpose of the PFSC is to provide a fair, efficient, and formal process for considering pardons and forgiveness.

AUTHORITY

1-3. *Authority.*

- (a) *Purpose.* The purpose of the PFSC is to provide a fair, efficient and formal process for considering requests for a pardon or forgiveness by:
 - (1) Promulgating internal standard operating procedures necessary to govern its proceedings;
 - (2) Reviewing and processing applications for a pardon or forgiveness in an orderly and expeditious manner;
 - (3) Reviewing an applicant's background investigation report received from the Oneida Human Resources Department;
 - (4) Conducting and presiding over hearings to obtain a pardon or forgiveness from the Nation;
 - (5) Providing formal, written recommendations to the Oneida Business Committee to approve or deny a pardon or forgiveness application;
 - (6) Taking other actions reasonably related to the purpose of the PFSC and;
 - (7) Carrying out all other powers and duties delegated by the laws of the Nation, including, but not limited to, the Pardon and Forgiveness law.
- (b) The PFSC does not:
 - (1) Have authority to enter into contracts; or
 - (2) Have authority to create policy or legislative rules.

BCC MEMBERS

Eric Boulanger
Chair
August 31, 2026

Vacant
Community at Large, Alternate 55+
August 31, 2026

Ronald King Jr
OPD Alternate
August 31, 2026

Vacant
Community at Large, 25+
August 31, 2026

Julie King
Member HSD Primary
August 31, 2026

Vacant
Community at Large, Alternate 25+
August 31, 2026

Sandra Skenadore
Community at Large, 55+
August 31, 2026

MEETINGS

Held every 2nd Monday of February, May, August, and November of each month.

10:00 A.M.

Norbert Hill Center, BCCR 2nd Floor / Microsoft Teams

Emergency Meetings: Zero

CONTACT INFORMATION

CONTACT: Brooke Doxtator

TITLE: Boards, Committees, and Commissions Supervisor

PHONE NUMBER: 920-869-4452

E-MAIL: Boards@oneidanation.org

MAIN WEBSITE: <https://oneida-nsn.gov/government/boards-committees-and-commissions/appointed/#Pardon-and-Forgiveness-Screening-Committee>

ACCOMPLISHMENTS

ACCOMPLISHMENT #1

Summary:

We will continue to identify and create SOP's as needed /necessary.

Impact:

Ensure we have the best tools and resources in place to effectively carry out our duties and responsibilities as provided in the Pardon and Forgiveness law.

Accomplishment #2

Summary:

Our bylaws were successfully amended on April 28, 2021. The amended bylaws streamlined our membership and added minimum age and background check qualification for the community-at-large positions.

Impact:

Creating a transition plan will ensure the Committee will move forward without interruption even in the event all new members are appointed to the Committee.

GOALS

Long-term Goal #1

Create transition plan for new appointed Pardon and Forgiveness Screening Committee members.

Create a transition plan that will ensure the Committee will move forward without interruption even in the event all new members are appointed to the Committee.

Update on Goal:

Terms expired in August 2023. There was a smooth transition from the previous Committee members to the newly appointed members, so pardon and forgiveness applicants don't have any interruption in the pardon and forgiveness process.

Quarterly Goal #1

Create and update standard operating procedures.

Ensure we have the best tools and resources in place to effectively carry out our duties and responsibilities as provided in the Pardon and Forgiveness law.

Update on Goal:

Our goal is to identify and/or create additional standard operating procedures as is needed/required to effectively carry out our duties and responsibilities. We will schedule work meetings to identify and create additional standard operating procedures. We will implement an annual review process for the standard operating procedures moving forward.

STIPENDS

Per the Boards, Committees, and Commissions law, stipends are set via OBC resolution. BC resolution 04-13-22-B sets the stipend amounts.

	Total dollar amount paid	Number of stipend type		
		Regular Mtg	Emergency Mtg	Hearings/Other
October 2023	\$0.00	0	0	0
November 2023	\$0.00	1	0	0
December 2023	\$0.00	0	0	0

BUDGET

No Budget, stipends are paid from BC Special Projects

FY-2024 Budget:

FY-2024 Expenditures as of end of reporting period:

Zero (0)

Budget utilization and projections do not apply to the Pardon and Forgiveness Screening Committee.

REQUESTS

No requests.

OTHER

The Community-at-large 25+ member, Community-at-large 25+ alternate, and Community-at-large 55+ alternate remain vacant. The vacancies are currently posted.

Michelle Madl was appointed on December 13, 2023, and took her oath of office on January 4, 2024 as Social Service Alternate Representative.

No Pardon or Forgiveness applications were received in FY-2024 1st quarter.

Accept the Southeastern Wisconsin Oneida Tribal Services Advisory Board FY-2024 1st quarter report

Business Committee Agenda Request

1. Meeting Date Requested: 02/14/24

2. General Information:

Session: Open Executive – must qualify under §107.4-1.

Justification: *Choose reason for Executive.*

3. Supporting Documents:

- | | | |
|---|--|---|
| <input type="checkbox"/> Bylaws | <input type="checkbox"/> Fiscal Impact Statement | <input type="checkbox"/> Presentation |
| <input type="checkbox"/> Contract Document(s) | <input type="checkbox"/> Law | <input checked="" type="checkbox"/> Report |
| <input type="checkbox"/> Correspondence | <input type="checkbox"/> Legal Review | <input type="checkbox"/> Resolution |
| <input type="checkbox"/> Draft GTC Notice | <input type="checkbox"/> Minutes | <input type="checkbox"/> Rule (adoption packet) |
| <input type="checkbox"/> Draft GTC Packet | <input type="checkbox"/> MOU/MOA | <input type="checkbox"/> Statement of Effect |
| <input type="checkbox"/> E-poll results/back-up | <input type="checkbox"/> Petition | <input type="checkbox"/> Travel Documents |
| <input type="checkbox"/> Other: <i>Describe</i> | | |

4. Budget Information:

- | | | |
|--|--|-------------------------------------|
| <input type="checkbox"/> Budgeted | <input type="checkbox"/> Budgeted – Grant Funded | <input type="checkbox"/> Unbudgeted |
| <input checked="" type="checkbox"/> Not Applicable | <input type="checkbox"/> Other: <i>Describe</i> | |

5. Submission:

Authorized Sponsor: Diane Hill, Chair/Southeastern Wisconsin Oneida Tribal Services Advisory Board

Primary Requestor: Bonnie Pigman, Recording Clerk

Additional Requestor: *(Name, Title/Entity)*

Additional Requestor: *(Name, Title/Entity)*

Submitted By: BPIGMAN

FY-2024 1st (Oct - Dec) Quarter Report

Southeastern Oneida Tribal Services Advisory Board

Approved by official entity action on: February 2, 2024

Submitted by: Lloyd D Ninham, Secretary

OBC Liaison: Kirby Metoxen

Alternate OBC Liaisons: Jonas Hill & Jennifer Webster

PURPOSE

The Advisory Board was established for purposes of providing advice and constructive input to the Southeastern Wisconsin Oneida Tribal Services (SEOTS) Director, working in partnership to formulate social services programs for the Oneida people residing in Southeastern Wisconsin by, including, but not limited to:

AUTHORITY

- (a) Acting as an ambassador for the SEOTS program by promoting its mission whenever possible;
- (b) Reviewing the SEOTS program's budget;
- (c) Guiding and advising the SEOTS administration;
- (d) Adhering to the appropriate chain of command in any and all relative communications with the Oneida Business Committee; and
- (e) Carrying out all other powers and/or duties delegated to SEOTS by the laws and/or policies of the Nation.

BCC MEMBERS

Diane S Hill

Chair

March 31, 2024

Judy Dordel

Member

March 31, 2025

Michael A Coleman

Vice Chair

March 31, 2025

Debra Fabian

Member

March 31, 2024

Lloyd D Ninham
Secretary
March 31, 2025

Natysa R Reed
Member
March 31, 2024

Kathleen (Kitty) Hill
Member
March 31, 2024

MEETINGS

Held every 2nd Monday of each month.

6:00 P.M.

Southeastern Oneida Tribal Services Office at 5233 Morgan Ave, Milwaukee Wisconsin 53220 and via Microsoft Teams

Emergency Meetings: Zero (0)

CONTACT INFORMATION

CONTACT: Diane Hill, Chair
TITLE: Southeastern Oneida Tribal Services Advisory Board
PHONE NUMBER: (414)329-4101
E-MAIL: SEOTS@oneidanation.org
MAIN WEBSITE: <https://oneida-nsn.gov/government/boards-committees-and-commissions/appointed/#Southeastern-Wisconsin-Oneida-Tribal-Services-Advisory-Board>

ACCOMPLISHMENTS

ACCOMPLISHMENT #1

Summary:

The Board held a table at Breakfast with Santa & Craft Fair.

Impact:

The Board was able to connect with the community while selling baked goods raising funds to go towards future SEOTS community events.

Accomplishment #2

Summary:

Three Board members participated and attended the Indigenous Biz Con in October.

Impact:

Exposure of Oneida, SEOTS, and the board to the indigenous business community along with the knowledge, ideas, and networking was done which will benefit the Oneida and SEOTS communities in the future.

Accomplishment #3

Summary:

The Board and community volunteers participated in "Elders reading to K-5 students from the Indian Community School".

Impact:

This was a field trip for young students to visit SEOTS which included reading, cookie decorating, coloring and choosing a free book to take home.

GOALSLong-term Goal #1

Support the community by communicating about the resources via social media, word of mouth and mailers.

Being able to communicate with the community openly with multiple options relaying information will lead the way for being able to lay the way for three (3) Good Governance Principles to all tribal members that live outside of the reservation.

Update on Goal:

The SEOTS Advisory Board Facebook Page shares program information which provides tribal members access to services such as; Oneida Nation Programs in Oneida and at the SEOTS Office, intertribal powwows, and other relevant community events hosted by outside organizations.

Long-term Goal #2

Host and support two (2) annual events per year, one being the summer family community picnic and the other event in fall/winter.

Good Governance Principle: Participation – Fostering a system in which the public feels that they are a part of the decision-making processes, including freedom of expression and assiduous concern for the best interests of the Nation and community in general.

Update on Goal:

Talks with Alverno University have been underway to potentially host an Indigenous Craft Fair by Vice Chair Michael Coleman on behalf of the Board and SEOTS community.

Quarterly Goal #1

Engage with the community for services available: food, health, clothing, etc.

Being able to engage with the community and encouraging them on how to better care for themselves and the welfare of their descendants.

Update on Goal:

To continue achieving community goals the Advisory Board submitted the FY2024 SEOTS Advisory Board budget to align with BC Resolution #06-14-23-E, maintaining FY2023 levels with no increase.

STIPENDS

Per the Boards, Committees, and Commissions law, stipends are set via OBC resolution. BC resolution 04-13-22-B sets the stipend amounts.

	Total dollar amount paid	Number of stipend type		
		Regular Mtg	Emergency Mtg	Hearings/Other
October 2023	\$300.00	1	0	0
November 2023	\$300.00	1	0	0
December 2023	\$375.00	1	0	0

BUDGET

FY-2024 BUDGET: \$13,615.00

FY-2024 EXPENDITURES AS OF END OF REPORTING PERIOD: \$1.275.00

SEOTS has been participating with several events for the Oneida Community and continues to work with SEOTS Administration in planning future events. Our biggest and most engaged event is the annual community picnic.

REQUESTS

None.

OTHER

This photo was taken during the Breakfast with Santa/Craft Sale at Indian Community School where several hundreds of people from all over the community were able to see and connect with the board members about SEOTS and Oneida Nation as a whole.



Accept the Oneida Election Board FY-2024 1st quarter report

Business Committee Agenda Request

1. Meeting Date Requested: 02/14/24

2. General Information:

Session: Open Executive – must qualify under §107.4-1.
 Justification: *Choose reason for Executive.*

3. Supporting Documents:

- | | | |
|---|--|---|
| <input type="checkbox"/> Bylaws | <input type="checkbox"/> Fiscal Impact Statement | <input type="checkbox"/> Presentation |
| <input type="checkbox"/> Contract Document(s) | <input type="checkbox"/> Law | <input checked="" type="checkbox"/> Report |
| <input type="checkbox"/> Correspondence | <input type="checkbox"/> Legal Review | <input type="checkbox"/> Resolution |
| <input type="checkbox"/> Draft GTC Notice | <input type="checkbox"/> Minutes | <input type="checkbox"/> Rule (adoption packet) |
| <input type="checkbox"/> Draft GTC Packet | <input type="checkbox"/> MOU/MOA | <input type="checkbox"/> Statement of Effect |
| <input type="checkbox"/> E-poll results/back-up | <input type="checkbox"/> Petition | <input type="checkbox"/> Travel Documents |
| <input type="checkbox"/> Other: <i>Describe</i> | | |

4. Budget Information:

- | | | |
|--|--|-------------------------------------|
| <input type="checkbox"/> Budgeted | <input type="checkbox"/> Budgeted – Grant Funded | <input type="checkbox"/> Unbudgeted |
| <input checked="" type="checkbox"/> Not Applicable | <input type="checkbox"/> Other: <i>Describe</i> | |

5. Submission:

Authorized Sponsor: Ray Skenandore, Chair/Oneida Election Board

Primary Requestor: Shannon Davis, Recording Clerk

Additional Requestor: (Name, Title/Entity)

Additional Requestor: (Name, Title/Entity)

Submitted By: SDAVIS

FY-2024 1st (Oct - Dec) Quarter Report

Oneida Election Board

Approved by official entity action on: February 6, 2024

Submitted by: Ray Skenandore, Chair

OBC Liaison: Lisa Liggins

OBC Liaison: Tehassi Hill

PURPOSE

The Board was created to carry out the provisions of the Election Law and Article III, Sections 2 & 3 of the Constitution of the Oneida Nation. The purpose of the Board is to conduct the Nation's elections in compliance with the laws of the Nation and assist with GTC meetings in reference to voting.

AUTHORITY

The Board is responsible to conduct elections and to govern all procedures used in the election process along with attending GTC meetings. The Board has all delegated authority established through the laws, policies, rules, and resolutions of the Nation, including, but not limited to, the Election Law.

BCC MEMBERS

Melinda K. Danforth
Member
07/31/2024

Jermaine Delgado
Member
07/31/2025

Vicki Cornelius
Member
07/31/2026

Teresa Schuman
Secretary
07/31/2024

Raymond Skenandore
Chair
07/31/2025

Tonya Webster
Vice-Chair
07/31/2026

Patricia Moore
Member
07/31/2024

Kalene White
Member
07/31/2025

Vacant
Member
07/31/2026

MEETINGS

2nd and 4th Monday of each month.

5:00 P.M.

NHC BC Executive Conference Room, N7210 Seminary Rd, Oneida, WI. 54155

Emergency Meetings: 0

CONTACT INFORMATION

CONTACT: Ray Skenandore

TITLE: Chair

PHONE NUMBER: 920-869-4324

E-MAIL: Election_Board@oneidanation.org

MAIN WEBSITE: <https://oneida-nsn.gov/government/boards-committees-and-commissions/elected/#Oneida-Election-Board>

ACCOMPLISHMENTS**ACCOMPLISHMENT #1**

Summary:

The Election Board will conduct all Oneida Elections in compliance with Oneida Law, Policy and/or Resolution.

Impact:

The Oneida Election Board put together tentative dates for the 2024 Special Election and got them submitted to the Oneida Business Committee for final approval. The Board continues to review and prepare any next steps per the timeline so that deadlines are met, and we stay on top of our tasks.

ACCOMPLISHMENT #2

Summary:

Develop, adopt, review, and amend applicable standard operating procedures (SOPs) and our By-Laws.

Impact:

The Board has developed a table of contents for all Standard Operating Procedures (SOPs) and determined a priority list of what needs to be reviewed first, it is anticipated that all election related SOPs will be completed in the 2nd quarter.

GOALS**LONG-TERM GOAL #1**

The Election Board will conduct all Oneida Elections in compliance with Oneida Law, Policy and/or Resolution.

Strong Governing Systems

Update on Goal:

Continue to review and ensure all Oneida Election functions continue to be in compliance with Oneida Law, Policy and/or Resolution.

LONG-TERM GOAL #2

Develop, adopt, review, and amend applicable standard operating procedures (SOPs) and our By-Laws.

Strong Governing Systems

Update on Goal:

Continue to review and make any amendments to our SOPs and By-Laws annually.

QUARTERLY GOAL #1

Develop, adopt, review, and amend applicable standard operating procedures (SOPs) and our By-Laws.

Strong Governing Systems

Update on Goal:

In the first quarter we developed our timeline of events for the 2024 Special Election, and determined how to prioritize our SOPs so that they can be completed in the 2nd quarter if FY24 and began working with the Legislative Reference Office on corrections and amendments to the Boards By-Laws.

STIPENDS

Per the Boards, Committees, and Commissions law, stipends are set via OBC resolution. BC resolution 04-13-22-B sets the stipend amounts.

	Total dollar amount paid	Number of stipend type		
		Regular Mtg	Emergency Mtg	Hearings/Other
October 2023	\$2400	2	0	1
November 2023	\$1300	2	0	0
December 2023	\$800	1	0	0

BUDGET

FY-2024 BUDGET: \$81,000

FY-2024 EXPENDITURES AS OF END OF REPORTING PERIOD: \$4,580

In the first quarter the expenses were stipends and the Boards Post Office Box.

REQUESTS

Nothing currently

OTHER

Application was received in December for the vacant position. Will also be researching other vendors for the voting machines due to issues faced in the 2023 General Election.

Accept the Oneida Gaming Commission FY-2024 1st quarter report

Business Committee Agenda Request

1. Meeting Date Requested: 02/14/24

2. General Information:

Session: Open Executive – must qualify under §107.4-1.

Justification: *Choose reason for Executive.*

3. Supporting Documents:

- | | | |
|---|--|---|
| <input type="checkbox"/> Bylaws | <input type="checkbox"/> Fiscal Impact Statement | <input type="checkbox"/> Presentation |
| <input type="checkbox"/> Contract Document(s) | <input type="checkbox"/> Law | <input checked="" type="checkbox"/> Report |
| <input type="checkbox"/> Correspondence | <input type="checkbox"/> Legal Review | <input type="checkbox"/> Resolution |
| <input type="checkbox"/> Draft GTC Notice | <input type="checkbox"/> Minutes | <input type="checkbox"/> Rule (adoption packet) |
| <input type="checkbox"/> Draft GTC Packet | <input type="checkbox"/> MOU/MOA | <input type="checkbox"/> Statement of Effect |
| <input type="checkbox"/> E-poll results/back-up | <input type="checkbox"/> Petition | <input type="checkbox"/> Travel Documents |
| <input type="checkbox"/> Other: <i>Describe</i> | | |

4. Budget Information:

- | | | |
|--|--|-------------------------------------|
| <input type="checkbox"/> Budgeted | <input type="checkbox"/> Budgeted – Grant Funded | <input type="checkbox"/> Unbudgeted |
| <input checked="" type="checkbox"/> Not Applicable | <input type="checkbox"/> Other: <i>Describe</i> | |

5. Submission:

Authorized Sponsor: Mark Powless Sr., Chair/Oneida Gaming Commission

Primary Requestor: Shannon Davis, Recording Clerk

Additional Requestor: (Name, Title/Entity)

Additional Requestor: (Name, Title/Entity)

Submitted By: SDAVIS

FY-2024 1st (Oct - Dec) Quarter Report

ONEIDA GAMING COMMISSION

Approved by official entity action on: February 6, 2024

Submitted by: OGC Chairman Mark A. Powless, Sr.

OBC Liaison: Vice Chairman Brandon Yellowbird Stevens

PURPOSE

The Oneida Gaming Commission and its departments collectively promote and ensure the integrity, security, honesty and fairness of the regulation and administration of Gaming.

AUTHORITY

Summarily, the OGC's authority is to effectuate the gaming regulatory purposes of the Oneida Nation Gaming Ordinance (ONGO), Indian Gaming Regulatory Act, Oneida Gaming Minimum Internal Controls, and the Compact. [See the ONGO 501. 6-14. (a)-(w) for enumerated authority and responsibilities.]

BCC MEMBERS

Mark A. Powless, Sr.
Chairman
August 2028

Reynold (Tom) Danforth
Vice Chairman
August 2025

Michelle Braaten
Secretary
August 2027

Jeremy King
Appointed Commissioner
August 2024

MEETINGS

1st and 3rd Monday of each month.

9:00 AM

In person at OGC Office: 2669 W. Mason Street or request link for Microsoft Teams participation

Emergency Meetings: None this quarter

CONTACT INFORMATION

CONTACT: Mark A. Powless, Sr.

TITLE: Commission Chairman

PHONE NUMBER: (920) 497-5850
E-MAIL: mpowles5@oneidanation.org
MAIN WEBSITE: Coming soon!

ACCOMPLISHMENTS

ACCOMPLISHMENT #1

Summary:

THE LAST ONEIDA GAMING MINIMUM INTERNAL CONTROL STANDARDS (OGMICS) AMENDMENTS WERE SENT TO THE STATE FOR REVIEW AND THE OGMICS REVISION PROJECT WAS OFFICIALLY CLOSED OUT AND COMPLETED BY THE OGC-COMPLIANCE DEPARTMENT (11/20/2023).

Impact:

THE ESTABLISHMENT OF REGULATIONS CREATES MINIMUM STANDARDS BY WHICH COMPLIANCE CAN BE MEASURED AND ACCOUNTABILITY ENFORCED. THE FORMATTING OVERHAUL AND REVISION OF THE OGMICS BROUGHT THE STANDARDS UP TO DATE, AS WELL AS MADE THEM CLEARER AND MORE USER FRIENDLY TO REFERENCE FOR PURPOSES OF IMPLEMENTATION, MONITORING, AND ENFORCEMENT.

ACCOMPLISHMENT #2

Summary:

SPORTSBOK AMENDMENTS (TO OGMICS) WERE SUBMITTED TO THE STATE (12/01/23), INITIATING THE SPORTSBOK MINIMUM INTERNAL CONTROL STANDARDS REVISION PROJECT TO BRING SPORTSBOK MICS UP TO INDUSTRY STANDARDS AND BEST PRACTICES.

Impact:

THE ESTABLISHMENT OF REGULATIONS CREATES MINIMUM STANDARDS BY WHICH COMPLIANCE CAN BE MEASURED AND ACCOUNTABILITY ENFORCED. AFTER A FEW YEARS OF OPERATION AND IMPROVED JURISDICTIONAL CONTEXT, ONEIDA OPERATIONS AND THE STATE ARE PREPARED TO IMPROVE UPON WHAT MAY HAVE BEEN INITIALLY AGREED TO IN ORDER TO BE FIRST TO MARKET. THE SPORTSBOK STANDARDS ARE IN NEED OF CLARIFICATION AND IMPROVEMENT.

ACCOMPLISHMENT #3

Summary:

LIVESCAN DIGITAL IMAGING IMPLEMENTATION IS UNDERWAY TO REESTABLISH DIGITAL FINGERPRINTING AND SECURE TRANSMISSIONS FOR A MORE EFFICIENT AND SECURE BACKGROUNDING PROCESS TO REPLACE MANUAL FINGERPRINT CARD SUBMISSIONS.

Impact:

DIGITAL FINGERPRINTING LEVERAGES TECHNOLOGY RESOURCES AND ALLOWS THE INVESTIGATIONS & LICENSING DEPARTMENT TO MEET INDUSTRY STANDARDS AND BEST PRACTICES OF SIMILAR TRIBAL GAMING REGULATORY AGENCIES.

GOALS

LONG-TERM GOAL #1 (ALIGNMENT)

REVIEW AND ENSURE ALIGNMENT OF OGC STRATEGIES, ORGANIZATION STRUCTURE, PROCESSES, REWARDS, AND PEOPLE.

Periodic evaluation of alignment creates opportunities to identify necessary and continuous improvement.

Update on Goal:

All departments are diligently working on internal assessments, particularly relevant to organization structure and position titles to account for the specific regulatory needs of the OGC and improve upon preparedness of technological advancements of the gaming industry, as well as ever-evolving scams of cheats, fraud, and cybersecurity criminals.

LONG-TERM GOAL #2 (REMODEL)

REMODEL PHYSICAL WORK AREAS/OFFICE SPACES AND VIRTUAL PLATFORMS TO BETTER ACCOMMODATE IMPROVED CROSS-FUNCTIONAL WORKFLOWS AND UPDATED TECHNOLOGY INSTALLATIONS/USAGE.

To support the Nation's vision of a strong economy, it is important to evaluate and make necessary adjustments to how and where we work to be most effective with available resources. Leveraging technology and making improvements to our physical and virtual workspaces are integral to the Nation's financial efficacy.

Update on Goal:

Quotes have been received for Surveillance department workstation updates. Quotes have also been received for the OGC building system and camera needs, as well as access control updates. The request has been made to the S4N (Surveillance for the Nation) Project Team to reprioritize projects and schedule these improvements sooner to address insufficient and dilapidated equipment for employee safety and protection.

QUARTERLY GOAL #1 (ALIGNMENT)

STANDARD OPERATING PROCEDURES AND WORKFLOWS TO BE UPDATED AND RELOCATED TO A SHARED PLATFORM FOR ALL OGC DEPARTMENTS AND EMPLOYEES TO REFERENCE.

Updating SOPs and workflows ensure there are accurate, consistent, and repeatable processes in place to reference by which compliance and accountability can be measured and enforced.

Update on Goal:

SOPs are being reviewed and updated, particularly for annual regulatory requirements and obligations. Request for (DTS) Services were made for Microsoft Teams/Sharepoint assistance.

QUARTERLY GOAL #2 (REMODEL)

CREATE OGC WEBSITE PAGE TO HOUSE AND SHARE CONTENT THAT INCLUDES ELECTRONIC FORMS/LINKS FOR EMPLOYEE, VENDOR, AND PATRON REFERENCE AND USAGE.

Improving upon how and what we communicate, particularly in the virtual space by leveraging technology, is essential for the OGC and its departments to be proactive in the ever-evolving gaming regulatory industry.

Update on Goal:

Documents are being formatted for ideal content and link reference. Inquiries were made for electronic payment links and Request for (DTS) Services were made for Nation website additions.

STIPENDS

Per the Boards, Committees, and Commissions law, stipends are set via OBC resolution. BC resolution 04-13-22-B sets the stipend amounts.

	Total dollar amount paid	Stipends are only paid to Pro-tems for hearing conflicts of interest that may arise.		
		Regular Mtg	Emergency Mtg	Hearings/Other
October 2023	\$0	2	0	0
November 2023	\$0	2	0	0
December 2023	\$0	2	0	0

BUDGET

FY-2024 BUDGET: \$5,035,499

FY-2024 EXPENDITURES AS OF END OF REPORTING PERIOD: \$1,383,854

Expenses to date are approximately 27% of the total annual budget, which were used to maintain services of the Surveillance, Compliance, Investigations & Licensing, and Administration departments of the OGC. Similar expenses will be incurred next quarter, with an expected increase to training and travel expenses for the start of the 2024 calendar conference year.

REQUESTS

- 1) Provide a status update on the two (2) Illegal Gambling concerns/inquiries made to the BC formalized in memos sent on November 3rd and December 20th of 2023.
- 2) Provide a status update on the request for the BC to resolve the inaction of Gaming Management to issue payment for a patron dispute. Memo sent December 6, 2023.

OTHER

None

Accept the Oneida Land Claims Commission FY-2024 1st quarter report

Business Committee Agenda Request

1. Meeting Date Requested: 02/14/24

2. General Information:

Session: Open Executive – must qualify under §107.4-1.

Justification: *Choose reason for Executive.*

3. Supporting Documents:

- | | | |
|---|--|---|
| <input type="checkbox"/> Bylaws | <input type="checkbox"/> Fiscal Impact Statement | <input type="checkbox"/> Presentation |
| <input type="checkbox"/> Contract Document(s) | <input type="checkbox"/> Law | <input checked="" type="checkbox"/> Report |
| <input type="checkbox"/> Correspondence | <input type="checkbox"/> Legal Review | <input type="checkbox"/> Resolution |
| <input type="checkbox"/> Draft GTC Notice | <input type="checkbox"/> Minutes | <input type="checkbox"/> Rule (adoption packet) |
| <input type="checkbox"/> Draft GTC Packet | <input type="checkbox"/> MOU/MOA | <input type="checkbox"/> Statement of Effect |
| <input type="checkbox"/> E-poll results/back-up | <input type="checkbox"/> Petition | <input type="checkbox"/> Travel Documents |
| <input type="checkbox"/> Other: <i>Describe</i> | | |

4. Budget Information:

- | | | |
|--|--|-------------------------------------|
| <input type="checkbox"/> Budgeted | <input type="checkbox"/> Budgeted – Grant Funded | <input type="checkbox"/> Unbudgeted |
| <input checked="" type="checkbox"/> Not Applicable | <input type="checkbox"/> Other: <i>Describe</i> | |

5. Submission:

Authorized Sponsor: Chris Cornelius, Chair/Oneida Land Claims Commission

Primary Requestor: Bonnie Pigman, Recording Clerk

Additional Requestor: (Name, Title/Entity)

Additional Requestor: (Name, Title/Entity)

Submitted By: BPIGMAN

FY-2024 1st (Oct - Dec) Quarter Report

ONEIDA LAND CLAIMS COMMISSION

Approved by official entity action on: February 1, 2024

Submitted by: Chris Cornelius, Chair OLCC

OBC Liaison: Brandon Yellowbird-Stevens

OBC Liaison: Lisa Liggins

PURPOSE

The Oneida Land Claims Commission (OLCC) purpose is to supervise all activities involving the New York Land Claims, including post settlement; and to develop strategies, provide direction and recommendations, for litigation, negotiation and/or settlement to the Oneida Business Committee (OBC) and the Oneida General Tribal Council (GTC). The OLCC will inform and educate the membership on issues pertaining to the Oneida Nation land claims, and seek participation from the membership, and carrying out the following duties:

AUTHORITY

- a. Report membership concerns and suggestions to the OBC.
- b. Hold public meetings and conduct outreach to allow the membership to participate in recommendations for all Oneida Nation land claims and settlement efforts.
- c. Study other Indian land claim settlements and disseminate that information to the membership and the OBC.
- d. Manage the OLCC budget
- e. Assist the OBC with any land claims arising out of natural resource issues/disputes as requested by the OBC.
- f. Carry out all other duties delegated by the GTC

Created by the Business Committee as directed by the membership. The OLCC shall inform and educate the membership on the issues pertaining to Oneida Nation land claims, seek participation of the membership, and be further responsible for carrying out the following duties: (a) To bring forward concerns and suggestions of the membership regarding the Nation's land claims to the Oneida Business Committee. (b) As part of its advisory procedures, to hold public meetings and undergo outreach to provide an opportunity for the membership to voice their concerns and suggestions regarding the Nation's land claims settlement efforts and to share those concerns/suggestions with the Oneida Business Committee. (c) To study other Indian land claim settlements achieved between tribal, state, and federal governments and disseminate the information to the membership and the Oneida Business Committee. (d) To manage the budget

that the Oneida Business Committee provides to the OLCC in accordance with governing laws and policies of the Nation. (e) To assist the Oneida Business Committee with any land claims arising out of natural resource issues/disputes as requested by the Oneida Business Committee. (f) To carry out all other powers and/or duties delegated to the OLCC through any laws, policies, rules and/or resolutions of the Nation.

b.

BCC MEMBERS

Chris Cornelius
Chair
July 31, 2024

Michael S King
Commissioner
July 31, 2025

Donald McLester
Vice-Chair
July 31, 2024

Vacant
Commissioner
July 31, 2026

Kerry Kennedy
Secretary
July 31, 2026

MEETINGS

Held the first and third Thursday of each month.

3:00 P.M.

Norbert Hill Center, Room 338, N7210 Seminary Road, Oneida WI. In Person and via Microsoft Teams

Emergency Meetings: Zero (0)

CONTACT INFORMATION

CONTACT: Chris Cornelius

TITLE: Oneida Land Claims Commission Chair

PHONE NUMBER: (920) 869-4430

E-MAIL: <http://oneida-nsn.gov/government/boards-committees-andcommissions/elected/#Oneida-Land-Claims-Commission>

ACCOMPLISHMENTS

ACCOMPLISHMENT #1

Summary:

Commissioners conducted outreach with community members of the Veterans Service Office and at the Elderly Meal Site.

Impact:

To foster a system in which the public feels they are part of decision-making process, including freedom of expression and assiduous concern for the best interests of the Nation and community in general.

Accomplishment #2

Summary:

Educational books for the community and the Commission were procured.

Impact:

These materials will be utilized to inform and educate the community and the Commission about historic events and timelines.

GOALS

Long-term Goal #1

Conduct outreach to our membership. Seek participation from our members. Provide education on all Oneida land Claims, past and present.

This supports the Nation's vision by including the membership in the decision making process and it also supports the Nation's mission statement to, "strengthen and protect our people, reclaim our land and enhance the environment by exercising our sovereignty.

Update on Goal:

The Commission compiled and reviewed public surveys completed in FY 2023. Then spent the 1st Quarter updating and revising our surveys. The Commission purchased educational materials for future community outreach events.

Long-term Goal #2

Compile and forward membership recommendations, Land Claims research, and the Commissions' recommendations to the Oneida Business Committee on behalf of the membership, as directed by the membership

This supports the Nation's vision by including the membership in the decision making process and it also supports the Nation's mission statement to, "To strengthen and protect our people, reclaim our land and enhance the environment by exercising our sovereignty."

Update on Goal:

The Commission requested to meet with the newly elected Oneida Business Committee; and requested annual standing meeting to meet with them to discuss the Oneida land Claims and share the memberships' recommendations, along with the Commission's recommendations.

Quarterly Goal #1

Gather input from the Oneida membership regarding Oneida Land Claims.

This supports the Nation's vision by including the membership in the decision making process and it also supports the Nation's mission statement to, "To strengthen and protect our people, reclaim our land and enhance the environment by exercising our sovereignty."

Update on Goal:

The Commission compiled community surveys and recommendations from the 4th quarter of fiscal year 2023. During the 1st quarter we revisited all surveys, past and present, in order to upgrade and revise our surveys to gather community input on our land claims.

STIPENDS

Per the Boards, Committees, and Commissions law, stipends are set via OBC resolution. BC resolution 04-13-22-B sets the stipend amounts.

	Total dollar amount paid	Number of stipend type		
		Regular Mtg	Emergency Mtg	Hearings/Other
October 2023	\$700.00	2	0	0
November 2023	\$800.00	2	0	0
December 2023	\$800.00	2	0	0

BUDGET

FY-2024 BUDGET: #93,350.00

FY-2024 EXPENDITURES AS OF END OF REPORTING PERIOD: \$9,217.00

Continue to expand outreach events, to include SEOTS and other Oneida communities; and seek input from other Tribal Nations.

REQUESTS

An administrative assistant is needed to help with all day to day activities and projects.

Land Claims requests permission to conduct outreach at the GTC meetings.

Quarterly meetings are requested with the Nation's negotiators to discuss all settlement efforts that have or are taking place to provide updates to the membership.

We request the Business Committee to review and include the memberships' recommendations in any negotiations or settlement efforts, as directed by the membership.

We request to be notified and included in all negotiations pertaining to all Land Claims matters, as directed by the membership on September 19, 1986.

Requesting the OBC to revisit the BCC law/resolutions to address the laws that prevents our Commission from accomplishing our goals and mission in a timely manner.

OTHER

Land Claims Recommendations: The Commission supports the direct purchasing of all land within its original treaty territories in New York and the state of Wisconsin. The Commission also recommends sending an annual letter to the governor of New York, and the president of the United States, the Senate on Indian Affairs, the BIA, and the DOI (Department of Interior) and all other lawmakers (i.e. Congressional representatives, both state and federal), regarding our unresolved land claims; in order to give notice that we still have unresolved land claims and to request meetings to discuss reparations and a just resolution to this matter.

Accept the Oneida Land Commission FY-2024 1st quarter report

Business Committee Agenda Request

1. Meeting Date Requested: 02/14/24

2. General Information:

Session: Open Executive – must qualify under §107.4-1.

Justification: *Choose reason for Executive.*

3. Supporting Documents:

- | | | |
|---|--|---|
| <input type="checkbox"/> Bylaws | <input type="checkbox"/> Fiscal Impact Statement | <input type="checkbox"/> Presentation |
| <input type="checkbox"/> Contract Document(s) | <input type="checkbox"/> Law | <input checked="" type="checkbox"/> Report |
| <input type="checkbox"/> Correspondence | <input type="checkbox"/> Legal Review | <input type="checkbox"/> Resolution |
| <input type="checkbox"/> Draft GTC Notice | <input type="checkbox"/> Minutes | <input type="checkbox"/> Rule (adoption packet) |
| <input type="checkbox"/> Draft GTC Packet | <input type="checkbox"/> MOU/MOA | <input type="checkbox"/> Statement of Effect |
| <input type="checkbox"/> E-poll results/back-up | <input type="checkbox"/> Petition | <input type="checkbox"/> Travel Documents |
| <input type="checkbox"/> Other: <i>Describe</i> | | |

4. Budget Information:

- | | | |
|--|--|-------------------------------------|
| <input type="checkbox"/> Budgeted | <input type="checkbox"/> Budgeted – Grant Funded | <input type="checkbox"/> Unbudgeted |
| <input checked="" type="checkbox"/> Not Applicable | <input type="checkbox"/> Other: <i>Describe</i> | |

5. Submission:

Authorized Sponsor: John Danforth, Chair/Oneida Land Commission

Primary Requestor: Brooke Doxtator, BCC Supervisor

Additional Requestor: (Name, Title/Entity)

Additional Requestor: (Name, Title/Entity)

Submitted By: BDOXTAT1

FY-2024 1st (Oct - Dec) Quarter Report

Oneida Land Commission

Approved by official entity action on: February 6, 2024

Submitted by: Sherrole Benton

OBC Liaison: Tehassi Hill

OBC Liaison: Jennifer Webster

PURPOSE

The Commission was established for the purpose of managing the Nation's land resources.

AUTHORITY

The Commission has the authority to carry out all the powers and duties as delegated under the following laws of the Nation:

- (a) The Real Property law;
- (b) The Leasing law;
- (c) The Building Code;
- (d) The Condominium Ordinance;
- (e) The Zoning and Shoreland Protection law;
- (f) The Eviction and Termination law;
- (g) The Landlord-Tenant law;
- (h) The Mortgage and Foreclosure law;
- (i) The Cemetery Law; and
- (j) All any other delegating law, policy, rule and/or resolution of the Nation.

BCC MEMBERS

John Danforth
Chair
07/31/2025

Patricia Cornelius
Commissioner
07/31/2026

Sid White
Vice Chair
07/31/2026

Don McLester
Commissioner
07/31/2024

Sherrole Benton
Secretary
07/31/2024

Fred Muscavitch
Commissioner
07/31/2024

Jennifer Hill
Commissioner
07/31/2025

MEETINGS

Held every 2nd and 4th Monday of each month.

5:00 p.m.

Little Bear Conference Room and Microsoft Teams

Emergency Meetings: No emergency meetings were held this quarter

CONTACT INFORMATION

CONTACT: Brooke Doxtator

TITLE: Boards, Committees, and Commissions Supervisor

PHONE NUMBER: (920) 869-4452

E-MAIL: Land_Commission@oneidanation.org

MAIN WEBSITE: <https://oneida-nsn.gov/government/boards-committees-and-commissions/elected/#Oneida-Land-Commission>

ACCOMPLISHMENTS**ACCOMPLISHMENT #1**

Summary:

Reporting to general membership primarily through online and/or the Kalihwisaks newspaper, and other potential updates via Nation website and/or the online version of the Kalihwisaks and/or social media.

Impact:

The Land Commission presents information during annual and semi-annual General Tribal Council (GTC) meetings to the membership about pertinent land acquisition matters to ensure transparency.

ACCOMPLISHMENT #2

Summary:

We acquired 228.47 acres this quarter. We now have a total of 28,703,467 acres we own which is 43.89% of the reservation. Recent land acquisitions include forested and agricultural lands.

Impact:

The Land Commission goal is to acquire land, use land appropriately, and exercise the Oneida Nation's sovereignty. The Land Commission is actively pursuing land acquisitions and following the guidance in the 2033 Land Acquisition Plan as approved by GTC.

ACCOMPLISHMENT #3

Summary:

The Land Commission (LC) approved a request to improve the Homeownership by Independent Purchase (HIP) program so that tribal members could compete better when bidding on homes. The Comprehensive Housing is working on updating the HIP Rule to coincide with the current housing market.

Impact:

The Land Commission will continue to seek out lands that benefit the Nation for housing and economic development, agriculture and forestry, defense of the reservation borders, and natural environment conservation or rehabilitation.

GOALSLONG-TERM GOAL #1

Provide Open Communication

The Land Commission strives to be open and transparent regarding actions and decisions. Our goal is for regular communication with membership via General Tribal Council meetings and other communication outlets. We want the membership to be informed and engaged with land acquisition, zoning, and land use as it pertains to our Nation.

Update on Goal:

The Land Commission updated our presentation for the Annual GTC Meeting.

LONG-TERM GOAL #2

Exercise Sovereignty

Re-establish roles & responsibilities to fully implement the 2033 Land Acquisition Plan approved by GTC. The 2033 Plan provides an allocation of funds to reacquire land within the Oneida Reservation.

Update on Goal:

We continue to purchase land following the guidance in the 2033 Land Acquisition Plan. In addition we are working with EHSL&A to develop tools to help us make better data driven decisions.

QUARTERLY GOAL #1

Promoting Positive Community Relations

Develop Land Use policy to better serve the needs of the membership. Focus on programs to serve tribal members, individual farmers, entrepreneurs, and community organizations.

Update on Goal:

Land Management will update their HIP SOP to match the updated Rule and present to the Land Commission in the 2nd quarter.

STIPENDS

Per the Boards, Committees, and Commissions law, stipends are set via OBC resolution. BC resolution 04-13-22-B sets the stipend amounts.

	Total dollar amount paid	Number of stipend type		
		Regular Mtg	Emergency Mtg	Hearings/Other
October 2023	\$1,750	2	0	1
November 2023	\$2,000	2	0	1
December 2023	\$1200	2	0	0

BUDGET

FY-2024 BUDGET: \$16,000

FY-2024 EXPENDITURES AS OF END OF REPORTING PERIOD: \$4,950

Our budget is used for meeting and hearing stipends.

REQUESTS

None

OTHER

We acquired 165.89 acres this quarter. We now have a total of 28,475.15 acres we own which is 43.54% of the reservation.

Accept the Oneida Nation Commission on Aging FY-2024 1st quarter report

Business Committee Agenda Request

1. Meeting Date Requested: 02/14/24

2. General Information:

Session: Open Executive – must qualify under §107.4-1.
Justification: *Choose reason for Executive.*

3. Supporting Documents:

- | | | |
|---|--|---|
| <input type="checkbox"/> Bylaws | <input type="checkbox"/> Fiscal Impact Statement | <input type="checkbox"/> Presentation |
| <input type="checkbox"/> Contract Document(s) | <input type="checkbox"/> Law | <input checked="" type="checkbox"/> Report |
| <input type="checkbox"/> Correspondence | <input type="checkbox"/> Legal Review | <input type="checkbox"/> Resolution |
| <input type="checkbox"/> Draft GTC Notice | <input type="checkbox"/> Minutes | <input type="checkbox"/> Rule (adoption packet) |
| <input type="checkbox"/> Draft GTC Packet | <input type="checkbox"/> MOU/MOA | <input type="checkbox"/> Statement of Effect |
| <input type="checkbox"/> E-poll results/back-up | <input type="checkbox"/> Petition | <input type="checkbox"/> Travel Documents |
| <input type="checkbox"/> Other: <i>Describe</i> | | |

4. Budget Information:

- | | | |
|--|--|-------------------------------------|
| <input type="checkbox"/> Budgeted | <input type="checkbox"/> Budgeted – Grant Funded | <input type="checkbox"/> Unbudgeted |
| <input checked="" type="checkbox"/> Not Applicable | <input type="checkbox"/> Other: <i>Describe</i> | |

5. Submission:

Authorized Sponsor: Winnifred Thomas, Chair, /Oneida Nation Commission on Aging

Primary Requestor: Bonnie Pigman, Recording Clerk

Additional Requestor: *(Name, Title/Entity)*

Additional Requestor: *(Name, Title/Entity)*

Submitted By: BPIGMAN

FY-2024 1st (Oct - Dec) Quarter Report

ONEIDA NATION COMMISSION ON AGING

Approved by official entity action on: January 30, 2024

Submitted by: Winnifred Thomas, Chair

OBC Liaison: Jennifer Webster, Primary

OBC Liaison: Brandon Yellowbird-Stevens, Alternate

PURPOSE

The purpose of ONCOA is to adhere to the Oneida Nation's Vision, Mission, Core Values and to be knowledgeable and supportive of all programs and services that place priority on the well-being of our Oneida Elders. ONCOA must exist based on State statutory requirement for the Oneida Nation to receive funds for Aging and Disability Services.

AUTHORITY

Pursuant to Section 46.82(4)(a) of the Wisconsin Statutes, the Oneida Business Committee established ONCOA as the advisory and policy development board for the Nation's Tribal Aging Unit, known as Oneida Elder Services, to be knowledgeable and supportive of all programs and services that can meet the needs of the Nation's Elders and to carry out the powers and duties delegated under Wis. Stat., § 46.82, which include, but are not limited to:

- (a) Representing the views, interests, and concerns of the Elders by identifying and promoting ways to:
 - (1) Assist the Oneida Elder Services Program with planning, development, maintenance and coordination of aging programs, long term care, home and community-based services, with a focus on providing Elders with access to services, benefits, opportunities, and ensuring a coordinated and comprehensive effort.
 - (2) Develop a mutually supportive relationship with the aging programs to include, but not be limited to: Greater Wisconsin Agency on Aging Resource (GWAAR), Wisconsin Tribal Aging Unit Association (WTAUA), and Great Lakes Intertribal Tribal Council (GLITC).
 - (3) Review and make recommendations on matters affecting the Nation's Elders to include development and approval of Wisconsin Three Year Aging Plan.
- (b) Working with Oneida Elder Services to plan and develop administrative and program policies in accordance with the state law, Oneida Nation, funding agencies, and within the limits established for programs funded

by the federal or state government for administration by Tribal Aging Units;

- (c) Promoting the views, needs, and concerns of the Elders in Tribal, county, state, and federal policies and decisions;
- (d) Providing information and personal support to individual Elders;
- (e) Promoting opportunities for Elders to contribute to their own welfare and to the welfare of the community;
- (f) Assisting Oneida Elder Services in the development and implementation of an annual comprehensive and coordinated Tribal Aging Plan, including, but not limited to, Title III, Title V, Title VI, and Tribal contribution or funds set aside for Elders;
- (g) Reviewing and making recommendations on actions or proposals relating to matters affecting programs and benefits addressing Elder needs and welfare prior to approval by the Oneida Business Committee;
- (h) Assisting Oneida Elder Services in its efforts to organize, develop, modify, and expand available services and programs for Elders by utilizing all resources;
- (i) Reviewing reports that Oneida Elder Services is required to submit to funding agencies and other reports that ONCOA may deem appropriate;
- (j) Advocating for Elders; and
- (k) Carrying out all other powers and/or duties delegated to ONCOA through the laws, policies, rules and resolutions of the Oneida Nation, as well as state and federal law.

BCC MEMBERS

Winnifred Thomas
Chair
July 31, 2026

Carole Liggins
Member
July 31, 2025

Sandra Skenadore
Vice-Chair
July 31, 2026

Christina Liggins
Member
July 31, 2026

Janice McLester
Secretary
July 31, 2024

Neoma Orsburn
Member
July 31, 2024

Barbara Cornelius
Member
July 31, 2024

Donald White
Member
July 31, 2025

Mary J Doxtator
Member
July 31, 2025

MEETINGS

Meetings are held the 2nd and 4th Tuesday each month.

1:00 P.M.

Aging & Disability Services Building, Conference Room, 2907 W Overland Road, Oneida WI

Emergency Meetings: Click here to enter any emergency meetings that were held during the reporting period and the reason for the meeting

CONTACT INFORMATION

CONTACT: Winnifred Thomas

TITLE: ONCOA Chair

PHONE NUMBER: 920-770-8813

E-MAIL: oca-wtho@oneidanation.org

MAIN WEBSITE: <https://oneida-nsn.gov/government/boards-committees-andcommissions/elected>

ACCOMPLISHMENTS

ACCOMPLISHMENT #1

Summary:

Five (5) ONCOA members attended the 2023 National Indian Council on Aging (NICOA) Conference held in Cherokee, North Carolina September 25 – 29, 2023. This is a biennial conference which focuses on information and resources to help Elders at a home and in their own communities. There were many breakout sessions which provided us with many ways to aid in spreading awareness in our communities. One such session emphasized the importance an Elder Law helps to support carrying out the strategies necessary for elder services.

Impact:

ONCOA stays abreast of conferences and events that offer the most comprehensive subject material relevant to the needs of the Oneida Nation elder community.

ACCOMPLISHMENT #2

Summary:

ONCOA has two (2) (CAB) members who continue to attend and represent the Oneida Nation elder community at the CAB Quarterly meetings [Date(s)]. These meetings originally only invited

our Nation's presence to the table. It has grown into our Nation providing more meaningful conversations at the State level, with Oneida Professionals who are invested through their education and knowledge able to share what the needs of our elder community are.

Impact:

ONCOA CAB members share/communicate and support the Oneida Professionals

ACCOMPLISHMENT #3

Summary:

Two (2) ONCOA members were able to participate at the Great Lakes Native American Elders Association (GLNEA) Quarterly Conference in Danbury Wisconsin, December 6 & 7, 2023. GLNEA holds Quarterly meetings and their agenda's focus on different subject matter all of which is relevant to Native American Elders. This meeting's subject matter focused on Alzheimer's. The information shared helps ONCOA to determine what support services currently has and if there are next steps our community can move forward with.

Impact:

ONCOA recognizes the importance participating in events that provide up-to-date information on services and support that benefit's our Oneida Nation's Elders and their needs.

GOALS

LONG-TERM GOAL #1

Create a Strategic Plan for the Oneida Nation Commission on Aging.

Ensure we have the best tools and resources in place to effectively carry out our duties and responsibilities.

Update on Goal:

ONCOA will continue to meet to discuss projects and tasks. ONCOA will work to complete short and long term goals.

QUARTERLY GOAL #1

To socialize, learn and seek wellness information: ONCOA will advocate for the development of educational seminars for Alzheimer's research and awareness. Stroke prevention research and awareness, as well as other long term care services and supportive opportunities for our Tribal Elders.

Provide opportunity for elders to meet and discuss issues effecting or pertaining to the Nation's elder community. Provide educational research and awareness information that may be of

benefit for elders with specific medical needs or that may be at risk. Provide social networking opportunities on local, county and State levels.

Update on Goal:

ONCOA will work with the General Manager and his staff on Alzheimer's research and awareness, stroke prevention research and awareness, as well as other long term care services and supportive opportunities for our Nation's Elders.

STIPENDS

Per the Boards, Committees, and Commissions law, stipends are set via OBC resolution. BC resolution 04-13-22-B sets the stipend amounts.

	Total dollar amount paid	Number of stipend type		
		Regular Mtg	Emergency Mtg	Hearings/Other
October 2023	\$1,700.00	2	0	0
November 2023	\$1,400.00	2	0	0
December 2023	\$600.00	1	0	0

BUDGET

FY-2024 BUDGET: \$72,150.00

FY-2024 EXPENDITURES AS OF END OF REPORTING PERIOD: \$7,126.00

ONCOA will be helping to fund the March 2024 GLNEA event being held in Oneida, WI, the 2024 Elder Expo event coordinated with the Aging & Disability Department later in 2024 and attending conferences/seminars and other functions in the community.

REQUESTS

ONCOA requests the Accounting Department meet with the BCC's to get a monthly expense report to provide more current budget information and is user friendly to meet the needs of the BCC's.

OTHER

None.

Accept the Oneida Nation School Board FY-2024 1st quarter report

Business Committee Agenda Request

1. Meeting Date Requested: 02/14/24

2. General Information:

Session: Open Executive – must qualify under §107.4-1.

Justification: *Choose reason for Executive.*

3. Supporting Documents:

- | | | |
|---|--|---|
| <input type="checkbox"/> Bylaws | <input type="checkbox"/> Fiscal Impact Statement | <input type="checkbox"/> Presentation |
| <input type="checkbox"/> Contract Document(s) | <input type="checkbox"/> Law | <input checked="" type="checkbox"/> Report |
| <input type="checkbox"/> Correspondence | <input type="checkbox"/> Legal Review | <input type="checkbox"/> Resolution |
| <input type="checkbox"/> Draft GTC Notice | <input type="checkbox"/> Minutes | <input type="checkbox"/> Rule (adoption packet) |
| <input type="checkbox"/> Draft GTC Packet | <input type="checkbox"/> MOU/MOA | <input type="checkbox"/> Statement of Effect |
| <input type="checkbox"/> E-poll results/back-up | <input type="checkbox"/> Petition | <input type="checkbox"/> Travel Documents |
| <input type="checkbox"/> Other: <i>Describe</i> | | |

4. Budget Information:

- | | | |
|--|--|-------------------------------------|
| <input type="checkbox"/> Budgeted | <input type="checkbox"/> Budgeted – Grant Funded | <input type="checkbox"/> Unbudgeted |
| <input checked="" type="checkbox"/> Not Applicable | <input type="checkbox"/> Other: <i>Describe</i> | |

5. Submission:

Authorized Sponsor: Sacheen Lawrence, Chair/Oneida Nation School Board

Primary Requestor: Bonnie Pigman, Recording Clerk

Additional Requestor: (Name, Title/Entity)

Additional Requestor: (Name, Title/Entity)

Submitted By: BPIGMAN

FY-2024 1st (Oct - Dec) Quarter Report

Oneida Nation School Board

Approved by official entity action on: February 5, 2024

Submitted by: Sacheen Lawrence, School Board Chair

OBC Liaison: Marlon Skenandore

OBC Liaison: Lisa Liggins

PURPOSE

The Board was established to coordinate existing and future education programs of the Oneida Nation; per directive of the Oneida General Tribal Council, to be an autonomous administrator of the Oneida Nation School System ("System") under a Memorandum of Agreement with the Oneida Business Committee; and to administer the Oneida Nation School System Endowment in accordance with the Nation's Endowments law as authorized under resolution BC-02-27-19-B.

AUTHORITY

In accordance with the Oneida General Tribal Council's directive, on March 21, 1988, the Board entered into a Memorandum of Agreement ("MOA") with the Oneida Business Committee, delegating certain powers and duties to the Board, which, subject to amendment from time-to-time hereafter, include, but are not limited to...

BCC MEMBERS

Sacheen Lawrence Chair 7/31/2025	Kathleen Cornelius Member At large 7/31/2025
Katsitsiyo Danforth Vice Chair 7/31/2026	Candace House Member Parent 7/31/2026
Vicki L. Cornelius Secretary 7/31/2024	Teresa Schuman Member At large 7/31/2024
Barbara Cornelius Member At large 7/31/2024	Vacant Member 7/31/2024

Vacant
Member
7/31/2025

MEETINGS

1st Monday of each month. 2nd meeting is as needed.

5:00 p.m.

Oneida Nation Elementary School Library or Virtual via Microsoft Teams

Emergency Meetings: 10/10/2023 to address complaints with Oneida Language Immersion Program

CONTACT INFORMATION

CONTACT: Jolene Hensberger
TITLE: Administrative Assistant
PHONE NUMBER: (920) 869-4654
E-MAIL: School_Board@oneidanation.org
MAIN WEBSITE: <https://oneida-nsn.gov/education/oneida-nation-school-system/>

ACCOMPLISHMENTS

ACCOMPLISHMENT #1

Summary:

Oneida Nation School Board took action to support a community meeting for the building of a new Oneida Nation high school. Meeting was scheduled Wednesday, January 10, 2024, in the NHC/high school cafeteria. Meeting details were communicated to the community through social media outlets.

Impact:

A new high school will provide a necessary safe space, expand student learning opportunities, and will be competitive with surrounding school districts. We would like the Oneida Nation High School to be the school of choice for our native students. This project is supported by the Oneida Business Committee, and with the support of the GTC we will increase college and career readiness for our students.

ACCOMPLISHMENT #2

Summary:

Reviewed and approved a new complaint process for school staff, parents, students, and community members

Impact:

The complaint process, policies, and adequate forms help to ensure the chain of command is followed and all resolutions are documented.

ACCOMPLISHMENT #3

Summary:

The Johnson O'Malley (J.O.M) Committee was re-established since the Covid 19 pandemic.

Impact:

The committee encourages parent involvement in providing input and identifying activities that support academic, mental, social, spiritual, and physical well-being for students in the school system.

GOALS

LONG-TERM GOAL #1

Develop a teacher retirement plan for the staff of the Oneida Nation School System. This promotes employee morale, competitiveness for recruitment of quality staff, and will be a longitudinal incentive for teachers to remain within the school system.

Advancing On^yote?a.ka Principles

Update on Goal:

Oneida Nation School Board took action to move forward with the next step of this project and coordinate a meeting with the Oneida Business Committee. Purpose of the meeting will identify the next steps the ONSB must take to develop teacher retirement plan.

QUARTERLY GOAL #1

Reviewed and updated Oneida Nation School Board bylaws

Improving Organizational Changes

Update on Goal:

Through review of the bylaws, all members were able to provide input and discuss recommended changes that would benefit not only the Board, but staff and the community as well. The suggested changes will be routed to the Legislative Operating Committee for review. The last time the bylaws were reviewed was 2022.

STIPENDS

Per the Boards, Committees, and Commissions law, stipends are set via OBC resolution. BC resolution 04-13-22-B sets the stipend amounts.

	Total dollar amount paid	Number of stipend type		
		Regular Mtg	Emergency Mtg	Hearings/Other
October 2023	\$1975	2	1	2
November 2023	\$1425	2	0	2
December 2023	\$1900	3	0	3

BUDGET

FY-2024 BUDGET: \$64,952.00

FY-2024 EXPENDITURES AS OF END OF REPORTING PERIOD: \$6,809.00

Current budgetary expenses are for supplies and stipends. Projected budgetary uses for the second quarter are anticipated to be similar.

REQUESTS

Enter request(s), if needed.

OTHER

Enter other information, if needed.

Accept the Oneida Trust Enrollment Committee FY-2024 1st quarter report

Business Committee Agenda Request

1. Meeting Date Requested: 02/14/24

2. General Information:

Session: Open Executive – must qualify under §107.4-1.

Justification: *Choose reason for Executive.*

3. Supporting Documents:

- | | | |
|---|--|---|
| <input type="checkbox"/> Bylaws | <input type="checkbox"/> Fiscal Impact Statement | <input type="checkbox"/> Presentation |
| <input type="checkbox"/> Contract Document(s) | <input type="checkbox"/> Law | <input checked="" type="checkbox"/> Report |
| <input type="checkbox"/> Correspondence | <input type="checkbox"/> Legal Review | <input type="checkbox"/> Resolution |
| <input type="checkbox"/> Draft GTC Notice | <input type="checkbox"/> Minutes | <input type="checkbox"/> Rule (adoption packet) |
| <input type="checkbox"/> Draft GTC Packet | <input type="checkbox"/> MOU/MOA | <input type="checkbox"/> Statement of Effect |
| <input type="checkbox"/> E-poll results/back-up | <input type="checkbox"/> Petition | <input type="checkbox"/> Travel Documents |
| <input type="checkbox"/> Other: <i>Describe</i> | | |

4. Budget Information:

- | | | |
|--|--|-------------------------------------|
| <input type="checkbox"/> Budgeted | <input type="checkbox"/> Budgeted – Grant Funded | <input type="checkbox"/> Unbudgeted |
| <input checked="" type="checkbox"/> Not Applicable | <input type="checkbox"/> Other: <i>Describe</i> | |

5. Submission:

Authorized Sponsor: Jermaine Delgado, Chair/Oneida Trust Enrollment Committee

Primary Requestor: Shannon Davis, Recording Clerk

Additional Requestor: (Name, Title/Entity)

Additional Requestor: (Name, Title/Entity)

Submitted By: SDAVIS

FY-2024 1st (Oct - Dec) Quarter Report

Oneida Trust Enrollment Committee (OTEC)

Approved by official entity action on: 02/05/2024

Submitted by: John Danforth/Venessa Cardish

OBC Liaison: Jameson Wilson

OBC Liaison: [Click here to enter OBC Liaison](#)

PURPOSE

Sustain the Oneida membership and protect our trust assets. To exercise stewardship over tribal enrollment and trust assets while providing leadership to sustain the tribe.

AUTHORITY

To maintain the official roll of the Oneida Nation and to administer exclusive control of the Oneida Nation trust funds and endowment funds a directed by the GTC. As fiduciaries over the Oneida Nation trust and endowment funds, OTEC is a long- term investor.

BCC MEMBERS

JERMAINE DELGADO

CHAIR

07/31/2022-07/31/2025

JENNIFER HILL-KELLEY

VICE-CHAIR

07/31/2021-07//31/2024

GERALDINE DANFORTH

SECRETARY

07/31/2021-07/31/2024

PAMELA NINHAM

MEMBER

07/31/2023-07/31/2026

KIRSTEN VAN DYKE

MEMBER

07/21/2022-07/31/2025

NORBERT HILL JR.

MEMBER

07/31/2022-07/31/2025

DYLAN BENTON

MEMBER

07/31/2021-07/31/2024

DOROTHY NINHAM

MEMBER

07/31/2023-07/31/2026

JAMESON WILSON

MEMBER/LIAISON

07/31/2023-07/31/2026

MEETINGS

3RD MONDAY OF EACH MONTH.

5 PM

HYBRID: IN-PERSON AT ARCHIQUETTE (ENROLLMENT) BUILDING OR VIA TEAMS

Emergency Meetings:

CONTACT INFORMATION

CONTACT: JOHN DANFORTH

TITLE: INTERIM-DIRECTOR

PHONE NUMBER: 920-869-6200

E-MAIL: jdanford7@oneidanation.org

MAIN WEBSITE: [Oneida Nation | Trust Enrollments \(oneida-nsn.gov\)](http://Oneida Nation | Trust Enrollments (oneida-nsn.gov))

ACCOMPLISHMENTS

ACCOMPLISHMENT #1

Summary:

SUCCESSFUL DISTRIBUTION OF MINOR TRUST FUNDS.

Impact:

AS DIRECTED BY THE PERCAPITA TRUST AGREEMENT, THE TRUST ENROLLMENT DEPARTMENT AND COMMITTEE AIM TO PROVIDE A CLAIM PROCESS THAT INFORMS ELIGIBLE MEMBERS OF ALL THEIR FINANCIAL OPTIONS WHEN CLAIMING FUNDS.

ACCOMPLISHMENT #2

Summary:

PROCESSED 37 LIFE INSURANCE CLAIMS

Impact:

THE ONEIDA LIFE INSURANCE PLAN LAW IS IN FULL EFFECT AND THE PROGRAM IS COMPLETELY IN-HOUSE WITHIN THE ONEIDA NATION.

ACCOMPLISHMENT #3

Summary:

GWA LATE PAYMENT APPLICATION PROCESSING AND CHECK RE-ISSUES

Impact:

GWA PROVIDES AN OPPORTUNITY FOR MEMBERSHIP TO RECEIVE MORE FUNDS WITHOUT IRS OR STATE INCOME TAX IMPLICATIONS. GWA BEING A RELATIVELY NEW PROGRAM ALSO POSES NEW HURDLES FOR DEVELOPING RULES AND PROCESSES TO BETTER SERVE MEMBERS AND THE NATION. CHECKS NOW HAVE DEFINITIVE EXPIRATION DATES AND ENROLLMENT STAFF REACH OUT TO MEMBERS WHO HAVE NOT CASHED THEIRS.

GOALSLONG-TERM GOAL #1

SUSTAIN ONEIDA MEMBERSHIP

TO PROTECT THE SURVIVAL OF THE ONEIDA NATION LONG-TERM AND EXERCISE TRIBAL SOVEREIGN IN SELF-DETERMINATION.

UPDATE ON GOAL:

THE SUSTAIN ONEIDA PROJECT IS SET TO CLOSE OUT BUT EFFORTS TO FIND A SUSTAINABLE ENROLLMENT SOLUTION ARE SHIFTED TO THE BUSINESS COMMITTEE AND THE STANDING COMMITTEE THAT IS BEING DEVELOPED TO RUN THE ON'AYOTE AKA? NI?I PROJECT PLAN. OTEC CONTINUES TO REQUEST A 'SEAT AT THE TABLE' BY HAVING AT LEAST ONE MEMBER OF THE STANDING COMMITTEE BE A LIAISON FROM OTEC.

LONG-TERM GOAL #2

DEVELOP ELECTRONIC MEMBERS SERVICES ON MEMBERS ONLY PORTAL

EASE OF ACCESS TO INFORMATION AND DOCUMENT SUBMISSION BETTER SERVES ALL TRIBAL MEMBERS, ESPECIALLY THOSE LIVING FURTHER AWAY.

UPDATE ON GOAL:

DTS IS ASSISTING TRUST ENROLLMENT WITH A DATABASE UPDATE AND CONTINUES TO DEVELOP THE CAPABILITIES OF THE MEMBERS ONLY PORTAL TO INCREASE SUBMISSION RATES OF GWA APPLICATIONS AND OLIP BENEFICIARY SUBMISSIONS.

QUARTERLY GOAL #1

ESTABLISH MINOR TRUST DISTRIBUTIONS AS GWA

PROVIDING ENROLLED YOUNG ADULTS AN OPPORTUNITY TO RECEIVE MORE OF THEIR MINOR TRUST FUNDS AND BUILDING UPON FINANCIAL LITERACY.

Update on Goal:

THIS GOAL IS CURRENTLY BEING REVIEWED BY THE ONEIDA LAW OFFICE AND TREASURERS OFFICE FOR IMPLANTATION AND LEGALITY.

QUARTERLY GOAL #2

SECURE CIP PROJECT FOR NEW ENROLLMENT BUILDING

ALL 17000 MEMBERS OF THE ONEIDA NATION ARE SERVICED BY TRUST ENROLLMENT. AN UPDATED, ADA COMPLIANT BUILDING, IS BEING REQUESTED TO BETTER SERVE THE TRIBES MEMBERS.

Update on Goal:

A CIP REQUEST WAS INITIATED IN SPRING 2023 AND CONTINUES TO FOLLOW CIP PROCESS FOR REVIEW AND APPROVAL.

STIPENDS

Per the Boards, Committees, and Commissions law, stipends are set via OBC resolution. BC resolution 04-13-22-B sets the stipend amounts.

	Total dollar amount paid	Number of stipend type		
		Regular Mtg	Emergency Mtg	Hearings/Other
October 2023	\$1,500	X		X
November 2023	\$700	X		
December 2023	\$500	X		

BUDGET

FY-2024 BUDGET: Oct-Dec \$298, 305

FY-2024 EXPENDITURES AS OF END OF REPORTING PERIOD: Oct-Dec \$225, 037

VARIANCE REFLECTS UNFILLED BUDGETED POSITION. POSITION IS EXPECTED TO BE POSTED AND FILLED IN FY'24 QUARTER 2.

REQUESTS

Enter request(s), if needed.

OTHER

Enter other information, if needed.

Accept the Finance Committee FY-2024 1st quarter report

Business Committee Agenda Request

1. Meeting Date Requested: 02/14/24

2. Session:

Open Executive – must qualify under §107.4-1.

Justification: *Choose or type justification.*

3. Requested Motion:

Accept as information; OR

Accept and/or approve the Finance Committee Q1 Report

4. Areas potentially impacted or affected by this request:

Finance

Programs/Services

Law Office

DTS

Gaming/Retail

Boards, Committees, or Commissions

Other: *Describe*

5. Additional attendees needed for this request:

Name, Title/Entity OR Choose from List

Name, Title/Entity OR Choose from List

Name, Title/Entity OR Choose from List

Name, Title/Entity OR Choose from List

6. Supporting Documents:

- | | | |
|---|--|---|
| <input type="checkbox"/> Bylaws | <input type="checkbox"/> Fiscal Impact Statement | <input type="checkbox"/> Presentation |
| <input type="checkbox"/> Contract Document(s) | <input type="checkbox"/> Law | <input checked="" type="checkbox"/> Report |
| <input type="checkbox"/> Correspondence | <input type="checkbox"/> Legal Review | <input type="checkbox"/> Resolution |
| <input type="checkbox"/> Draft GTC Notice | <input type="checkbox"/> Minutes | <input type="checkbox"/> Rule (adoption packet) |
| <input type="checkbox"/> Draft GTC Packet | <input type="checkbox"/> MOU/MOA | <input type="checkbox"/> Statement of Effect |
| <input type="checkbox"/> E-poll results/back-up | <input type="checkbox"/> Petition | <input type="checkbox"/> Travel Documents |
| <input type="checkbox"/> Other: <i>Describe</i> | | |

7. Budget Information:

- | | |
|---|--|
| <input type="checkbox"/> Budgeted – Tribal Contribution | <input type="checkbox"/> Budgeted – Grant Funded |
| <input type="checkbox"/> Unbudgeted | <input checked="" type="checkbox"/> Not Applicable |
| <input type="checkbox"/> Other: <i>Describe</i> | |

8. Submission:

Authorized Sponsor: Lawrence Barton, Treasurer

Primary Requestor: Melissa Alvarado, Office Manager

FINANCE COMMITTEE

FY24 – First Quarter Report (Oct. to Dec. 2023)

Approved by Official BC Action on: 7/19/95

PURPOSE: The Finance Committee (FC) is a working Sub-Committee of the Oneida Business Committee. Responsibilities include recommending financial decisions related to Nation policies, and oversight /guidance of organizational expenditures in support of the mission, values, and strategic goals of the Oneida Nation.

WHO WE SERVE: The FC works with all departments to ensure expenditures of any substantial amount are procured in the most cost effective and fair manner; as established by the processes and procedures of the Purchasing procurement manual. The FC also serves Oneida Community groups, tribal veterans' groups, local charitable organizations, and Oneida members through Finance Committee Donations and the Oneida Finance Fund.

FINANCE COMMITTEE MEMBERS: Members include three BC Council Members Jennifer Webster, Jonas Hill, and Lisa Liggins; the Treasurer, Lawrence Barton who chairs the meetings; Chief Financial Officer, Keith Doxtator who acts as the Vice-Chair; Gaming General Manager, Louise Cornelius; Purchasing Director, Sarah White; and a Community Elder Member (position is currently vacant). Chad Fuss, Assistant Gaming CFO and RaLinda Ninham-Lamberies, Assistant CFO are alternates for the GGM and CFO.

MEETINGS: Meetings are held twice a month, on the Thursday after a regularly scheduled BC meeting. In the 1st Quarter, the Finance Committee held six regular meetings on: Oct. 12th & 26th; Nov. 9th & 30th; and Dec. 14th & 28th, 2023. There was one work meeting on Nov. 30, 2023; the following are the items that were discussed and the actions.

- Review the Sole Source Resolution

Action was to place this item on the December 14th FC Meeting for a memo to be sent to the BC recommending an amendment or change to the BC Resolution #04-08-20-K. Finance Committee also recommended a work team/group to be formed to create an assessment on the BC Resolution #04-08-20-K.

- Review the FC By-Laws

The Finance Committee reviewed the FC By-Laws and some minor changes were brought up. Action was to update the FC By-Laws and place them on the December 14th FC Meeting for approval.

- Sign-Off Authority

Action was to place this item on the December 14th FC Meeting for Purchasing's team and the CFO's team to work together to update the Sign-Off Authority amounts to reflect on what the position does instead of the job title.

GOALS: The two identified goals of the Finance Committee are as follows:

1. To support and improve all processes, procedures, laws, budgets, and resolutions that pertain to responsible financial oversight/expenditures for the Nation.
2. Demonstrate consistent community commitment by providing Donations to Not-for-Profits, Veteran's groups, and charitable organizations; and by offering Oneida Finance Funds/Products to the Oneida membership and Oneida community groups.

INTERNAL OPERATIONS/DEPARTMENT ACTIVITIES

In the 1st Quarter the Finance Committee reviewed and approved Fifty-four (54) requests from the organization for a total of \$27,541,711.25. The requests consisted of FY24 Blanket Purchase Orders, Gaming & Program Capital Expenditures, Change Orders; vendor service contracts, and various service contracts.

Informational requests are reported to the Finance Committee to provide transparency within the organization of business activities/procedures; Intergovernmental Agreements; and Reports for and by the FC. In the First Quarter the FC reviewed Nineteen (19) informational items and internal reports including: FC Monthly Reports; Government to Government Agreements, and Slot Lease/Percentage/Free Trial Games.

INVESTMENT UPDATES

The CFO, Keith Doxtator, gave an investment update during the November 30th Finance Committee meeting. See attached investment update report.

ONEIDA FINANCE FUND

The Finance Committee reviews Oneida Finance Fund (OFF) requests at their first meeting of each month. The Fiscal Year 2024 funding for use is \$56,502.00. Per the FC Community Fund criteria all approved funding requests represent the following categories:

- 1.) Self-Development;
- 2.) Community Events; and
- 3.) Fundraising activities.

In the 1st Quarter the Finance Committee reviewed Sixty-nine (69) OFF funding requests and approved Sixty-two (62) of them for a total amount of \$29,611.82. The OFF balance at the end of the 1st Quarter is \$26,890.18. There was one product request this quarter in the amount of 25 cases. The balance for product is 401 cases. Attached is a listing of 1st Quarter requests.

FINANCE COMMITTEE DONATIONS

The Finance Committee reviews Donation requests at their second meeting of each month. The Donation allocation for Fiscal Year 2024 is \$100,000. Per the FC Donation criteria all requests approved represent the following categories: Oneida Community Causes; Local Groups (charitable); and Nation Groups (Indian Affiliated). There were five Donation requests in the First Quarter for a total of \$15,000 leaving an end balance of \$85,000. See attached summary.

FY 2024 Oneida Finance Fund Requests

FIRST QUARTER REPORT

Q1	Mtg Date	Name of Requester	Req. Category	Title /Description	Req Amount	FC Action
1	10/12/23	Cindy John	SelfDev-Youth	WI Legends 16U Basketball fees for daughter	\$ 500.00	Approved
2	10/12/23	Jason Danforth	SelfDev-Youth	Basketball Registration fees for daughter	\$ 500.00	Approved
3	10/12/23	Jason Danforth	SelfDev-Youth	Piano Lessons/ Developmental Classes for son	\$ 500.00	Approved
4	10/12/23	Jason Widi	SelfDev-Youth	Boy Scouts Outings & Summer Camp for son	\$ 500.00	Approved
5	10/12/23	Jason Widi	SelfDev-Youth	Highschool College Credit Classes for son	\$ 348.42	Approved
6	10/12/23	Jennifer Berg-Hargrove	SelfDev-Youth	Sconnie Lacrosse Players fees for son	\$ 450.00	Approved
7	10/12/23	Favian Burgos	SelfDev-Youth	Soaring Eagles Boxing Club fees for daughter	\$ 450.00	Approved
8	10/12/23	Tana Aguirre	SelfDev-Youth	Bay Port Highschool Dance Team fees for daughter	\$ 500.00	Approved
9	10/12/23	Amanda Danforth	SelfDev-Youth	Fusion Athletics fees for daughter	\$ 500.00	Approved
10	10/12/23	Andrew Doxtater	SelfDev-Youth	NEW Fusion Dance and Performing Arts fees for daughter	\$ 500.00	Approved
11	10/12/23	Kristine Hill	SelfDev-Adult	YMCA Membership	\$ 500.00	Approved
12	10/12/23	Kristine Hill	SelfDev-Youth	YMCA Membership for son	\$ 216.00	Approved
13	10/12/23	Annette Cornelius	SelfDev-Adult	YMCA Membership	\$ 500.00	Approved
14	10/12/23	Kerry Smith	SelfDev-Youth	YMCA Gymnastics fees for daughter	\$ 500.00	Approved
15	10/12/23	Kerry Smith	SelfDev-Youth	Piano Lessons for daughter	\$ 450.00	Approved
16	10/12/23	Kerry Smith	SelfDev-Adult	YMCA Membership	\$ 500.00	Approved
17	10/12/23	Margaret VanDen Heuvel	SelfDev-Youth	Baseball Registration fees for son	\$ 500.00	Approved
18	10/12/23	Margaret VanDen Heuvel	SelfDev-Youth	Basketball Registration fees for son	\$ 500.00	Approved
19	10/12/23	Margaret VanDen Heuvel	SelfDev-Youth	Various Sports fees for son	\$ 500.00	Approved
20	11/9/23	Maggie Teunissen	SelfDev-Youth	Select Soccer Registration for daughter	\$ 500.00	Approved
21	11/9/23	Marcus Webster	SelfDev-Youth	Hockey League fees for son	\$ 306.90	Approved
22	11/9/23	Marcus Webster	SelfDev-Youth	Hockey League fees for son	\$ 94.50	Approved
23	11/9/23	Marcus Webster	SelfDev-Youth	Hockey League fees for daughter	\$ 423.90	Approved
24	11/9/23	Melinda J Danforth	SelfDev-Youth	Impact Sports Academy Baseball Program for son	\$ 500.00	Approved
25	11/9/23	Elijah Metoxen	SelfDev-Youth	Lacrosse Registration fees for son	\$ 450.00	Approved
26	11/9/23	Steven Tonya Webster	SelfDev-Youth	Language & Friendship Program fees for daughter	\$ 500.00	Approved
27	11/9/23	Skenandore	SelfDev-Adult	Tai Chi Lessons	\$ 450.00	Approved

28	11/9/23	Tanya Danforth	SelfDev-Youth	AAU Basketball fees for son	\$ 500.00	Approved
29	11/9/23	Gerald Danforth	SelfDev-Youth	Impact Sports Academy Baseball Program for son	\$ 500.00	Approved
30	11/9/23	Gerald Danforth	SelfDev-Youth	NEW Fusion Dance & Performing Arts fees for daughter	\$ 500.00	Approved
31	11/9/23	Emily Webster	SelfDev-Youth	The Workshop Basketball fees for son	\$ 500.00	Approved
32	11/9/23	Emily Webster	SelfDev-Youth	The Workshop Basketball fees for son	\$ 500.00	Approved
33	11/9/23	Chad Metoxen	SelfDev-Adult	FIRE Fitness Camp fees	\$ 500.00	Approved
34	11/9/23	Laura Cornelius	SelfDev-Youth	Purdy Performance Soccer fees for grandson	\$ 500.00	Approved
35	11/9/23	Danforth Constance	SelfDev-Adult	Workout App fees	\$ 500.00	Approved
36	11/9/23	Danforth Stevi	SelfDev-Youth	Various Sports fees for son	\$ 500.00	Approved
37	11/9/23	Skenandore	SelfDev-Adult	Honorbound Fitness Membership	\$ 500.00	Approved
38	11/9/23	Jessica Danforth	SelfDev-Youth	Air Force Gymnastics fees for daughter	\$ 500.00	Approved
39	11/9/23	Jessica Danforth Jamison	SelfDev-Youth	Air Force Gymnastics fees for daughter	\$ 500.00	Approved
40	11/9/23	Skenandore	SelfDev-Youth	Askren Wrestling Academy fees for son	\$ 500.00	Approved
41	11/9/23	Lisa Liggins	SelfDev-Youth	Highschool AP & Dual Enrollment College Credit Classes for son	\$ 500.00	Approved
42	12/14/23	Mildred Flores	SelfDev-Adult	Cerebral Palsy Aquatic Classes	\$ 500.00	Approved
43	12/14/23	Lorraine Frias	SelfDev-Youth	Piano Lessons for daughter	\$ 360.00	Approved
44	12/14/23	Reva Danforth Nicole	SelfDev-Youth	FC Flite Volleyball Club fees for daughter	\$ 500.00	Approved
45	12/14/23	VanDenHeuvel Nicole	SelfDev-Youth	Barb's Centre for Dance fees for daughter	\$ 500.00	Approved
46	12/14/23	VanDenHeuvel Nicole	SelfDev-Youth	Birder Studio of Performing Arts fees for daughter	\$ 500.00	Approved
47	12/14/23	VanDenHeuvel Nicole	SelfDev-Youth	Various Sports fees for son	\$ 500.00	Approved
48	12/14/23	VanDenHeuvel	SelfDev-Youth	Various Sports fees for son	\$ 500.00	Approved
49	12/14/23	Irene Danforth Margaret	SelfDev-Youth	NEW Fusion Dance & Performing Arts fees for daughter	\$ 500.00	Approved
50	12/14/23	VanDen Heuvel Margaret	SelfDev-Youth	Various Sports fees for son	\$ 500.00	Approved
51	12/14/23	VanDen Heuvel	SelfDev-Youth	Various Sports fees for son	\$ 500.00	Approved
52	12/14/23	Yena Danforth	SelfDev-Youth	Volleyball Club fees for daughter	\$ 500.00	Approved
53	12/14/23	Melanie Ramey	SelfDev-Adult	YMCA Membership for daughter	\$ 500.00	Approved
54	12/14/23	Kelli Lake	SelfDev-Adult	Mindvalley Membership	\$ 449.10	Approved
55	12/14/23	Janice Yglesias	SelfDev-Youth	All That Dance fees for granddaughter	\$ 500.00	Approved Approved w/ Receipts
56	12/14/23	Betty Willems	CommEvent	Bead Circle - Moose Tufting Lessons	\$ 750.00	Approved
57	12/14/23	Ruth Montano	SelfDev-Adult	Raised Beadwork Workshop	\$ 225.00	Denied

58	12/14/23	April Jordan	SelfDev-Adult	Raised Beadwork Workshop	\$ 225.00	Denied
59	12/14/23	Lue Rutherford	SelfDev-Adult	Raised Beadwork Workshop	\$ 225.00	Denied
60	12/14/23	Terri Bohn	SelfDev-Adult	Raised Beadwork Workshop	\$ 225.00	Denied
61	12/14/23	DeAnna Perry	SelfDev-Adult	Raised Beadwork Workshop	\$ 225.00	Denied
62	12/14/23	Debra Valentino	SelfDev-Adult	Raised Beadwork Workshop	\$ 225.00	Denied
63	12/14/23	Laurie Metoxen Tasheba	SelfDev-Adult	Raised Beadwork Workshop	\$ 225.00	Denied
64	12/14/23	Danforth Amber VanDen	SelfDev-Adult	YMCA Family Membership	\$ 459.00	Approved
65	12/14/23	Heuvel Amber VanDen	SelfDev-Youth	Volleyball Club fees for daughter	\$ 468.00	Approved
66	12/14/23	Heuvel	SelfDev-Youth	Volleyball Club fees for daughter	\$ 468.00	Approved
67	12/14/23	Vanessa Miller	SelfDev-Youth	The Workshop Basketball Program fees for daughter	\$ 500.00	Approved
68	12/14/23	Yena Danforth	SelfDev-Youth	ETS Performance Membership for son	\$ 500.00	Approved
69	12/14/23	Yena Danforth	SelfDev-Adult	XO Fitness Membership	\$ 500.00	Approved
					\$ 29,611.82	

	Mtg Date	Name of Requester	Req. Category	Title /Description	Req Amount	FC Action
1	10/12/23	Aliskwet Ellis	CommEvent	Woodland Indian Art Show & Market Nov. 10-11, 2023 - Refreshments	25 Cases	Approved

Finance Committee Donations

FY 2024– Allocation & Expenditures

Budgeted Amount - \$100,000.00

1st Quarter Requests	Amount Approved
1. Safe Shelter Inc.	\$3,000.
2. Oneida Nation Veteran Services Department	\$3,000.
3. WI Alzheimer's Association	\$3,000.
4. Bay Port Dance Team	\$3,000.
5. NATOW	\$3,000.

\$85,000. Currently Available

FINANCE COMMITTEE DONATIONS QUARTERLY FUND BALANCE BY CATEGORY

FIRST QUARTER DONATIONS			
Designations /Percentages	Allocation	Expenditures	Balance
1. Oneida Community Causes - 40%	\$40,000.	\$6,000.	\$34,000.
2. Local Groups (Charitable) & Nat'l Groups (Indian Affil.) - 60%	\$60,000.	\$9,000.	\$51,000.
	\$100,000.	\$15,000.	\$85,000.

Article I. Purpose and Policy
 Article II. Adoption, Amendment and Repeal
 Article III. Definitions
 Article IV. Roles and Responsibilities

Article V. Objectives
 Article VI. Asset Allocation
 Article VII. Communications

ONEIDA TRIBE OF INDIANS OF WISCONSIN INVESTMENT POLICY STATEMENT

Article I. Purpose and Policy

1-1. The purpose of this policy statement is to provide a clear understanding between the Oneida Tribe of Indians of Wisconsin (Tribe) and its selected Investment Consultant, money managers custodians and other interested parties concerning the investment policies and objectives of the Tribe. The overall philosophy will be outlined and will have enough flexibility to allow for changing market conditions.

Article II. Adoption, Amendment and Repeal

- 2-1. This policy statement is adopted by the Oneida Business Committee, following an adoption by the Finance Committee.
- 2-2. Amendments to this policy statement are allowed, as needed, by a majority vote of the Finance Committee and of the OBC, and any such amendment will be forwarded in writing to the Chief Financial Advisor.
- 2-3. All other policy statements which are inconsistent with this policy statement are hereby repealed unless specifically re-enacted after adoption of this policy statement.

Article III. Definitions

- 3-1. This article shall govern the definitions of words and phrases as used herein. All words not defined herein shall be used in their ordinary and everyday sense.
- 3-2. "Prudent Man Rule" means all parties are subject to the Prudent Man Rule which states: Assets shall be invested with the care, skill, prudence, and diligence under the circumstances prevailing from time to time that a prudent man acting in a like capacity and familiar with such matters would use in the investment of a fund of like character and aims.
- 3-3. "Equity" means stock certificate(s) representing ownership interest in a company/corporation.
- 3-4. "Short Term" means one to three year time frame.
- 3-5. "Long Term" means time frame longer than three years.
- 3-6. "Market Cycle" means the time period between the two latest highs or lows of the S&P 500 Index, showing net performance of a fund through both an up and a down market.
- 3-7. "Index" means a recognized grouping of securities used to measure the general performance of a market or market sector.
- 3-8. "Watch Status" means signifies concern over the recent performance of a selected money manager. Ensuing performance will be "watched" in a more guarded manner.
- 3-9. "Fixed income" means securities which represent promises to pay specific interest over specific periods of time, plus the principal investment.
- 3-10. "Compound" means adding the interest earned from an investment to its principal, so that it also earns interest in ensuing time periods.

Article IV. Roles and Responsibilities

Approved by Finance Committee:
 February 25, 2005

Approved by Business Committee:
 April 6, 2005

- 4-1. Oneida Business Committee
- a. The Oneida Business Committee (OBC) is charged with the authority in this Policy Statement to hire and fire investment managers with the advice and upon the recommendation of the Finance Committee. The OBC is responsible for all investments under management, but as a practical matter, will delegate day-to-day management of the assets to the Finance Committee, the Chief Financial Advisor, or to money managers and consultants hired for that purpose.
- 4-2. Treasurer
- a. The Treasurer is charged with maintaining fiduciary responsibility for all funds governed by this Policy Statement. The Treasurer shall report to the Business Committee, or cause to be reported, the performance of investment portfolios governed by this policy statement on at least a quarterly basis.
- 4-3. Finance Committee
- a. In support of the Treasurer, the Finance Committee is charged with the direct oversight of money managers when hired, asset allocation of the Tribe's funds and oversight of outside consultants hired to assist the above. As a practical matter, the Committee may assign day-to-day management to the Chief Financial Advisor.
- 4-4. Finance Department
- a. The Finance Department serves as the main point of contact for the Tribe and its selected consultants and money managers. The Finance Department will monitor and report to the Finance Committee. Responsibilities will include negotiation of fees on behalf of the Tribe and coordination of presentations by the consultant or money managers to the OBC or the Finance Committee, and review and provide recommendation for policy updates to the Finance Committee.
- 4-5. Consultants
- a. The Oneida Business Committee may hire an investment broker or financial planner to perform duties which include, but are not limited to, advice on asset allocation, screening and day-to-day monitoring of money managers, independent reporting of investment results, and any other duties the Board or the Committee deems appropriate.

Article V. Objectives

- 5-1. The Tribe seeks to maximize income, growth of income, and long-term appreciation of capital while seeking to minimize principal fluctuations. The assets must be invested with care and diligence with the overriding prudent man rule as a guide to investment management. The Tribe will, as a general guideline, make occasional disbursements, and care should be taken to ensure available funds.
- a. Equity fund objectives.
 1. Long term objectives.
 - (a). The Tribe seeks as a total return (income and growth) over a market cycle, or at a minimum of three years, a compounded return that should equal or surpass an agreed-upon recognized Equity Index that will parallel the style of the equity manager. Underperforming the three-year return of the selected equity index for three consecutive quarters will result in the manager being placed on a watch status.
 2. Short term objectives.
 - (a). The assets should be managed in such a fashion so that each manager should outperform the benchmark index in at least 50% of the quarters that the benchmark index shows a negative return.
 - b. Fixed income objectives.

Approved by Finance Committee:
February 25, 2005

Approved by Business Committee:
April 6, 2005

1. Long term objectives.
 - (a). The Tribe seeks as a total return (income and growth) over a market cycle, or at a minimum of three years, a compounded return that should equal or surpass the Lehman Brothers Government/ Credit Intermediate Bond Index. If appropriate, the Finance Committee may use, in addition to the Lehman Brothers Government/ Credit Intermediate Bond Index, other recognized fixed income indices that may more closely parallel the style of the fixed income manager. Underperforming the three-year return of the selected index for three consecutive quarters will result in the manager being placed on a watch status.
2. Short term objectives.
 - (a). The Merrill Lynch Government/Corporate 1 to 3 year Bond Index shall be used to measure performance of any short term fixed income manager. The assets should be managed in such a fashion so that each manager should outperform the benchmark index in at least 50% of the quarters that the benchmark index shows a negative return.
3. Cash and equivalent objectives.
 - (a). It is expected that equity and fixed income managers will be generally fully invested. Cash that is allocated by the Finance Committee will be subject to the rules described herein.

Article VI. Asset Allocation

6-1. Asset allocation of the Tribe will be derived through the use of optimization techniques that consider the risks, expected returns, and correlation's of various asset classes.

a. The following general guidelines will be used to govern the overall asset allocation of the Fund:

	Minimum	Maximum
Equities	10%	70%
Bonds	20%	65%
Cash	none	70%

b. If separate portfolios are used, the following allocation restrictions based on the total value of the Equity Fund will apply:

	Minimum	Maximum
Large Value Equity	25%	75%
Large Growth Equity	25%	75%

Approved by Finance Committee:
February 25, 2005

Approved by Business Committee:
April 6, 2005

Small Cap Equity	5%	25%
International Equity	5%	25%

- 6-2. The Finance Committee must evaluate and adjust the portfolio when any asset class exceeds its limits by 5% of the total fund value for two consecutive quarters. The Finance Committee has the authority to change the Minimum and/or Maximum and to Add and/or Delete portfolios.
- 6-3. The Finance Committee will review the asset allocation guidelines at least every three years, and may adjust the guidelines to meet the changing needs of the Tribe.
- 6-4. Each manager when hired will have up to three months to bring the portfolio to a "fully invested" status. Uninvested balances will be held in an interest bearing account.
- 6-5. The Finance Committee will make the overall allocation of equities, fixed income and cash investments as they deem appropriate. The worst-case scenario of the allocation model shall reach a point of no expected losses over a five year period of time.
- 6-6. The investment managers will have discretion, within the guidelines and prohibitions in this article to make individual security and industry decisions within their own discipline. The prudent man rule will apply to both individual securities and industry/sector weightings.
- 6-7. Equity securities.
- a. The equities managers may not exceed 5% (at cost; 8% at market value) of managed portfolio to be concentrated in any one security.
 - b. The managers may not exceed 15% (at cost; 25% at market value) of managed portfolio to be concentrated in any one industry sector. The managers will divest of a portion of the securities in a sector if the concentration in that sector exceeds 25% of market value for more than one full calendar quarter.
- 6-8. Fixed Income.
- a. Fixed income securities may be either U.S. Government and its Agencies, municipal debt, corporate debt and preferred securities as well as convertible issues issued only in U.S. dollars. The minimum quality credit rating for non-convertible debt is "BBB" rated.
 - b. In addition, a maximum of 20% of the portfolio may be in Mortgage Backed Securities that either implicitly or explicitly have the backing of the U.S. Government.
 - c. Asset Backed Securities may be a maximum of 10% of the portfolio, but must constitute Senior Debt with a minimum "AA" rating.
 - d. The Manager will maintain a portfolio duration of + or - 30% of the agreed upon benchmark index.
- 6-9. Cash and equivalents.
- a. Cash and Cash Equivalents may be invested directly in the money markets in Commercial Paper, Bankers Acceptance, Bank CD's, and Corporate Notes with a minimum rating of A-1 by Standard & Poor's or P-1 by Moody's Investment Services. Maturities may not exceed 90 days.
 - b. In place of, or in addition, cash may be invested in money market mutual funds which have the same general investment restrictions as in 6-9.a..
 - c. All cash and equivalent investments must be in US dollars.
- 6-10. Prohibitions.
- a. The money managers are prohibited from investing in letter stock, private placements, options, short sales, margin transactions, financial futures, commodities, or other specialized activities, unless specifically authorized by the Oneida Finance Committee. No fund assets should be invested in speculative securities. With permission of the Finance Committee some speculative securities may be

Approved by Finance Committee:
February 25, 2005

Approved by Business Committee:
April 6, 2005

allowed for the purpose of reducing overall risk in the portfolio.

- b. Additionally, specific Collateralized Mortgages that are Interest & Principal Only Strips (I/O's, P/O's). Inverse Floaters. Z-Bonds, and Accruals are strictly prohibited.
- c. Socially Responsible Investing: The Tribe recognizes the responsibility to invest in a manner that does not enable harm to the environment or the spiritual and cultural values of Native Americans. The Tribe prefers to invest in companies that make positive contributions to alleviating the problems facing society and the environment. Further, the Tribe intends to utilize its funds for the benefit of its people, while attempting to avoid supporting certain businesses that engage in practices which the Tribe deems harmful. Some of these practices are as listed below:
 - 1. The destruction of rain forests.
 - 2. Heavily polluting industries.
- d. Investments not specifically addressed by this policy statement are forbidden without the Finance Committee's written consent. The Finance Committee may amend these prohibitions as deemed necessary.

Article VII. Communications

7-1. Meetings between the OBC and the consultant and/or money managers will be held on an annual basis at a location selected by the OBC. The performance of investments will be evaluated quarterly. Investment reviews will be sent quarterly to the Chief Financial Advisor, who will disseminate to the Finance Committee, and the consultant and/or money managers must be available for phone consultation on an as needed basis.

APPROVED:

FINANCE COMMITTEE CHAIRPERSON

DATE

ONEIDA TRIBAL SECRETARY, JULIE BARTON

DATE

Approved by Finance Committee:
February 25, 2005

Approved by Business Committee:
April 6, 2005

Accept the Legislative Operating Committee FY-2024 1st quarter report

Business Committee Agenda Request

1. Meeting Date Requested: 02/14/24

2. Session:

Open Executive – must qualify under §107.4-1.

Justification: *Choose or type justification.*

3. Requested Motion:

Accept as information; OR

Accept the Legislative Operating Committee Fiscal Year 2024 First Quarter Report.

4. Areas potentially impacted or affected by this request:

- | | |
|---|---|
| <input type="checkbox"/> Finance | <input type="checkbox"/> Programs/Services |
| <input type="checkbox"/> Law Office | <input type="checkbox"/> MIS |
| <input type="checkbox"/> Gaming/Retail | <input type="checkbox"/> Boards, Committees, or Commissions |
| <input type="checkbox"/> Other: <i>Describe</i> | |

5. Additional attendees needed for this request:

- Name, Title/Entity OR Choose from List*
- Name, Title/Entity OR Choose from List*
- Name, Title/Entity OR Choose from List*
- Name, Title/Entity OR Choose from List*

6. Supporting Documents:

- | | | |
|---|--|---|
| <input type="checkbox"/> Bylaws | <input type="checkbox"/> Fiscal Impact Statement | <input type="checkbox"/> Presentation |
| <input type="checkbox"/> Contract Document(s) | <input type="checkbox"/> Law | <input checked="" type="checkbox"/> Report |
| <input type="checkbox"/> Correspondence | <input type="checkbox"/> Legal Review | <input type="checkbox"/> Resolution |
| <input type="checkbox"/> Draft GTC Notice | <input type="checkbox"/> Minutes | <input type="checkbox"/> Rule (adoption packet) |
| <input type="checkbox"/> Draft GTC Packet | <input type="checkbox"/> MOU/MOA | <input type="checkbox"/> Statement of Effect |
| <input type="checkbox"/> E-poll results/back-up | <input type="checkbox"/> Petition | <input type="checkbox"/> Travel Documents |
| <input type="checkbox"/> Other: <i>Describe</i> | | |

7. Budget Information:

- | | |
|---|--|
| <input type="checkbox"/> Budgeted – Tribal Contribution | <input type="checkbox"/> Budgeted – Grant Funded |
| <input type="checkbox"/> Unbudgeted | <input checked="" type="checkbox"/> Not Applicable |
| <input type="checkbox"/> Other: <i>Describe</i> | |

8. Submission:

Authorized Sponsor: Jameson Wilson, Councilmember

Primary Requestor: Clorissa N. Leeman, LRO Senior Staff Attorney



Oneida Nation
 Oneida Business Committee
 Legislative Operating Committee
 PO Box 365 • Oneida, WI 54115-0365
 Oneida-nsn.gov



Legislative Operating Committee Fiscal Year 2024 First Quarter Report October 2023 – December 2023

Legislative Operating Committee Guiding Principles

The Legislative Operating Committee set forth the following guiding principles to provide clarity and direction on the Legislative Operating Committee's legislative efforts during the 2023-2026 legislative term:

- Re-indigenize our legislative foundation with Tsi? Niyukwaliho TÁ.
- Build an effective team through collaboration with departments, communities, and affected entities.
- Enhance community involvement through outreach and communication.
- Exercise our sovereignty through the development of community focused laws that promote Tsi? Niyukwaliho TÁ.
- Create a strategy driven agenda reflecting Oneida community values that align with the Oneida Business Committee's Strategic Plan.

Legislative Operating Committee Action on Legislative Requests

During the FY24 First Quarter the Legislative Operating Committee added fifty-three (53) legislative items to its Active Files List. Two (2) legislative items were denied during the FY24 First Quarter.

As a result of the *2020-2023 LOC Active Files List Outstanding Items Review*, on October 4, 2023, the Legislative Operating Committee added the following items to the Active Files List:

- All Terrain Vehicle Law Amendments;
- Back Pay Law Amendments;
- Business Corporations Law;
- Cemetery Law Amendments;
- Clean Air Policy Amendments;
- Code of Ethics Law Amendments;
- Credit Collections Law;
- Domestic Animals Law Amendments;
- Drug and Alcohol Free Workplace Law Amendments;
- Elder Protection Law;
- Endowments Law Amendments;
- Environmental Review Law;
- Eviction and Termination Law Amendments;

- Fire Signs Law;
- Furlough Law Amendments;
- Gift Card Law;
- Guardianship Law;
- Higher Education Scholarship Law;
- Hunting, Fishing, and Trapping Law Amendments;
- Investigative Leave Policy Amendments;
- Law Enforcement Ordinance Amendments;
- Layoff Policy Amendments;
- Local Land Use Regulation Reimbursement Policy Repeal;
- Marijuana Law;
- Misappropriation of Funds Law;
- Oneida Land Trust Law;
- Oneida Language Law;
- Oneida Personnel Policies and Procedures Amendments;
- On-Site Waste Disposal Law Amendments;
- Probate Law;
- Public Use of Tribal Land Law Amendments;
- Real Property Law Amendments;
- Recycling and Solid Waste Disposal Law Amendments;
- Sanction and Penalties Law;
- Taxation Law;
- Traffic Law;
- Tribal Environmental Response Law Amendments;
- Tribal Environmental Quality Review Law Amendments;
- Tribal Sovereignty in Data Research Law;
- Two Spirit Inclusion Law;
- Water Resources Law Amendments;
- Well Abandonment Law Amendments;
- Workplace Violence Law Amendments;
- Finance Committee Bylaws Amendments;
- Oneida Election Board Bylaws Amendments;
- Oneida Nation Veteran Affairs Committee Bylaws Amendments;
- Oneida Personnel Commission Bylaws Amendments; and
- Oneida Trust Enrollment Committee Bylaws Amendments.

On October 4, 2022, the Legislative Operating Committee also added the Audit Committee Bylaws Amendments to the Active Files List.

On November 1, 2023, the Legislative Operating Committee added the following items to the Active Files List:

- Oneida Nation Commission on Aging Bylaws Amendments;

- Oneida General Welfare Law Amendments;
- Onlayote?a·ká ni?i Commission Bylaws.

On November 1, 2023, the Legislative Operating Committee denied the request to add the Southeastern Wisconsin Oneida Tribal Services Advisory Board Bylaws Amendments to the Active Files List due to a lack of information included in the request, and sent the request back to SEOTS with a request to bring forward clarification on what they are looking for in potential amendments.

On December 6, 2023, Legislative Operating Committee denied the request to add the Drug and Alcohol Free Workplace Law Amendments to the Active Files List. The Legislative Operating Committee denied this request due to the fact that the Drug and Alcohol Free Workplace law amendments applies to employees of the Nation, and members of the Oneida Business Committee are elected officials and not employees; and in an effort to prioritize other legislative efforts.

On December 20, 2023, the Legislative Operating Committee added the SEOTS Bylaws Amendments to the Active Files List.

FY24 First Quarter Legislative Accomplishments

The Legislative Operating Committee brought forward one set of bylaws for amendment during the FY24 First Quarter.

Audit Committee Bylaws Amendments

On December 13, 2023, the Oneida Business Committee adopted amendments to the Audit Committee Bylaws. The amendments to the Audit Committee Bylaws:

- Eliminated the prohibition of the Oneida Business Committee Treasurer from serving on the Audit Committee. [*Bylaws Section 1-4.b.1*]; and
- Clarified that if serving on the Audit Committee, the Oneida Business Committee Treasurer shall not serve as Chairperson or Vice-Chairperson of the Audit Committee. [*Bylaws Section 2-1.a*].

FY24 First Quarter Community Outreach Efforts

Focusing on its guiding principle to enhance community involvement through outreach and communication, during the FY24 First Quarter the Legislative Operating Committee held one community outreach event.

On December 6, 2023, from 5:30 p.m. through 7:30 p.m. the Legislative Operating Committee held a community meeting in the Norbert Hill Center's cafeteria. Topics discussed during the community meeting included brief overview of the legislative process as well as a discussion of the following topics:

- Elder Protection Law;
- Oneida Language Law; and the
- Higher Education Scholarship Law.

The purpose of the community meeting was to collect comments, suggestions, questions, expectations, and concerns to be considered and utilized in the development the above-mentioned new laws for the Nation. All of these laws are in the early stages of development meaning there was no drafts of these proposed laws developed at the time of the community meeting, but the Legislative Operating Committee wanted to provide an opportunity for the community to share opinions early on in the legislative process to better gain perspective on the needs of the community.

Nearly sixty (60) people attended the community meeting and participated in the legislative process.

The Legislative Operating Committee intends to hold community outreach events on a quarterly basis.

FY24 First Quarter Legislative Highlights

The Legislative Operating Committee would like to highlight its work on the following legislative items during the FY24 First Quarter:

All Terrain Vehicle Law Amendments

The Legislative Operating Committee held one (1) work meeting during the FY24 First Quarter regarding this legislative matter.

Back Pay Law Amendments

The Legislative Operating Committee held two (2) work meeting regarding this legislative matter.

Business Corporations Law

The Legislative Operating Committee held two (2) work meeting during the FY24 First Quarter regarding this legislative matter.

Cemetery Law Amendments

The Legislative Operating Committee held one (1) work meeting during the FY24 First Quarter regarding this legislative matter.

Clean Air Policy Amendments

The Legislative Operating Committee held one (1) work meeting during the FY24 First Quarter regarding this legislative matter. On November 1, 2023, the Legislative Operating Committee

approve the public meeting packet for the Clean Air Policy Amendments and forward the Clean Air Policy Amendments to a public meeting to be held on December 15, 2023. A public meeting on the proposed amendments to the Clean Air Policy was held on December 15, 2023. Two (2) individuals provided oral comments during the public meeting. The public comment period was then held open until December 26, 2023. Four (4) individuals provided written comments during the public comment period.

Domestic Animals Law Amendments

The Legislative Operating Committee held one (1) work meeting during the FY24 First Quarter regarding this legislative matter.

Drug and Alcohol Free Workplace Law Amendments

The Legislative Operating Committee held two (2) work meeting during the FY24 First Quarter regarding this legislative matter. On December 20, 2023, the Legislative Operating Committee accepted the public comments and the public comment review memorandum and deferred these items to a work meeting for further consideration.

Elder Protection Law

The Legislative Operating Committee held three (3) work meeting during the FY24 First Quarter regarding this legislative matter. On December 6, 2023, the Legislative Operating Committee held a community meeting where this legislative matter was a topic of discussion.

Eviction and Termination Law Amendments

The Legislative Operating Committee held one (1) work meeting during the FY24 First Quarter regarding this legislative matter.

Higher Education Scholarship Law

The Legislative Operating Committee held five (5) work meeting during the FY24 First Quarter regarding this legislative matter. On December 6, 2023, the Legislative Operating Committee held a community meeting where this legislative matter was a topic of discussion.

Hunting, Fishing, and Trapping Law Amendments

The Legislative Operating Committee held one (1) work meeting during the FY24 First Quarter regarding this legislative matter.

Onayote?aká ni?i Commission Bylaws

The Legislative Operating Committee held four (4) work meeting during the FY24 First Quarter regarding this legislative matter. On December 20, 2023, the Legislative Operating Committee removed this legislative matter from its Active Files List.

Oneida Land Trust Law

The Legislative Operating Committee held one (1) work meeting during the FY24 First Quarter regarding this legislative matter.

Oneida Language Law

The Legislative Operating Committee held four (4) work meeting during the FY24 First Quarter regarding this legislative matter. On December 6, 2023, the Legislative Operating Committee held a community meeting where this legislative matter was a topic of discussion.

Oneida Nation Commission on Aging Bylaws Amendments

The Legislative Operating Committee held one (1) work meeting during the FY24 First Quarter regarding this legislative matter.

Oneida Nation Veterans Affairs Committee Bylaws Amendments

The Legislative Operating Committee held one (1) work meeting during the FY24 First Quarter regarding this legislative matter.

Oneida Personnel Policies and Procedures

The Legislative Operating Committee held one (1) work meeting during the FY24 First Quarter regarding this legislative matter.

On-Site Waste Disposal Law Amendments

The Legislative Operating Committee held one (1) work meeting during the FY24 First Quarter regarding this legislative matter.

Public Use of Tribal Land Law Amendments

The Legislative Operating Committee held one (1) work meeting during the FY24 First Quarter regarding this legislative matter.

Real Property Law Amendments

The Legislative Operating Committee held one (1) work meeting during the FY24 First Quarter regarding this legislative matter.

Sanctions and Penalties Law

The Legislative Operating Committee held one (1) work meeting during the FY24 First Quarter regarding this legislative matter.

Tribal Environmental Response Law Amendments

The Legislative Operating Committee held one (1) work meeting during the FY24 First Quarter regarding this legislative matter.

Tribal Environmental Quality Review Law Amendments

The Legislative Operating Committee held one (1) work meeting during the FY24 First Quarter regarding this legislative matter.

Water Resources Law Amendments

The Legislative Operating Committee held one (1) work meeting during the FY24 First Quarter regarding this legislative matter.

Well Abandonment Law Amendments

The Legislative Operating Committee held one (1) work meeting during the FY24 First Quarter regarding this legislative matter.

FY24 First Quarter Legislative Operating Committee Meetings

All Legislative Operating Committee meetings are open to the public and held on the first and first Wednesday of each month, at 9:00 a.m. in the Norbert Hill Center's Business Committee Conference Room.

The Legislative Operating Committee held the following meetings during the FY23 First Quarter:

- October 4, 2023 – Regular meeting;
- October 18, 2023 – Regular meeting;
- November 1, 2023 – Regular meeting;
- December 6, 2023 – Regular meeting; and
- December 20, 2023 – Regular meeting.

The November 15, 2023, Legislative Operating Committee meetings was canceled.

In addition to attending the Legislative Operating Committee meetings in person, individuals provided the opportunity to attend the Legislative Operating Committee meeting through Microsoft Teams. Anyone who would like to access the Legislative Operating Committee meeting through Microsoft Teams can provide their name, phone number or e-mail address to LOC@oneidanation.org by the close of business the day before a meeting of the Legislative Operating Committee to receive the link to the Microsoft Teams meeting.

For those who may be unable to attend the Legislative Operating Committee meeting either in person or on Microsoft Teams, an audio recording of the Legislative Operating Committee meeting is made available on the Nation's website after the meeting concludes.

Goals for FY24 Second Quarter

During the FY24 Second Quarter the Legislative Operating Committee will focus its legislative efforts on the following matters:

1. Adoption of the Clean Air Policy Amendments.

2. Adoption of the Drug and Alcohol Free Workplace Law Amendments.
3. Develop a draft for the Higher Education Scholarship Law.
4. Develop a draft for the Oneida Language Law.
5. Develop a draft for the Elder Protection Law.
6. Hold a LOC community meeting and community work session.
7. Produce an informational video on the legislative process.

Legislative Reference Office

The Legislative Reference Office's mission is to provide support for the Legislative Operating Committee in developing clear and consistent legislation that reflects the Nation's values, builds upon the Nation's strong foundation, and reaffirms our inherent sovereignty. During the FY24 First Quarter the Legislative Reference Office was staffed by the following individuals:

- Clorissa N. Leeman, Senior Legislative Staff Attorney.
 - Contact: cleeman@oneidanation.org
- Carolyn Salutz, Legislative Staff Attorney.
 - Contact: csalutz@oneidanation.org
- Grace Elliott, Legislative Staff Attorney.
 - Contact: gelliott@oneidanation.org

Legislative Operating Committee Contact Information

Feel free to contact the LOC at LOC@oneidanation.org with any questions or comments, or individual LOC members at the following:

- Jameson Wilson, LOC Chairman
jwilson@oneidanation.org
- Kirby Metoxen, LOC Vice-Chairman
kmetox@oneidanation.org
- Jennifer Webster, LOC Member
jwebste1@oneidanation.org
- Jonas Hill, LOC Member
jhill1@oneidanation.org
- Marlon Skenandore, LOC Member
mksenan1@oneidanation.org