

Oneida Nation

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Oneida, WI 54155

BC Resolution # 06-26-24-L

Oneida Nation Food Assistance Program – Oneida General Welfare Exclusion Program

- WHEREAS,** the Oneida Nation is a federally recognized Indian government and a treaty tribe recognized by the laws of the United States of America; and
- WHEREAS,** the Oneida General Tribal Council is the governing body of the Oneida Nation; and
- WHEREAS,** the Oneida Business Committee has been delegated the authority of Article IV, Section 1, of the Oneida Tribal Constitution by the Oneida General Tribal Council; and
- WHEREAS,** the Oneida General Welfare law was adopted by the Oneida Business Committee through resolution BC-12-08-21-A for the purpose of governing how the Nation provides assistance to eligible members, on a non-taxable basis, through approved programs that promote the general welfare of the Nation pursuant to the principles of the General Welfare Exclusion; and
- WHEREAS,** the Oneida Business Committee has determined it would be beneficial for the general welfare of the Nation's membership to create an approved program under the Oneida General Welfare law to provide financial assistance to members of the Nation to aid them with the rising costs of healthy food; and
- WHEREAS,** the Oneida Business Committee adopted resolution BC-07-13-22-R, *Obligation for the Oneida Nation Food Assistance Program Utilizing Tribal Contribution Savings*, which obligated funding to and demonstrated an intent to create the *Oneida Nation Food Assistance Program* as an approved program of the Nation in accordance with the Oneida General Welfare law to provide an allocation of five hundred dollars (\$500) to each enrolled Oneida Nation member that is at least eighteen (18) years of age by December 31st of the allocating year for the purchase of healthy food items; and
- WHEREAS,** the Oneida Business Committee adopted resolution BC-04-12-23-A, *Obligation for FY-2024 Food GWA Payment Utilizing Tribal Contribution Savings*, to extend the Food Assistance Program an additional year as the FY-2024 Food GWA Payment; and
- WHEREAS,** the Oneida Business Committee will appropriate \$7,012,500 of the funds obligated in resolution BC-04-12-23-A for the FY-2024 Food GWA Payment, to be administered by the Trust Enrolment Department in accordance with resolution BC-04-12-23-A, unless amended herein, and Chapter 10 of the Oneida Nation Code of Laws.

Establishment and Purpose

NOW THEREFORE BE IT RESOLVED, the Oneida Business Committee hereby adopts and establishes the FY-2024 Food GWA Payment as an approved extension of the Oneida Food Assistance Program, a program created by the Nation in accordance with the Oneida General Welfare law.

BE IT FURTHER RESOLVED, the purpose of the FY-2024 Food GWA Payment is to provide financial assistance to members of the Nation to aid them with the rising costs of healthy food prices to ensure that their general welfare needs can continue to be met.

Eligibility for Assistance

BE IT FURTHER RESOLVED, for the distribution of the FY-2024 Food GWA Payment, any enrolled member of the Nation who is at least eighteen (18) years of age or older on or before December 31, 2024, shall be eligible for assistance from the FY-2024 Food GWA Payment.

Funding Source

BE IT FURTHER RESOLVED, the Oneida Business Committee will appropriate \$7,012,500 of the funds obligated in resolution BC-04-12-23-A for the FY-2024 Food GWA Payment, to be administered by the Trust Enrollment Department in accordance with Chapter 10 of the Oneida Nation Code of Laws and resolution BC-04-12-23-A, unless the latter is amended herein.

Qualifications for General Welfare Exclusion

BE IT FURTHER RESOLVED, the FY-2024 Food GWA Payment meets the requirements of the General Test as defined in the Oneida General Welfare law; General Criteria as defined in I.R.S. Rev. Proc. 2014-35, section 5; and the requirements of the Tribal General Welfare Exclusion Act of 2014, 26 U.S.C. §139E(b). The assistance provided through the *Oneida Nation Food Assistance Program* is:

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

Application Submission Period and Distribution of Funds

BE IT FURTHER RESOLVED, the Oneida Trust Enrollment Department shall make available an application form for the FY-2024 Food GWA Payment by July 1, 2024.

BE IT FURTHER RESOLVED, applications for the 2024 disbursement of assistance from the FY-2024 Food GWA Payment shall be accepted until 4:30 PM Central Standard Time on September 6, 2024, with the disbursement of assistance to be made on or before September 30, 2024. Eligible members missing the initial aforementioned application deadline may submit an application for the funds by 4:30 PM Central Standard Time on March 3, 2025, with a distribution made on or before March 28, 2025.

BE IT FURTHER RESOLVED, that the Oneida Trust Enrollment Department shall oversee the collection, review, and permitted distribution of assistance from the FY-2024 Food GWA Payment funds to the qualifying recipients.

Maintenance of Records

BE IT FURTHER RESOLVED, that the Oneida Trust Enrollment Department shall be responsible for maintenance of records for the FY-2024 Food GWA Payment. The recipient shall retain receipts for the expenditure of the funds associated with the FY-2024 Food GWA Payment.

Term of Program

BE IT FINALLY RESOLVED, that the FY-2024 Food GWA Payment shall terminate on March 31, 2025.

CERTIFICATION

I, the undersigned, as Secretary of the Oneida Business Committee, hereby certify that the Oneida Business Committee is composed of 9 members of whom 5 members constitute a quorum; 5 members were present at a meeting duly called, noticed and held on the 26th day of June, 2024; that the forgoing resolution was duly adopted at such meeting by a vote of 4 members for, 0 members against, and 0 members not voting*; and that said resolution has not been rescinded or amended in any way.



Lisa Liggins, Secretary
Oneida Business Committee

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